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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

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

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

ZERO TOLERANCE FOR RAPE

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

Mr. POE of Texas. Mr. Speaker, two Stanford students were biking one night when they noticed a half naked woman lying motionless behind a dumpster with a male student on top of her. When they confronted the attacker, the man took off in the darkness of the night. The Good Samaritans were able to catch the coward and knock him to the ground. The woman, just 22 years of age at the time, was being raped, and the rapist was caught in the act.

When the victim regained consciousness, she was on a gurney, covered with pine needles, and was bleeding. Her assailant was Brock Turner, a scholarship swimmer at Stanford. Brock was found guilty of sexual assault on three counts. His sentence? A mere 6 months in prison and 3 years probation. Because the judge said ''a prison sentence would have a severe impact on him.'' Well, isn't that the point?

Mr. Speaker, the punishment for rape should be longer than a semester in college. The defendant's dad called it a ''steep price to pay for 20 minutes of action.'' Clearly, Brock is a chip off the old block and daddy will never be named father of the year.

For many victims, Mr. Speaker, rape is a fate worse than death. Here is why. Because rape victims say that after being raped, they die emotionally many times; and with homicide, one dies only once.

After the sentencing, the brave victim read, Mr. Speaker, a 7,200-word statement to her attacker, the rapist. She said in part:

''I tried to push it out of my mind, but it was so heavy I didn't talk, I didn't eat, I didn't sleep, I didn't interact with anyone. I became isolated from the ones I loved the most. After I learned about the graphic details of my own sexual assault, the news article listed his swimming times, saying 'by the way, he's really good at swimming.'

''I was the wounded antelope of the herd, completely alone and vulnerable, physically unable to fend for myself, and he chose me. During the investigation, I was pummeled with narrowed, pointed questions that dissected my personal life, love life, past life, family life, inane questions, accumulating trivial details to try and find an excuse for this guy who had me half naked before even bothering to ask for my name.

''My damage was internal, unseen, I carry it with me. You took away my worth, my privacy, my energy, my time, my safety, my intimacy, my confidence, my own voice.

''While you worry about your shattered reputation, I can't sleep alone at night without having a light on, like a 5-year-old, because I have nightmares of being touched where I cannot wake up. I did this thing where I waited until the sun came up and I felt safe enough to sleep.''

Mr. Speaker, I was a prosecutor and a criminal court judge in Texas for over 30 years. I met a lot of rape victims and learned how these attacks sometimes devastate their lives.

This judge got it wrong. There is an archaic philosophy in some courts ''that sin ain't sin as long as good folk do it.'' In this case, the court and the defendant's father wanted a pass for the rapist because he was a big-shot swimmer. The judge should be removed.

The rapist should do more time for the dastardly deed that he did that night. This arrogant defendant has appealed the sentence. I hope the appeals court does grant the appeal and make it right and overturn the pathetic sentence and give him the punishment he deserves.

As a country, Mr. Speaker, we must change our mentality and make sure that people recognize sexual assault and rape for the horrible crimes that they are. As a grandfather of 11, I want to know that my granddaughters are growing up in a society that has zero tolerance for this criminal conduct. No means no. A woman who is unconscious does not even have the ability to consent or fight back.

Victims, like this remarkable woman, must know that society and the justice system are on their side. Too often the focus is on defending, protecting, and excusing sex offenders like Brock Turner. The entitlement mentality, being a good college athlete, and self-righteousness do not trump justice.

In 6 months, when Brock Turner is out of prison, he will return to his life, but the life of the victim may never be the same. The criminal has given her a life sentence of mental pain, anguish, and turmoil. Mr. Speaker, when rape occurs, the criminal is trying to steal the very soul of the victim.

Justice demands the judge be removed. The defendant should receive more time in prison. We, the people,

the community, must support and assist the victim in all possible ways because, Mr. Speaker, rape is never the fault of the victim.

And that is just the way it is.

Mr. Speaker, I include in the RECORD the statement of the victim in this case.

THIS IS A PARTIAL EXCERPT OF A 7,200 WORD STATEMENT FROM THE STANFORD RAPE VICTIM

''Your Honor, if it is all right, for the majority of this statement I would like to address the defendant directly. You don't know me, but you've been inside me, and that's why we're here today.

On January 17th, 2015, it was a quiet Saturday night at home. My dad made some dinner and I sat at the table with my younger sister who was visiting for the weekend. I was working full time and it was approaching my bed time. I planned to stay at home by myself, watch some TV and read, while she went to a party with her friends. Then, I decided it was my only night with her, I had nothing better to do, so why not, there's a dumb party ten minutes from my house, I would go, dance like a fool, and embarrass my younger sister. On the way there, I joked that undergrad guys would have braces. My sister teased me for wearing a beige cardigan to a frat party like a librarian. I called myself 'big mama', because I knew I'd be the oldest one there. I made silly faces, let my guard down, and drank liquor too fast not factoring in that my tolerance had significantly lowered since college. The next thing I remember I was in a gurney in a hallway. I had dried blood and bandages on the backs of my hands and elbow. I thought maybe I had fallen and was in an admin office on campus. I was very calm and wondering where my sister was. A deputy explained I had been assaulted. I still remained calm, assured he was speaking to the wrong person. I knew no one at this party. When I was finally allowed to use the restroom, I pulled down the hospital pants they had given me, went to pull down my underwear, and felt nothing. I still remember the feeling of my hands touching my skin and grabbing nothing. I looked down and there was nothing. The thin piece of fabric, the only thing between my vagina and anything else, was missing and everything inside me was silenced. I still don't have words for that feeling. In order to keep breathing, I thought maybe the policemen used scissors to cut them off for evidence. . . .

On that morning, all that I was told was that I had been found behind a dumpster, potentially penetrated by a stranger, and that I should get retested for HIV because results don't always show up immediately. But for now, I should go home and get back to my normal life. Imagine stepping back into the world with only that information. They gave me huge hugs and I walked out of the hospital into the parking lot wearing the new sweatshirt and sweatpants they provided me, as they had only allowed me to keep my necklace and shoes. . . . My sister picked me up, face wet from tears and contorted in anguish. Instinctively and immediately, I wanted to take away her pain. I smiled at her, I told her to look at me, I'm right here, I'm okay, everything's okay, I'm right here. My hair is washed and clean, they gave me the strangest shampoo, calm down, and look at me. Look at these funny new sweatpants and sweatshirt, I look like a P.E. teacher, let's go home, let's eat something. She did not know that beneath my sweatsuit, I had scratches and bandages on my skin, my vagina was sore and had become a strange, dark color from all the prodding, my underwear was missing, and I felt too empty to continue to speak. That I was also afraid, that I was also devastated. That day we drove home and for hours in silence my younger sister held me. My boyfriend did not know what happened, but called that day and said, 'I was really worried about you last night, you scared me, did you make it home okay?' I was horrified. That's when I learned I had called him that night in my blackout, left an incomprehensible voicemail, that we had also spoken on the phone, but I was slurring so heavily he was scared for me, that he repeatedly told me to go find [my sister]. Again, he asked me, 'What happened last night? Did you make it home okay?' I said yes, and hung up to cry.

You said, Being drunk I just couldn't make the best decisions and neither could she.

Alcohol is not an excuse. Is it a factor? Yes. But alcohol was not the one who stripped me, fingered me, had my head dragging against the ground, with me almost fully naked. Having too much to drink was an amateur mistake that I admit to, but it is not criminal. Everyone in this room has had a night where they have regretted drinking too much, or knows someone close to them who has had a night where they have regretted drinking too much. Regretting drinking is not the same as regretting sexual assault. We were both drunk, the difference is I did not take off your pants and underwear, touch you inappropriately, and run away. That's the difference.

You said, If I wanted to get to know her, I should have asked for her number, rather than asking her to go back to my room.

I'm not mad because you didn't ask for my number. Even if you did know me, I would not want to be in this situation. My own boyfriend knows me, but if he asked to finger me behind a dumpster, I would slap him. No girl wants to be in this situation. Nobody. I don't care if you know their phone number or not.

My independence, natural joy, gentleness, and steady lifestyle I had been enjoying became distorted beyond recognition. I became closed off, angry, self deprecating, tired, irritable, empty. The isolation at times was unbearable. You cannot give me back the life I had before that night either. While you worry about your shattered reputation, I refrigerated spoons every night so when I woke up, and my eyes were puffy from crying, I would hold the spoons to my eyes to lessen the swelling so that I could see. I showed up an hour late to work every morning, excused myself to cry in the stairwells, I can tell you all the best places in that building to cry where no one can hear you. The pain became so bad that I had to explain the private details to my boss to let her know why I was leaving. I needed time because continuing day to day was not possible. I used my savings to go as far away as I could possibly be. I did not return to work full time as I knew I'd have to take weeks off in the future for the hearing and trial, that were constantly being rescheduled. My life was put on hold for over a year, my structure had collapsed.

I can't sleep alone at night without having a light on, like a five year old, because I have nightmares of being touched where I cannot wake up, I did this thing where I waited until the sun came up and I felt safe enough to sleep. For three months, I went to bed at six o'clock in the morning.

You cannot give me back my sleepless nights. The way I have broken down sobbing uncontrollably if I'm watching a movie and a woman is harmed, to say it lightly, this experience has expanded my empathy for other victims. I have lost weight from stress, when people would comment I told them I've been running a lot lately. There are times I did not want to be touched. I have to relearn that I am not fragile, I am capable, I am wholesome, not just livid and weak.

He is a lifetime sex registrant. That doesn't expire. Just like what he did to me doesn't expire, doesn't just go away after a set number of years. It stays with me, it's part of my identity, it has forever changed the way I carry myself, the way I live the rest of my life.

To conclude, I want to say thank you. To everyone from the intern who made me oatmeal when I woke up at the hospital that morning, to the deputy who waited beside me, to the nurses who calmed me, to the detective who listened to me and never judged me, to my advocates who stood unwaveringly beside me, to my therapist who taught me to find courage in vulnerability, to my boss for being kind and understanding, to my incredible parents who teach me how to turn pain into strength, to my grandma who snuck chocolate into the courtroom throughout this to give to me, my friends who remind me how to be happy, to my boyfriend who is patient and loving, to my unconquerable sister who is the other half of my heart, to Alaleh, my idol, who fought tirelessly and never doubted me. Thank you to everyone involved in the trial for their time and attention. Thank you to girls across the nation that wrote cards to my DA to give to me, so many strangers who cared for me.

Most importantly, thank you to the two men who saved me, who I have yet to meet. I sleep with two bicycles that I drew taped above my bed to remind myself there are heroes in this story. That we are looking out for one another. To have known all of these people, to have felt their protection and love, is something I will never forget.

And finally, to girls everywhere, I am with you. On nights when you feel alone, I am with you. When people doubt you or dismiss you, I am with you. I fought every day for you. So never stop fighting, I believe you. As the author Anne Lamott once wrote, 'Lighthouses don't go running all over an island looking for boats to save; they just stand there shining.' Although I can't save every boat, I hope that by speaking today, you absorbed a small amount of light, a small knowing that you can't be silenced, a small satisfaction that justice was served, a small assurance that we are getting somewhere, and a big, big knowing that you are important, unquestionably, you are untouchable, you are beautiful, you are to be valued, respected, undeniably, every minute of every day, you are powerful and nobody can take that away from you. To girls everywhere, I am with you. Thank you.''

CARBON TAX AND OIL TAX

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

Mr. BLUMENAUER. Mr. Speaker, I appreciate the comments from my friend from Texas. They are important to consider.

I am going to shift gears for a moment. I have another issue to talk about today. To a certain extent, I have great sympathy for my Republican colleagues. They have been stuck with a standard-bearer for their party, who is a bigot, a bully, a liar, a misogynist, with no discernible qualifications for the high office that he seeks. But they are not helping themselves by trying to shift the subject of debate here on the floor of the House.

Tomorrow, we are going to be taking a stand against a couple of what they think are unpopular ideas. It is too bad that the proposals we will be debating on were never considered by our Ways and Means Committee. One, a sense of Congress that a carbon tax would be bad for the economy. And the other, opposition to the President's proposal for a $10 a barrel fee on oil.

The carbon tax ironically is something that most of the economists who have studied it—whether they are conservative, liberal, Republican or Democrat—agree would be a good policy for this country. A carbon tax is the most efficient way to deal with the serious problems of carbon pollution that is already harming the economy.

Look at the disruption of the fishing industry and the widespread flooding we have seen that has been unprecedented. We are about to go into another egregious forest fire season with huge costs economically, as well as to forest health. We have wildly unpredictable weather—unprecedented heat. In Portland, Oregon, last weekend, it was 100 degrees for both days.

A carbon tax would harness market forces to be able to change that direction more effectively than other initiatives. A carbon tax actually can be designed to cushion impacts on low- to moderate-income people. In fact, it actually could be designed to help low- to moderate-income people. A blanket dismissal of what economists think is our best economic environmental protection is shortsighted. It is too bad that we didn't debate it in committee.

The other resolution, the opposition to the President's barrel tax, misses the point entirely. It suggests that that is somehow going to be detrimental. Wait a minute. The barrel fee would be used to rebuild and renew America. We have been in a desperate situation. We haven't raised the gas tax since 1993. It has made it almost impossible to move forward with a robust transportation bill to deal with the problem. America is falling apart while we are falling behind. That is why seven red Republican States last year raised the gas tax. We couldn't even talk about it here in Congress.

Using a barrel fee of $10 per barrel will enable us to make significant investments in rebuilding and renewing America. The Standard & Poor 500 research report of a couple of years ago pointed out that investment in infrastructure has a significant impact on the economy. $1.2 billion creates almost 30,000 jobs, creates $2 billion worth of economic activity, reduces the Federal deficit $200 million, and we get the benefit of improved infrastructure.

That is why every major interest group supported raising revenues for transportation. When I introduced the gas tax increase, it was supported by the American Chamber of Commerce, the AFL–CIO, by truckers, AAA, engineers, and contractors. Virtually everybody who builds, uses, maintains, or owns American infrastructure said, Raise this fee, help us rebuild and renew America.

I think the only thing wrong with the President's proposal is that it is several years too late. We should have been debating this from the outset, particularly when petroleum prices have fallen precipitously, and when America's infrastructure continues to deteriorate. It is sad that we didn't have a robust debate in committee. We will have a little bit of discussion tomorrow. But it is too little and too late.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

HONORING GENERAL GORDON SULLIVAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. GIBSON) for 5 minutes.

Mr. GIBSON. Mr. Speaker, I rise today to honor retired General Gordon Sullivan for his accomplishments in over 54 years of total service to the soldiers, veterans, family members, the civilians of the United States Army, and this great Nation.

General Sullivan, raised in Quincy, Massachusetts, was commissioned a second lieutenant of armor in 1959. After a distinguished career spanning 36 years in uniform and serving in command level throughout the Army, his career culminated as the 32nd chief of staff of the United States Army.

On the occasion of his retirement from the Army, former Senator Bob Dole spoke of General Sullivan's caring leadership, sage counsel, and commonsense approach as he navigated the Army through a challenging period of significant downsizing and restructuring.

Senator Dole stated, ''Our Army will sorely miss General Sullivan, but it is stronger and better for his service. The legacy he leaves—a ready Army, a future force that will be unmatched, and the deep love and devotion of his soldiers—is fitting of this great man.''

After serving in uniform for almost four decades, General Sullivan continued to advocate on behalf of the Army as president of the Association of the United States Army for the past 18 years. His tireless efforts, ensuring our soldiers and their families had the best training and resources and that our veterans returning from combat received the best care, have been unmatched and are a true testament to this great man of character and conviction.

Under General Sullivan's executive leadership, the Association of the United States Army broadly expanded support and outreach to the Army families, the Army National Guard and Army Reserve, and the Department of Army Civilians by the promotion, establishment, and support of countless programs and events at the national and local levels.

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Additionally, the Association of the United States Army generously contributed millions of dollars to veteran and soldier support programs, such as the Fisher House Foundation, the Center for the Intrepid, and the Army Emergency Relief.

Mr. Speaker, I first met General Sullivan 18 years ago, which was the week he started as the president of AUSA, when I served as an escort officer for the Senior Conference at the United States Military Academy at West Point. I was serving on the faculty at that time. I was struck by General Sullivan's graciousness, his humility, and the way he lived his life by conviction and integrity. I remain a huge fan to this day.

Mr. Speaker, I rise on behalf of a grateful Nation to thank General Gordon Sullivan and his family for their over five decades of service to our Army. His leadership has directly enhanced the readiness of the United States Army. I ask my colleagues to join me in saluting him and in wishing him well in his retirement.

THE COURT OF PUBLIC OPINION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, it is utterly disappointing that Donald J. Trump chose to use the court of public opinion in his attempt to defend against a civil fraud claim involving Trump University.

Last week, Donald Trump made disparaging statements about the trial judge. He suggested that the trial judge is incapable of objectively judging the case because of his Mexican heritage. He went on to say that the judge was a hater of Donald Trump's. The footage is being played over and over on television, and many of my colleagues on both sides of the aisle, to their credit, have found these statements to be unacceptable.

In my humble opinion, Mr. Speaker, these statements rise to the level of contempt of court. They are racially based, and the litigant should be sanctioned. The Trump statements are perceived by millions of people to be race based and a discredit to the judiciary. It must be addressed.

Based on my years as a lawyer and as a judge, it is clear that, if a litigant feels that the judge cannot be fair and impartial in a case, the litigant has a duty to inform his counsel. Counsel then has an obligation to file motions of recusal that set out, with particularity, the grounds for the motion. This was not done, and I suspect it was not done because no evidence of bias even exists. If the attorneys chose to make such a reckless claim, the attorneys would be subject to discipline.

What would motivate a litigant in a class action civil fraud case to announce to millions of people that the judge is incapable of objectively judging his case because of his Mexican heritage?

It is bizarre. It is suspicious behavior.

One explanation is that the litigant, unable to convince his attorney to address these issues in court, wants to intimidate the judge and eventually force the judge off the case, which would slow the administration of justice and would postpone the trial for months, even years. The court system, Mr. Speaker, does not work that way.

These statements have put the attorneys in an ethical dilemma of whether they should repudiate the statement or not. Codes of Professional Conduct require an attorney to address client misconduct, to address it with the bar, to address it with the court, and to seek guidance on further representation.

Mr. Speaker, this is an egregious violation of litigant misconduct. The court and the attorneys bear responsibility for protecting the integrity of the judiciary and the judicial system. Donald Trump's lawyers must avow or disavow their client's misconduct. The integrity of an independent judiciary is clearly impacted by these inappropriate statements.

RELEASE WILDIN ACOSTA FROM DETENTION

Mr. BUTTERFIELD. Mr. Speaker, yesterday, Riverside High School in Durham, North Carolina, held its graduation ceremony. Among the pomp and circumstance, one student who should have graduated with his class was, sadly, absent.

Wildin Acosta is a Honduran national who fled his country after the violence and threats to his life became so great that he risked everything to embark on a harrowing 17-day journey to the United States, all at the tender age of 17. He was classified as an Unaccompanied Minor and was eventually reunited with his parents in Durham, where he planted deep roots in the community and thrived at Riverside High School.

Instead of graduating yesterday with his classmates, he sits in an ICE detention facility in Georgia after being arrested by ICE agents while he was on his way to school. Led by his classmates, the Durham community has been unanimous in calling for the end of recent ICE raids that have spread fear throughout our community and schools.

Mr. Speaker, I, too, stand in support of Wildin, and I continue to fight for his release. I encourage my colleagues to fight with me and to implore the ICE Director and the Department of Homeland Security Secretary to use their discretion to release Wildin and others like him from detention.

REMEMBERING CAPTAIN JEFFREY KUSS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. KATKO) for 5 minutes.

Mr. KATKO. Mr. Speaker, I rise to pay tribute to the life of Marine Corps Captain Jeffrey Kuss, a pilot with the Navy's elite Blue Angels flying squadron, who tragically lost his life in a fatal crash just over 1 week ago.

This week is the first-ever Navy Week in Syracuse, New York, in my district, which is marked by a series of local outreach efforts that are focused on translating the mission of the U.S. Navy to our community.

The week was expected to culminate with a performance of the Blue Angels at the Syracuse Hancock International Airport Airshow. Tragically, Marine Corps Captain Jeff Kuss, a married father of two young children, was killed when his jet crashed 2 miles from a runway near Nashville, Tennessee.

Captain Kuss, a native of Durango, Colorado, devoted his life to serving our country as a U.S. marine—joining the Blue Angels in September of 2014. At 32 years old, he had accumulated more than 1,400 flight hours and 175 carrier-arrested landings. His decorations include the Strike/Flight Air Medal, the Navy and Marine Corps Achievement Medal, and various personal and unit awards.

While the Syracuse Airshow will go on without the Blue Angels this weekend, our community is deeply saddened by the loss of this fallen pilot, and the show will celebrate and pay tribute to his life.

As Captain Kuss' family and the Blue Angels team grieve this tremendous loss, this weekend, central New York will remember and honor his life and service to our great Nation.

Semper Fi Marine.

MUHAMMAD ALI—THE GREATEST

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, Muhammad Ali was, indeed, the greatest, and he spent considerable time in Chicago. Therefore, I got the opportunity to meet and know him. On occasion, I would visit with my friends Frank Lipscomb, Wallace Davis, Jr., and Ralph Metcalf, Jr., and we would visit with him in his Kenwood home and at meetings. Although Muhammad Ali was born and raised in Louisville, Kentucky, those of us who lived in Chicago embraced Ali as a fellow Chicagoan because of his relationship to the Honorable Elijah Muhammad, who was with the Nation of Islam, and because of his involvement and engagement with the larger community. Muhammad Ali was not only the best boxer in the world, but during his heyday, he was a genuine hero to everyday people who felt that he was a part of them.

In 1966, 2 years after winning the heavyweight title, he refused to be conscripted into the military, citing his religious beliefs and opposition to the American involvement in the Vietnam war. He was eventually arrested, found guilty of draft evasion, and stripped of his boxing titles. He successfully appealed in the U.S. Supreme Court, which overturned his conviction in 1971. By that time, he had not fought for nearly 4 years and lost a period of peak performance as an athlete. Ali's actions as a conscientious objector to the war made him an icon for those who opposed the war.

With a record of 61 total fights, 56 wins—37 by knockouts—and just five losses, Muhammad Ali was, obviously, a superb athlete, but he was so much more. He was a humanitarian, a principled man. He was proud of his heritage, proud of his abilities, and proud of his accomplishments.

Muhammad Ali, a soldier in the people's army. I salute you.

IMPROVING HEALTH CARE FOR AMERICA'S SENIORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, I rise to discuss the importance of improving health care for America's seniors.

Living out one's golden years to the max can come with its share of challenges, especially as it relates to health care, which is why fighting for our seniors and improving their quality of care must always be a top priority. Whether at meetings in my Long Island office, my mobile office hours, or at various other events in my district in Suffolk County, New York, I have met with seniors who are struggling with balancing health challenges while being on fixed incomes.

Many cite a lack of healthcare options and a difficulty in gaining access to quality and affordable health care as a result of ObamaCare. There are also serious concerns over the solvency of Social Security and Medicare, which many seniors rely on for both financial and healthcare security.

As health challenges arise and seniors budgeting based on a fixed income, we should do everything we can to ensure that those who need medical care and attention are able to access quality care at an affordable price without having to jump through hoops. They also should be assured that the programs and benefits they rely on will always be there for them. ObamaCare has significantly impacted our seniors and their access to quality and affordable health care. I frequently hear concerns about lost doctors, canceled policies, and higher premiums and deductibles.

Earlier this year, Congress passed the Restoring Americans' Healthcare Freedom Reconciliation Act, which would repeal many of the flawed major provisions under ObamaCare over a period of 2 years—specifically, many of the

harmful mandates and taxes—so that we can increase seniors' access without compromising quality of care or efficiency. It is important to improve the quality of health care in our country for our Nation's seniors.

Congress has also taken action to improve Medicare. Over the past year, the House has passed a number of bills, including the Protecting Seniors' Access to Medicare Act, the Medicare Beneficiary Preservation of Choice Act, and the Medicare Advantage enrollment bill—all proposals that would protect and preserve Medicare for our seniors who rely on it as well as to restore and expand the Medicare open enrollment period.

The House also took action and made significant reforms to Social Security and Medicare, saving millions of seniors from significantly increased healthcare costs. By working in a bipartisan fashion, Congress was able to stave off a massive premium hike for seniors who utilize Medicare part B. Without this action, approximately 8 million seniors across our country would have been subjected to a 52 percent premium hike for Medicare part B. In this bipartisan effort, action was taken to prevent a 20 percent across-the-board cut to Social Security disability benefits.

Moreover, in working across the aisle with my colleagues in the House, we were able to repeal the sustainable growth rate formula, also known as the doc fix, to prevent there being a 20 percent cut to Medicare. This action alone has been seen as the most significant Medicare reform that has taken place in years. Without this legislation, which is now law, many doctors would have simply stopped accepting new Medicare patients or would have even ceased in accepting Medicare altogether.

Congress has also been committed to passing legislation and securing funding to expand seniors' access to the most innovative technologies and treatments so that we can diagnose and treat diseases as early as possible.

Last year, the House passed the 21st Century Cures Act, bipartisan legislation I cosponsored in Congress to improve and modernize our Nation's health care. This legislation would accelerate the process for scientific advancement while providing desperately needed research funding so that we can provide the next generation of cures. It is our duty as Americans to always protect and improve the quality of life and care for our Nation's seniors.

If anyone in the First Congressional District of New York ever needs assistance or has questions about Social Security and Medicare or a Federal issue in general, I encourage you to contact my Long Island office at area code (631) 289–1097.

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STANFORD RAPE CASE AND SENTENCING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, these are the facts: Brock Turner was found on top of an unconscious woman whose clothing he had removed. He tried to run away. The woman later found pine needles and dirt in her genitalia.

This is also a fact: Brock Turner was sentenced to a mere 6 months in county jail for committing the violent crime of rape, of which Turner will probably serve 3 months. Why? Because the judge said a longer sentence would have a ''severe impact'' on Turner. A severe impact? What a travesty.

All I could think of was Proverbs, which says: ''A righteous man falling down before the wicked is as a troubled fountain and a corrupt spring.''

Our justice system must become better than this. Our educational system must become better than this. People must understand that rape is one of the most violent crimes a person can commit and not as Mr. TURNER's father said, ''20 minutes of action.''

I am working on several pieces of legislation to help survivors of sexual assault and harassment, including the HALT Act to strengthen prevention and enforcement efforts on campuses. But today I want to honor the courage of the woman who survived Brock Turner's violent assault. Her bravery inspires me, as I hope it will inspire you. I only have time to read an excerpt, but I encourage you to read the entire statement, all 7,000 words.

''You don't know me, but you've been inside me, and that's why we're here today.''

''I was found unconscious, with my hair dishevelled, long necklace wrapped around my neck, bra pulled out of my dress, dress pulled off over my shoulders and pulled up above my waist, that I was butt naked all the way down to my boots, legs spread apart, and had been penetrated by a foreign object by someone I did not recognise.''

''You are guilty. Twelve jurors convicted you guilty of three felony counts beyond reasonable doubt, that's twelve votes per count, thirty six yeses confirming guilt, that's one hundred percent, unanimous guilt.''

''Alcohol is not an excuse . . . alcohol was not the one who stripped me, fingered me, had my head dragging against the ground, with me almost fully naked.''

''Regretting drinking is not the same as regretting sexual assault. We were both drunk, the difference is I did not take off your pants and underwear, touch you inappropriately, and run away. That's the difference.''

''How fast Brock swims does not lessen the severity of what happened to me, and should not lessen the severity of his punishment. If a first-time offender from an underprivileged background was accused of three felonies and displayed no accountability for his actions other than drinking, what would his sentence be?

''The fact that Brock was an athlete at a private university should not be seen as an entitlement to leniency, but as an opportunity to send a message that sexual assault is against the law regardless of social class.''

''. . . to girls everywhere, I am with you. On nights when you feel alone, I am with you. When people doubt you or dismiss you, I am with you. I fought everyday for you. So never stop fighting, I believe you. As the author Anne Lamott once wrote, '+Lighthouses don't go running all over an island looking for boats to save; they just stand there shining.'

''Although I can't save every boat, I hope that by speaking today, you absorbed a small amount of light, a small knowing that . . . justice was served, a small assurance that we are getting somewhere, and a big, big knowing that you are important, unquestionably, you are untouchable, you are beautiful, you are to be valued, respected, undeniably, every minute of every day, you are powerful and nobody can take that away from you.''

VOLUNTEERING THE MIDWEST WAY

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Mary Gangl of Coon Rapids, Minnesota. Mary was recently awarded the Office Volunteer of the Year Sylvie, which is given annually by the National Multiple Sclerosis Society Upper Midwest Chapter.

The Sylvie award was presented to Mary for her contributions to the society which works to improve the lives of those diagnosed with multiple sclerosis. Mary spends nearly 400 hours a year volunteering at the office front desk where she helps with many important tasks as well as welcoming visitors and staff.

Multiple sclerosis is a debilitating disease of the central nervous system, which affects more than 2 million people worldwide. Those affected by this disease have devastating symptoms; and, unfortunately, at this time, there is no cure.

I want to thank Mary for dedicating so much of her time volunteering to help others. Your hard work is appreciated, and you truly deserve this award.

MINNESOTA HOME TO MANUFACTURER OF THE YEAR

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Minnesota-based company Sign-Zone for receiving a Manufacturers Alliance Manufacturer of the Year award for midsize businesses. Sign-Zone is highly deserving of this award, as it is one of

the fastest growing companies in the country as well as the Nation's leading provider in visual communication products and solutions.

Manufacturing is an incredibly important industry in the State of Minnesota. Our State is not only home to nearly 300,000 manufacturing jobs, but the industry brings billions of dollars to our economy every year, making it a key pillar of Minnesota's economy.

I commend Sign-Zone for bringing great business and excellent products to our community, but I also thank them for contributing to an industry that is so critically vital to our State.

Congratulations, Sign-Zone, and thank you for what you contribute to the great State of Minnesota.

MINNESOTA'S OWN PRESIDENTIAL SCHOLAR

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate one of Minnesota's best and brightest, Sartell High School senior Gopi Ramanathan, who was recently named a 2016 Presidential Scholar.

Every year, up to 161 students can be named Presidential Scholars, making it one of the highest awards a high school student can receive. It is safe to say this achievement has gone to an incredibly deserving scholar.

Gopi Ramanathan has had an exceptionally successful high school career, and his resume includes a very long list of accolades and achievements. He is a two-time champion of the Minnesota State Geography Bee, and he was captain of the United States team that took first place at the 2013 National Geographic World Geography Bee.

Additionally, he is a member of the National Honor Society, a Big Brother mentor, a member of the student council, the president of the Minnesota Association of Student Councils, and a member of the Sartell soccer team.

Perhaps most notably, Gopi earned a perfect score of 36 on his ACTs, an accomplishment that puts him in the top one-tenth of 1 percent of students across this country.

It is an honor to recognize a student of such distinction here today, and I can say with absolute certainty that we will see more great things to come from this young man in the future.

ANOKA EDUCATOR HONORED AT THE WHITE HOUSE

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Anoka High School math teacher Paul Kelley for recently being honored at the White House in a ceremony for exceptional educators.

In addition to teaching math at Anoka High School for the past 29 years, Mr. Kelley serves on the board of directors for the National Council of Teachers of Mathematics. Along with four other teachers from around the country, Mr. Kelley was nominated for this recognition by the staff at the National Council of Teachers of Mathematics headquarters.

During the ceremony at the White House, Paul had the chance to meet hundreds of other extraordinary teachers as well as the Secretary of Education, John B. King, and Deputy Assistant to the President for Education, Roberto Rodriguez. Mr. Kelley also heard from President Obama, thanking the educators for their roles in educating today's youth.

A good teacher molds minds, sparks creativity, and gives students keys that can open all of life's doors. Congratulations, Mr. Kelley, on your recent achievement, and thank you for helping Minnesota students achieve their full potential.

THE STATE OF HOMELESSNESS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MAXINE WATERS) for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Speaker, today I rise once again to discuss the harsh realities of homelessness in America and to call attention to the Republicans' so-called poverty agenda that simply ignores the fact that men, women, and children are sleeping on the streets of America, eating out of garbage cans, and using our sidewalks and streets for restrooms.

Homelessness is one of the most tragic and disappointing reminders of the overwhelming poverty in this country. According to the latest estimates, almost 600,000 Americans are homeless. It is a problem in virtually every district, and it affects people from very different walks of life: 37 percent of the homeless population are represented in families, 15 percent are chronically homeless, 8 percent are veterans, and 6.5 percent are children.

While there is a claim that some progress has been made to decrease homelessness in some communities, a lot more needs to be done, especially in some of our largest cities where homelessness is, sadly, increasing exponentially: in my hometown of Los Angeles, homelessness increased 20 percent between 2014 and 2015; in New York City, homelessness increased 11 percent between 2014 and 2015; and in Chicago, there was an 8 percent increase in that timeframe.

As public policymakers and Members of Congress, we have a responsibility to deal with problems and circumstances that undermine and harm our way of life. We are a people who cherish religion. In every religion, there is a reference to feeding the hungry, housing the homeless, and clothing the naked.

Where are the Republican Members who regularly hold prayer meetings, who attend church on Sunday in their districts, but yet they are supporting this fake poverty agenda that does not even mention homelessness? Where are the Members who claim to honor our veterans, yet walk past them on the sidewalk in their tents and sleeping under our bridges?

We know that we can functionally end homelessness and alleviate poverty in this country. We know that Federal resources and the social safety nets are incredibly effective at lifting up struggling families. We know that if we properly support the Department of Housing and Urban Development and other Federal agencies that we could create the necessary housing units and provide the social services that our neighbors need to get off the streets.

What we need is, simply, the political will to get it done. Unfortunately, we do not have the support from Republicans whose sham of a poverty agenda released this week would only exacerbate homelessness and punish the poor.

Take the Republican approach to housing assistance, for example. For years, they have cut funding for HUD programs, leaving more than 75 percent of eligible families without any housing help at all. And their latest poverty plan recycles some of the most harmful changes Republicans have sought for our housing programs. They refuse to acknowledge the realities of unaffordable rents that require families to earn almost triple the minimum wage to be able to afford a modest two-bedroom apartment.

And they want to impose these so-called work requirements that simply don't work if you ignore the already high unemployment rates in certain areas as well as the need to invest in job training, education, child care, and other social services to make it possible for individuals to obtain stable employment. What the Republicans have put forth is truly the wrong way forward.

Fortunately, Democrats know what it takes; and when we talk about issues of homelessness in particular, there is a very simple solution to this very real problem. That is why I have introduced H.R. 4888, the Ending Homelessness Act of 2016.

Now, a lot of people will say: Oh, my goodness, did you see how much money is in that bill? This bill would devote over $13 billion over 5 years to housing assistance programs and create the housing units and services that we so desperately need to get people off the streets.

□ 1045

So while others will point to this bill and talk about the cost of it, the fact of the matter is, this is the richest country in the world, and we spend money on so many other things that are not as important as taking care of our most vulnerable population.

So, yes, this is a $13 billion bill. We have to stop playing with this issue and thinking it is going to go away simply because we don't want to acknowledge it. We have to pay for the possibility of ending this homelessness. I cannot bear the thought of children sleeping in their cars every night and getting up and going to school the next day.

ADDRESSING THE NATIONAL DEBT

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

Mr. CURBELO of Florida. Mr. Speaker, I rise today to discuss one of the most serious issues facing the United States: the staggering national debt of over $19 trillion. This equates to $59,409 for every person living in our country.

While the national debt has grown almost $9 trillion since President Obama was sworn in, here in Congress, we must work together to debate solutions that will address our country's debt and get our fiscal house back in order. Every day, families in south Florida sit around the dinner table and make tough decisions on how they will spend their money. They stick to their budgets, and their government should be no different.

Last October, I was proud to support a 2-year bipartisan budget agreement that implemented new caps on discretionary spending for both fiscal years 2016 and 2017. Too often, enormous sums are wasted due to unpredictable budget cycles and government shutdown threats. With the adoption of this 2-year budget, Congress was able to reduce wasteful government spending by providing certainty to agencies as they plan for the future.

The budget also contains reforms to entitlement programs. It is important that we protect Social Security, Medicare, and Medicaid—the invaluable safety net for those who need the help—while working to implement reforms to make these programs solvent for future generations.

Mr. Speaker, I will continue to work with my colleagues on both sides of the aisle to advance solutions that will rein in our national debt. It is our duty as elected officials to leave our children and grandchildren the same economic opportunities as previous generations had. That is my highest priority in Congress.

RECOGNIZING JOSEPH GEBARA

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Joseph Gebara as he retires from his post as president of the Miami-Dade County Council PTA/PTSA. Mr. Gebara has been integral to the organization's mission of unlocking the potential present in every child.

Mr. Gebara, who held his post since 2014, has always maintained an unwavering focus on his goals, and has used his position to effectively serve our community. For years he has been at the helm of a movement which seeks to engage with south Florida families and provide them with the tools necessary to empower their children and set them on a path towards success.

Mr. Gebara has been firmly rooted in the south Florida community, which is evident through his service as board member of The Children's Trust as well as chairman of the Miami-Dade Public Schools Title I District Advisory Council. In those roles, Mr. Gebara worked tirelessly to facilitate collaboration between educators and families as well as increasing inclusivity so that every voice was heard, respected, and taken into consideration.

I commend Mr. Joe Gebara for his service to the south Florida community, and congratulate him on a job well done. Mr. Speaker, I can personally attest to the fact that he is the most passionate advocate for children and families in our schools that I know.

HOMESTEAD VETERANS CLINIC

Mr. CURBELO of Florida. Mr. Speaker, I rise today to offer my strong support for the U.S. Department of Veterans Affairs in allocating funds to create a new VA medical clinic in Homestead, Florida. As it currently stands, the Homestead Veterans Affairs Community Based Outpatient Clinic rents a medical office that does not meet the needs of military members and veterans in our south Florida community. With the establishment of a new clinic, Homestead would be able to serve more than 10,000 military personnel, veterans, and eligible family members in Miami-Dade and Monroe Counties, which would be a substantial improvement from its current capabilities.

Though this new clinic would be a step forward, there is still significant work that must be done to help our veterans and servicemembers living in the Florida Keys. They do not have a local clinic and must travel up to 4 hours to reach the nearest VA facility. These brave men and women deserve more easily accessible options, and I will continue fighting for them.

Supporting our troops and veterans is essential to paying our profound debt of gratitude to the very people who have put their lives in danger to defend our freedoms. It is because of brave people like our veterans that America continues to have the strongest military in the world, and we must always honor them.

CREATING A BETTER NATION FOR MY NEW GRANDCHILD AND FUTURE GENERATIONS

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

Mr. CÁRDENAS. Mr. Speaker, 2 weeks ago, Norma and I became grandparents. Our daughter, Vanessa—with our son-in-law, Brian, present—delivered a healthy baby boy, full of life and full of possibilities. His name is Joaquin Cruz de la Rosa.

From the moment I first learned I would soon be a grandfather, I was excited to welcome our grandson into this great world. I am grateful that Joaquin was born in the greatest nation in the history of time, these United States of America, a country that strives to live the principles of hard work, persistence, and equality. He was born to a nation of native Americans and immigrants whose foundation and future relies on the grit and determination of millions of people who will persist so their family can achieve that American Dream.

We were elected to the House of Representatives to serve all of our constituents and put our country first. Joaquin's arrival has encouraged me to reflect on what we do here. He has made me think about how Congress' words, actions, and obstructions are affecting the livelihood of all Americans.

I want Joaquin to live in a nation where his right to love whomever he chooses and to marry the person he falls in love with, regardless of gender, is respected. I am grateful that he was born healthy and in a safe, clean hospital full of skilled doctors, nurses, and technicians.

I am also grateful Vanessa and Joaquin Cruz received top notch health care, care that until recently was out of reach for many families. The Affordable Care Act has allowed countless pregnant women and newborn infants to see a doctor without risking bankruptcy. This sets them on the path of a healthy, productive life here in America. Now that 20 million more Americans have true access to health care, Congress must stop the efforts to repeal the healthcare law. Instead, we must come together to make sure we expand access, ensure the marketplace is working, and keep health care affordable for all Americans in this great country.

Every Member of Congress has a responsibility to the next generation and the one after that. We are responsible for their future. We face a short 12-week session in this 114th Congress.

What will we accomplish during this time? Will we vote on partisan bills that will go nowhere? Or will we face the challenges affecting our Nation and the world? Or will we, once and for all, think of the children and ensure future generations inherit a nation that remains the global leader, full of opportunities?

We hold the power to make things better for our kids and grandkids. For my grandson, and all grandchildren, I will fight for a future where a quality education doesn't put students and families into 6-figure debt. Every child deserves a world-class education that provides them with the knowledge and skills to achieve their dreams and uphold our place as a global leader in innovation.

For my grandson and grandchildren of his generation, I will continue to be a vocal advocate on the need to create a just and equal criminal and juvenile justice system that is worthy of our Nation. We spend $12,000 to educate a child in America, but we are willing to spend more than $150,000 to imprison that child for 1 year. And yet every year funding for education ends up on the chopping block.

How can we justify that?

My grandson was born into a great country, but sometimes, Mr. Speaker, this Congress does not live up to the potential that this Nation deserves. A child in the United States is less likely to die from a disease than from a gunshot. We are better than that, Mr. Speaker. It is our responsibility to address this reality.

We must work together for my grandson and all the children of his generation to make sure our parks are greener, our air is cleaner, to cure the sickness that is taking our climate, to make sure that a father or mother, no matter what their economic circumstances, does not have to worry that their child's bathwater is poisoned. This is our job.

It is our job to be leaders, and I will work with my colleagues every day to live up to what our grandchildren deserve. Far too often I hear elected officials spew the same line: ''We are mortgaging our children's future.'' Our parents and grandparents invested in our Nation, and we have reaped those benefits. It is time that we do the same for future generations.

That is what has made us the greatest economy in the world: investing in our roads and bridges, investing in schools and hospitals, in forward-thinking legislation that will serve others for generations to come. Now more than ever, I understand just how important it is that we work together and create solutions so that our children will live a better life.

YOUTH PROMISE ACT

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The Chair recognizes the gentleman from Florida (Mr. YOHO) for 5 minutes.

Mr. YOHO. Mr. Speaker, I rise today to call attention to an incredibly important piece of legislation that will provide essential funding for programs which will go miles toward helping every young person in America who has maybe had a misstep reach their potential and achieve their American Dream.

As I travel my district, I am so impressed as I meet some of the most incredible young people in north central Florida. These young Americans have the capability of literally changing the world and the capability of bettering their communities and setting a positive example for the youth that will follow in their footsteps.

Unfortunately, too many will fall victim to the circumstances in which they were born. Too many will become familiar with the inside of a juvenile detention facility, as the image of the classroom fades from memory, and the all-too-often reality of life behind bars begins to materialize. I want to stress that if this happens to even just one child, that is one child too many.

We live in the greatest nation on Earth. We tell our children they can be whatever they want to be when they grow up, yet we know the reality for some is that as these very words are spoken, there is no truth to them. These are the youth who fall subject to the cradle-to-prison pipeline, and it is unacceptable.

These are the children in our communities, children who go to school with our own kids and, yes, in some cases even our own children. We have the ability to change their reality. H.R. 2197, the Youth PROMISE Act, will do just that. The Youth PROMISE Act establishes a PROMISE Advisory Panel of State representatives as well as local PROMISE Coordinating Councils, which will develop and implement evidence-based locally controlled—not Washington-controlled—youth violence prevention and intervention practices and mentorship opportunities.

These practices will occur on a community level, working with families, working with schools, nonprofits, juvenile justice advocates, and law enforcement officers to intervene early in a child's life to prevent them from starting down a path that can easily define the remainder of their lives.

Last Congress, the Youth PROMISE Act garnered the bipartisan support of over 130 Members of this body in Congress, yet it sat in committee for nearly 2 years. This Congress, the Youth PROMISE Act has sat in the House Committee on Education and the Workforce for over 400 days without action.

Our youth cannot continue to wait. There are many issues that Congress deals with which Republicans, Democrats, and Independents cannot agree upon, but this is not one of them. If they have not already, I urge my colleagues to cosponsor this vital piece of legislation. I urge leadership in the House and the Senate to bring up this bill for a vote, a vote for our challenged youth so that they may continue the great posterity of this Nation.

□ 1100

HONORING THE LIFE OF MARIA L. GUTIERREZ

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

Mr. COSTA. Mr. Speaker, I rise today to honor the life of a good friend and community leader, Maria L. Gutierrez.

Maria led her life with purpose. She wanted to make a positive difference, and there is no doubt that she did that. She served as the general manager of Univision in Fresno, California, and led the television station to be one of the highest-ranking stations not only in the San Joaquin Valley, but in the Nation.

She was a strong advocate for immigration reform, equal rights for women, and worked hard to bring more water to the Valley. She cared, she had a big heart, and she was a role model for all who knew her.

We miss Maria dearly, especially that big smile that she always had on her face.

Mr. Speaker, I urge my colleagues to join me and Maria's family and friends in paying tribute to her life. May she rest in peace.

IMMIGRANT HERITAGE MONTH

Mr. COSTA. Mr. Speaker, I rise to recognize June as Immigrant Heritage Month.

We are a Nation of Native Americans and of immigrants past and immigrants present. That is America. For over 250 years, since the formation of the United States, immigrants have helped make our country what it is today. They add energy and value with each generation of Americans.

California's San Joaquin Valley, which I proudly represent, is home to people whose families come from all over the world. Their story is our story. It is one of achieving the American Dream, which is my family's story.

I am fortunate to represent and live in an area with some of the hardest working people you will ever meet in your life who have made lasting contributions to the San Joaquin Valley's agriculture economy, businesses, education, and healthcare systems. Their contributions have had positive impacts not only in California, but throughout the Nation.

Hispanic, Armenian, Italian, Portuguese, Sikh, and Hmong immigrants are among the many who have come from Asia, the Americas, Africa, and Europe to call America their home.

These immigrant families, for generations, have been and always will be a cornerstone of a place that we call the United States of America. They are living out the American Dream, and their children and grandchildren continue to add value and make a positive difference in our valley and the Nation.

Degrading immigrant communities is not an American value. Name-calling is not a virtue and never should be condoned. Insinuating that someone is not qualified based on their ethnicity and heritage is completely unacceptable, especially coming from someone who wants to be leader of the free world.

The sad reality is that some individuals are going to use hateful rhetoric to tear us apart. It is wrong. But we must always remember that the bonds we share as Americans are far, far stronger than whatever differences we may have.

Wrongly questioning a judge's objectivity because of his ethnic background is pure and simple racism. It is not the American way. We are better than that. And, Mr. Trump, you should apologize for your hurtful statements.

Instead of talking about a wall to keep people out, our next President must focus on efforts to pass comprehensive immigration reform so that we can fix our Nation's broken immigration system. As I said, we are a Nation of immigrants. And that is one of the reasons why the United States is the greatest Nation in the world, period.

Mr. Speaker, I urge my colleagues and all Americans to join in celebrating immigrant communities throughout our great Nation by recognizing June as Immigrant Heritage Month.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward

presumptive nominees for the Office of President of the United States, a principle memorialized in section 370 of the House Rules and Manual.

SCHUYLKILL SCHOLASTIC DRINKING WATER AWARD

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to highlight the work of students from Perkiomen Valley High School and Phoenixville Area Middle School.

Recently, the Schuylkill Action Network recognized the Perkiomen Key Club and the Phoenixville Envirothon and Environmental Awareness Club for their exceptional efforts to protect our local watershed.

Perkiomen students designed and installed a rain garden in their township building, which I visited this past weekend, and which is expected to cleanse rainwater and remove pollution. Phoenixville students installed a ''bioswale'' to help absorb runoff and reduce pollution in Pickering Creek to keep their communities beautiful and healthy.

For their efforts, the Schuylkill Action Network presented the Schuylkill Scholastic Drinking Water Award to these hardworking club members from both schools.

Let me also recognize the Schuylkill Action Network and many watershed organizations across my district that do a great job protecting our watersheds.

I want to congratulate these students for their ingenuity to keep the water in our congressional district clean and safe for our community.

SARAH PENNINGTON/MENTAL HEALTH AWARENESS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to thank Sarah Pennington for her courageous leadership on mental health.

Sarah is a courageous, dynamic, hardworking high school student at Pottsgrove High School, and the reigning Miss Freedom Forge's Outstanding Teen. She visited my office yesterday to bring attention to mental health issues and to discuss relevant policy reforms.

Sarah has not graduated high school yet, of course, but she has already founded a nonprofit, Show Your Hero, with the goal of raising mental health awareness.

I want to thank Sarah for her advocacy. I also have some exciting news. Sarah will be participating in Miss PA's Outstanding Teen pageant from June 22 to June 24 in Pittsburgh. I want to wish her the very best in that pursuit.

FIRST RESPONDERS IN PHOENIXVILLE, PENNSYLVANIA

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to acknowledge the work of Phoenixville first responders.

Recently, West End Ambulance and the Phoenixville Fire and Police Departments responded to a call for help. These devoted crews assisted an individual who went into cardiac arrest. Through their swift efforts to administer CPR, the responders were able to save a life.

The Chester County EMS Council recognized the responders for their expertise on May 28, coinciding with National Emergency Medical Services Week, which honors those serving on our communities' front lines every day.

Mr. Speaker, I commend and thank these and all firefighters, officers, EMTs, and paramedics for their service.

STATE OUTREACH FOR LOCAL VETERANS EMPLOYMENT

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to speak about a bill I introduced in the House called the SOLVE Act, short for the State Outreach for Local Veterans Employment Act.

The SOLVE Act will provide Pennsylvania, and all States, with critical flexibility to utilize existing grant funds in the way that best serves the needs of each State's unique veteran population.

The American Legion, Paralyzed Veterans of America and National Guard Association of the United States, have all endorsed this commonsense bill.

I encourage my colleagues to cosponsor this bill as well.

RECOGNIZING WILSON SOUTHERN MIDDLE SCHOOL

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to recognize Wilson Southern Middle School as one of six exemplary middle schools in Pennsylvania recognized as a school to watch. I also thank the teachers, administrators, parents, faculty, and students for their hard work in making Wilson Southern Middle School such an exceptional middle school. We are very proud of you.

BRINGING POSTPARTUM DEPRESSION OUT OF THE SHADOWS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to speak in support of Bringing Postpartum Depression Out of the Shadows Act.

Every year, one in seven new mothers experiences perinatal depression, impacting babies and families for years to come.

This bipartisan legislation, which I have cosponsored with Congresswoman KATHERINE CLARK of Massachusetts, would help those suffering receive the treatment they need. States would receive Federal funding to establish, expand, or maintain programs for screening and treatment of maternal depression.

Thanks to the tireless efforts of mental health advocates, we have reached over 65 bipartisan cosponsors in the House. I am respectfully encouraging other Members and their staffs to look at this bill and join as cosponsors. It is the right thing to do as we seek to proactively address issues of postpartum depression in communities across this country.

THREE BRANCHES OF GOVERNMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I am a Member of the United States Congress and a very—I hate to use the term proud, but I am proud to have been a member of the Judiciary Committee for the number of years that I have served in this august place.

As I serve, I am well aware of the importance of the Constitution and the very sacred responsibility that we have in protecting it. So I thought that, as a lawyer who has practiced and one who has served as an associate municipal court judge in my hometown of Houston, Texas, it would be important to remind Members of the established three branches of government and the responsibilities that each hold, but focus in particular on the executive—the President of the United States.

In Article II, the Constitution, says: ''The executive Power shall be vested in a President of the United States of America.'' It uses the term that ''he should hold,'' and, in particular, it acknowledges that he or she should take care that the laws be faithfully executed.

Article III establishes our judicial power. In particular, with respect to Federal courts: ''all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, under their Authority.''

All of these cases have jurisdiction under our Federal court system. So, the Federal courts and jurists are of keen importance.

One would wonder how we establish the need for the rule of law and separation of powers. It came first from 1215, King John's Magna Carta, which indicated that no one should be imprisoned, dispossessed, outlawed, exiled, or in any way destroyed, except by lawful judgment of his peers and the law of the land.

I know that when I sat as a member of the bench, I would look at petitioners and I would hope that even though my history was that of a former slave, being an African American—when I say a former slave, descendants of such; the history of African Americans is such—and I would hope that my background would not have countered the fairness that I would have rendered to anyone who came before me.

Judicial independence is something that we hold dear. The Founders understood that judges who are able to apply the law freely and fairly are essential to the rule of law.

The Constitution guarantees our rights on paper, but this would mean nothing without independent courts to protect them. That means our judges in the Federal system should not be intimidated or influenced or protected

from the influence of the other branches, as well as shifting popular opinion.

This insulation is referred to as judicial independence. It allows our Federal judges to make decisions based on what is right under the law, without facing politics, such as not getting reelected; or, personal, such as getting fired or having their salary lowered.

As a member of the Judiciary Committee, I have often joined with the late Henry Hyde, then the chairman, who wanted to raise the salaries of our Federal judges.

So I think it is imperative to come before this body, my colleagues, to raise great angst when someone's ethnicity is called out as a reason that they cannot be fair.

I am appalled that we have come to this in 2016, where, if I were to symbolically ascend to a Federal bench, or maybe the colleagues who many of us and the Senate have supported and the President has nominated—the diverse bench that represents Asians, Hispanics, African Americans, and women and men, Anglos, Caucasians—anyone would raise a question.

I have been before a court and not welcomed the decision. There have been many reasons why I was not pleased with that decision. But I could not raise the question of race.

And so I think it is worth condemning that we would have this kind of public discourse where the race of a Federal judge is raised. Remember what I said: judicial independence warrants that we, in fact, cannot intimidate the bench and not, in fact, deny the freedom of the court to decide cases based on facts and the law, not based on public opinion, the views of special interests groups, or even a judge's own personal belief.

The right of every citizen to a fair trial is a cornerstone of our democracy. Why should anyone be diminished, and why should the petitioner independently attempt to intimidate based on race? It is appalling. It is absurd.

So I ask all of my colleagues, as protectors of the Constitution and people who are here making laws, to independently go out to the highways and byways of life and condemn those words. Need I say who it is? Condemn those words and condemn this kind of discourse.

I would offer to say that anyone who has said those words and who pretends to put themselves forward to uphold this Constitution is disqualified and unfit.

I would hope that we will have an independent executive under the Constitution, an independent legislative branch, and, of course, an independent judiciary—one of which I respect with the highest of authority.

I will close by simply saying I have won cases; I have saved a hospital. I have lost cases. I have been affected by cases in my redistricting and denied the rights of the Voting Rights Act. But I will never undermine and diminish the Constitution for right cases and wrong cases, ever.

I ask my colleagues to condemn those actions.

□ 1115

CONGRATULATING ARMANDO VALLADARES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate my dear friend and a true patriot, Ambassador Armando Valladares, for being awarded the Canterbury Medal, the highest honor bestowed by The Becket Fund for Religious Liberty.

Armando Valladares spent 22 years in Castro's gulags. He endured unconscionable torture while in prison. Why, Mr. Speaker? Because Armando refused to put a sign on his desk saying that he supported Fidel Castro.

No matter how much abuse he endured in prison, Armando fought his jailers every day. He protected his conscience from the constant and ongoing attacks of the brutal Communist dictatorship.

In 1988, President Ronald Reagan installed Armando Valladares as our U.S. Ambassador to the U.N. Human Rights Council.

Earlier this year, Ambassador Valladares wrote about President Obama's misguided and dangerous overtures to the Castro regime—one-sided negotiations. In a recent op-ed that Armando Valladares wrote, he said: ''In agreeing to meet with Raul Castro, Obama rewards a regime that rules with brutal force and systematically violates human rights.''

Ambassador Valladares, thank you for your courage. Thank you for your principled stand against the Castro regime. Godspeed, my friend.

COMMEMORATING DEERING ESTATE'S 100TH ANNIVERSARY

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize the 100th anniversary of one of south Florida's most notable cultural, historical, environmental, and archaeological treasures, the Charles Deering Estate, located in my beautiful congressional district.

Charles Deering, the first chairman of the board of International Harvester, bought the property in the year 1916. Now, as a jewel of the Miami-Dade County Parks, Recreation and Open Spaces system, the 444-acre Deering Estate serves as a center of community life in the very groovy village of Palmetto Bay.

It also conserves globally endangered native plant communities and is a focal point for the ongoing Biscayne Bay coastal wetlands restoration that aims to re-create more natural freshwater flows and to slow saltwater intrusion into our drinking water sources as sea levels rise. And the sea levels are, indeed, rising due to global climate change.

Mr. Speaker, the Deering Estate's future will be just as important as its past to all of south Florida. The Deering Estate is indeed a jewel in our already beautiful south Florida treasures.

BREAKING THE PROMISE

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

Mr. MCCLINTOCK. Mr. Speaker, the House is expected to take up the PROMESA bill today regarding the Puerto Rican debt crisis. This bill has serious implications to every taxpayer in the country.

PROMESA applies a form of chapter 9 bankruptcy to the general obligation bonds of Puerto Rico that are guaranteed by the Commonwealth's constitution.

Article VI, section 8 of Puerto Rico's constitution explicitly provides that ''interest on the public debt and amortization thereof shall first be paid.''

Well, this bill ignores the Puerto Rican constitution and breaks that promise, and here is why this is so important to the rest of the country:

Every State government has similar constitutional provisions that guarantee its general obligation bonds. This is what allows States to borrow at extremely low interest rates: because their debt is constitutionally guaranteed and, therefore, the risk of default is extremely low.

If Congress is willing to undermine a territory's constitutionally guaranteed bonds today, there is every reason to believe it would be willing to undermine a State's guarantee tomorrow. This, in turn, invites credit markets to question such guarantees as being no longer secured on constitutional bedrock but, rather, dependent upon the shifting whims of Congress. This, in turn, means the value of these bonds is devalued, and interest rates paid by taxpayers on that debt will increase.

The Governors of six States have already raised this warning, and the U.S. Virgin Islands, whose credit is directly undermined by PROMESA, wants out of the bill for the same reason.

Now, PROMESA could have respected the $18 billion of constitutionally guaranteed debt and focused instead on restructuring the $54 billion of Puerto Rican municipal debt that is not constitutionally guaranteed. After all, there is no reason to treat San Juan's municipal debt any differently than San Jose's. But constitutionally issued debt is fundamentally different, and its reliability must be maintained. Tellingly, supporters of this bill voted down just such an amendment in committee.

Supporters have said they have addressed this concern by inserting instructions to the control board to ''respect the relative lawful priorities in the constitution, other laws or agreements.'' But ironically, one of those

''other laws'' the control board is instructed to respect is the government's repudiation of that debt.

Furthermore, the same section instructs the control board to provide ''adequate funding for public pension systems'' and includes other contradictory instructions. The only possible interpretation of these provisions is that the sanctity of the sovereign debt is subject to balancing and, therefore, subordination to junior claims by the control board.

Just last week, Treasury Secretary Jack Lew and the White House admitted that this was both the intent and effect of the bill.

Meanwhile, another provision of PROMESA prevents lawful bondholders from enforcing their claims in court for a period of 6 months but doesn't prevent the government from paying out junior claims during this period. Indeed, in anticipation of this bill, the new budget for Puerto Rico increases general fund spending, while it radically reduces its debt service payments.

Honoring the rule of law and maintaining the Commonwealth's full faith and credit guarantee would be a powerful signal to bond markets that the United States stands by its promises, even when it is inconvenient.

Under current law, it is in the interest of both sides, debtor and creditor, to work out terms that both can live with to restructure and repay this debt. Indeed, until the prospect of a congressional rescue arose, Puerto Rico was negotiating terms of a debt restructuring with the mutual consent of its creditors.

It is also in the interest of the people of Puerto Rico to uphold the full faith and credit clause of their constitution, which will be vitally important for them to reenter the credit market once their affairs are put back in order.

Puerto Rico faces both crisis and opportunity: a crisis born of slavish devotion to failed leftist economic policies, and an opportunity to replace those policies with proven free market solutions that can create a fresh start for the people of Puerto Rico and shine as a beacon of hope for other similarly afflicted States.

I fear the net result of this legislation will be to spread the crisis to other States with heavy debts by increasing their debt service costs.

PAYING TRIBUTE TO J. RANDY JACKSON

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

Mr. WESTMORELAND. Mr. Speaker, I rise today to pay tribute to my friend, a friend of Georgia's Third Congressional District, and a friend of all Georgia, J. Randy Jackson, chief administrative officer for Kia Motors Manufacturing Georgia, who tragically passed away on the afternoon of May 20, 2016.

Randy was the first American employee hired for Kia's plant in Georgia. He not only became the public face for Kia Motors in Georgia, but an advocate for the continued creation and development of employment opportunities for Georgians.

When he came to Kia, and when Kia came to West Point, Georgia, West Point was a struggling city affected by the textile plant closings. But under Randy's leadership ability to bring people together for the good of all, both Kia and West Point have thrived. Today, Kia is responsible for 15,000 jobs at the plant and in the surrounding community.

Mr. Jackson played a key role in hiring thousands of those employees. A passionate worker, his enthusiasm for Kia and creating jobs cultivated a workplace that both blended corporate business and human needs.

Randy had an almost unique way about him. Somehow, he was able to be comfortable and at ease while projecting that he had full control over every situation that might arise. Randy's way was a remarkable blend of personality, caring, and expertise.

Randy's presence was felt beyond the walls of Kia—and will be for many years to come. He was, for example, involved in the THINC Academy, which strives to support the education of future generations of good employees.

While Randy Jackson was a dedicated company man, he was also a devoted family man. He is survived by his wife of 35 years, Deborah Jackson. He was the proud father of two children, James Randall Jackson, Jr., of Kentucky, and Jennifer Caley Jackson of Milner, Georgia. His parents, James Edward and Pauline Greer Jackson of Macon, Georgia, and a sister, Delbra Jackson Hayes, of Perry, Georgia, also survive him. Mr. Jackson was a very loving and doting grandparent to his granddaughter, Scarlett Anne. Mr. Jackson also had softness in his heart for his beloved Rat Terrier, Rambo Brodie.

Randy lived a life of hard work and love. He inspired those around him ''to make every day better than yesterday.'' His loss will be long felt at Kia and in the entire community. He made both better from his presence.

At the plant, they talk about the Kia Way, emphasizing teamwork and problem solving to make progress. We all know that Randy's way was the Kia Way. The community and the plant will go on; the plant he helped to make sure that it would, but it won't be quite the same without him.

Thanks, Randy, and until we meet again.

HONORING PORT ALLEGANY, PENNSYLVANIA, ON ITS 200TH ANNIVERSARY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to observe the 200th anniversary of the community of Port Allegany, McKean County, in Pennsylvania's Fifth Congressional District.

Port Allegany was founded in 1816 as Canoe Place, located just 30 miles from the headwaters of the Allegheny River. True to its name—Port Allegany, which was bestowed in 1838—the settlement served as a port along the river for Native Americans and pioneers who would stop to build or repair canoes before traveling along the river.

Later in its history, Port Allegany became known for its glass manufacturing.

The first plant of the Pittsburgh Corning Corporation was constructed there in 1937, and glass block used in construction all over America are still built there.

Today you can still find people enjoying the outdoors in the settlement first known as Canoe Place. Tourism is a big part of the town's economy, with visitors enjoying canoeing, kayaking, and fishing.

The celebration of Port Allegany's anniversary will kick off Sunday and run through June 18 with plenty of activities, including an ice cream social, Pioneers Day picnic, a car cruise, and wagon rides.

HONORING FORMER OIL CITY POLICE OFFICER STANLEY FEDOREK

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in honor of Stanley Fedorek, a former police officer in Oil City, located in Venango County in Pennsylvania's Fifth Congressional District. Mr. Fedorek was recognized just this week as the oldest member of the Fraternal Order of Police in Pennsylvania at the age of 98.

Fedorek has been a member of the Fraternal Order of Police for 68 years and received a certificate of appreciation and a commemorative letter from the organization.

Mr. Speaker, Stanley Fedorek is also a veteran, serving as a first sergeant in the United States Army in Italy during World War II. He joined the Oil City Police Department following his discharge and served as an officer up until 1968. He later worked security at Mellon Bank.

Mr. Fedorek has only missed two meetings in his time as a member of the Fraternal Order of Police, and he was still driving himself to those meetings at 95 years of age.

Mr. Speaker, I thank Mr. Fedorek for his service to the Oil City community and to our Nation.

RECESS

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

Accordingly (at 11 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Kent Clark, Grace Gospel Fellowship, Pontiac, Michigan, offered the following prayer:

Our God, our Father, we call upon Your name—a name at which every knee shall bow. Your name is Wonderful, Counselor, Mighty God, Everlasting Father. You are the Prince of Peace, the Rose of Sharon, the Lily of the Valley, and the bright Morning Star. You are the fairest of 10,000.

You are the great creator God, alpha and omega, beginning and end, first and last. Your name is Redeemer and the Lord, the Way, the Truth and Life, Bread of Life, and Author and Finisher of our faith.

We know no greater judgment could befall a nation than for it to be deserted by God, left to be the play thing of malignant forces.

Speak to us, O great Jehovah.

We know a sparrow does not fall without Your notice, and we know that a nation cannot rise without Your aid.

In the name of Joshua, Jesus saves, Immanuel—God with us.

Amen.

THE JOURNAL

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

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

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

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

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. WALBERG 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.

WELCOMING REVEREND KENT CLARK

The SPEAKER pro tempore. Without objection, the gentleman from Michigan (Mr. BISHOP) is recognized for 1 minute.

There was no objection.

Mr. BISHOP of Michigan. Mr. Speaker, I rise—very proudly so—to pay tribute to an inspiring man, and I am proud to call him a mentor and a friend, Pastor Kent Clark.

Pastor Clark is the senior pastor of Grace Gospel Fellowship Church in Pontiac, Michigan, and he is the chief executive officer of Grace Centers of Hope. Grace Centers of Hope is one of Michigan's leading faith-based organizations that provides care for the homeless and for individuals who are fighting addiction.

Grace Centers of Hope provides comprehensive programs for men, women, and children, including group and individual counseling, GED classes and testing, financial education, addiction and abuse classes, and child care. It also has a self-funded homeownership program and offers graduates of its program the opportunity to own their own homes. It does all of this without accepting government funding.

Pastor Clark, truly, has a servant's heart, and he and his wife, Dr. Pam Clark, and their family have dedicated their lives to helping those in need—with unparalleled commitment and devotion.

Pastor Clark is a husband, a father, a grandfather, and a renowned author. He was also named ''Michiganian of the Year'' by the Detroit News in 2012.

Mr. Speaker, I am honored to welcome my friend, Pastor Kent Clark, to the United States House of Representatives as our guest chaplain today. I would like to personally recognize and thank him for his tireless efforts and unwavering dedication to our community.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

ALLEN AMERICANS HOCKEY TEAM IN THE PLAYOFFS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure to rise in support of the Third District's Allen Americans hockey team. Tonight, our stellar team defends its championship title in game six of the Kelly Cup Playoffs.

I want to congratulate the whole team on an outstanding season.

You all have accomplished so much to get where you are today, and you are just one victory away from your fourth straight championship.

To all of our fine Allen American athletes, I want you to know that your hometown is proud of you and that we believe in you. I will probably be ''rocking the red'' to cheer you on.

Go beat the Wheeling Nailers.

VICTIMS OF GUN VIOLENCE

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

Mr. PETERS. Mr. Speaker, Norfolk, Virginia, January 1, 2014:

Melvin Alston, 32 years old;

Marcus Deering, 22.

Saylorsburg, Pennsylvania, August 6, 2013:

James ''Vinny'' LaGuardia, 64 years old;

David Fleetwood, 62;

Gerard Kozic, 53.

Beaumont, Texas, March 16, 2014:

Darrell Hawkins, 34 years old;

Anthony Ray Hawkins, 33;

Reshawna Hawkins, 30.

Savannah, Georgia, December 2, 2015:

Brandy Council, 34 years old.

Oceanside, California, March 13, 2013:

Edgar Sanchez Rios, 16 years old;

Melanie Virgen, 13.

Myrtle Beach, South Carolina, May 24, 2014:

Jamie Williams, 28 years old;

Sandy Gaddis Barnwell, 22;

Devonte Dantzler, 21.

Killeen, Texas, February 22, 2015:

Larry Guzman, 40 years old;

Lydia Farina, 31;

Dawn Giffa, 28.

Auburn, Washington, March 31, 2013:

Nicholas Lindsay, 26 years old.

FOREST TREE DAMAGE TOLL AND FIRE DANGER

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

Mr. LAMALFA. Mr. Speaker, years of drought have left a terrible toll on the forests of the Sierra Nevada in California. The Forest Service estimates that there are at least 40 million trees that have died in California alone. The scope of this challenge is almost unbelievable, and the danger it presents is nearly unavoidable. However, there are steps that we can take to address it.

While it is refreshing that the Forest Service is finally using the categorical exclusions that have been authorized under the recent farm bill to speed forest management projects, it won't be enough to prevent forest fires of devastating sizes and scopes. The Forest Service should rapidly increase the numbers of public-private partnerships it engages in and allow the private sector to remove the dead trees that are just waiting for a spark.

The Senate should act immediately to pass H.R. 2647 and allow forest fires

to be funded like earthquakes, hurricanes, and other natural disasters so as to end the diversion of forest management funding that limits preemptive fuel reduction work.

We also need to incentivize technologies like the usage of biomass, which can make productive use of damaged trees and brush, et cetera, and can generate long-term renewable power—base-load, reliable power.

Congress should act to extend the same tax incentives that wind and solar power receive to biomass plants, which don't just create power but do so more reliably and which have the additional benefit of consuming wood and slash that would otherwise burn in our forests, causing pollution. This would also bring jobs back, which are much needed in the rural part of America.

MUHAMMAD ALI

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

Ms. HAHN. Mr. Speaker, last week, the world lost a champion. Muhammad Ali was a gold medalist boxer and a three-time heavyweight champ, but what truly made him ''The Greatest'' was what he did outside of the ring.

He had quick reflexes but a quicker wit. He was introduced to the world as a fighter, but he chose to hang up his gloves to stand up against the war. At a time when racism pushed so many people down, Muhammad Ali had the audacity to speak up—and people listened.

I was lucky to have met Muhammad Ali several times. He spent much of his time in Los Angeles, and he became close with my dad, L.A. County Supervisor Kenneth Hahn. They were allies in the fight for civil rights and for struggling families.

I have a Muhammad Ali story.

In 1987, my dad suffered a debilitating stroke that left him partially paralyzed shortly before he was up for reelection to his 10th term. Muhammad Ali actually showed up at my parents' home in South Los Angeles one day, and he told my father that he would personally push him door-to-door in his wheelchair if that is what it took to get him reelected.

You can imagine what that meant to my dad, to me, and to all of the neighborhood kids who actually saw Muhammad Ali do that with my dad. I will never forget that moment, and the world will never forget Muhammad Ali.

HONORING CAPTAIN BRADLEY LONG

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

Mr. MCHENRY. Mr. Speaker, I rise with a heavy heart to pay tribute to Captain Bradley Long, a fallen firefighter from my district.

Captain Long was a dedicated public servant and was born to be a firefighter. In fact, he started volunteering as a junior firefighter when he was just 14 years old at the Sherrills Ford-Terrell Fire and Rescue. He followed in his father's footsteps, who had fought fires for 25 years. Though he was a full-time firefighter with the Newton Fire Department, he also continued to serve as a volunteer at Sherrills Ford-Terrell Fire and Rescue, which is where he was serving when he died in a diving accident while attempting to rescue a missing swimmer.

Following his death, Captain Long's father described how Bradley loved what he did and how he loved helping people, and that is what he was doing when he gave his life. Captain Long is the epitome of a public servant, and he will be deeply missed.

CONGRESS MUST PASS THE EQUALITY ACT

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

Ms. GRAHAM. Mr. Speaker, somewhere in America today there is a young person who, all of a sudden, realizes that he or she is gay. They are afraid that, if their parents find out, they may be tossed out of the house, that their classmates will taunt them, and there are still politicians who say that they are not equal.

For years, these young people didn't believe they had any options, but, today, because of the work of the LGBT community and because of leaders like Harvey Milk, they have hope. They can run for public office; they can serve in our military; they can marry whom they love. They have hope for a better future, but there is still work to be done.

Across the country, including in Florida, LGBT Americans can still be discriminated against. That is why Congress must pass the Equality Act. We must pass it because it is the right thing to do. We must pass it for the young person who is still scared and struggling. We must pass it to give them hope.

COMMEMORATING SOUTH CAROLINA STATE GUARD WEEK

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

Mr. WILSON of South Carolina. Mr. Speaker, this week, South Carolina honors and pays tribute to the dedicated men and women of the South Carolina State Guard.

The unpaid volunteers of the State Guard are always prepared for challenging events in the community. They respond quickly to work to help families recover after natural disasters. The South Carolina State Guard was crucial during the flooding last October. This 1,000-year flood devastated many neighborhoods. Members from all three brigades of the State Guard worked around the clock in filling sandbags and in assisting engineers and law enforcement.

I was grateful to visit disaster relief centers firsthand, which was coordinated with the State Guard, and I was accompanied by Representatives Kirkman Finlay and Chip Huggins.

Our citizens really appreciate the command staff of the South Carolina State Guard for leading and inspiring these members: Major General Thomas Mullikin, Brigadier General Richard Leonard, Brigadier General Leon Lott, and Command Sergeant Major Mark Freeman.

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

Our sympathy to the people of Tel Aviv as the latest victims of Islamic terrorists.

□ 1215

HONORING OFFICER VERDELL SMITH

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

Mr. COHEN. Mr. Speaker, I express and join with the people of the City of Memphis who are mourning the loss of another law enforcement officer.

Officer Verdell Smith, Jr., served 18 years as a Memphis policeman. He also served his country in the United States Navy.

Last weekend, a man went wild in Memphis and shot three different people and then had his car hurtling at a high speed in the wrong direction on a one-way street toward a busy intersection of Beale and B.B. King. Officer Smith tried to clear the intersection of civilians to save them from tragedy. Unfortunately, Officer Smith was struck by the car and died.

Officer Verdell Smith's funeral will be tomorrow. He leaves behind a family, particularly two children, Chelsea and Verdell, Jr.; his stepchildren; his grandmother; his father, O'Dell Smith, Sr.; and siblings.

Law enforcement put themselves in danger all the time to protect us. We appreciate their service. We mourn the loss of Officer Smith, a life of service.

150TH ANNIVERSARY OF THE CROSWELL OPERA HOUSE

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

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 150th anniversary of Michigan's oldest theater, the Croswell Opera House.

The Croswell, located in the heart of Adrian, Michigan, is one of the oldest continuously operated theaters in the United States. Named for Charles M. Croswell, an Adrian resident and Michigan's 17th governor, the auditorium first opened its doors in 1866 and

has played host to many distinguished figures throughout the years, including Susan B. Anthony, Frederick Douglass, and Edwin Booth.

Today, the 650-seat auditorium is an official Michigan historic site and has been restored to its original 19th century splendor.

The Croswell is a gem within our community that continues to maintain its reputation as the epicenter for the arts in southeastern Michigan.

Please join with me today in honoring all of those involved in the theater's fine tradition of excellence as we celebrate their 150th year anniversary.

REJECTING RACISM

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

Mrs. BUSTOS. Mr. Speaker, this week, we have seen a very clear difference between our two parties. I would remind my colleagues that this is the year 2016. It is not 1916. It is not 1816.

We, as a Nation, have come so far. But there was a time when I, as a woman, would not have been allowed to vote, let alone speak on the floor of this Chamber.

There was a time when our friends on the Congressional Black Caucus or our friends in the Congressional Hispanic Caucus, also, would not have been welcomed right here. You know what, we are better than that.

We know that the diversity of our Nation makes us greater. So whenever racism rears its ugly head, all of us, Democrats and Republicans, have an obligation to reject it.

Mr. Speaker, I have been very disturbed to see so many of my Republican colleagues trying to tiptoe around the offensive behavior of the new leader of their party, Donald Trump.

I urge all of my colleagues to do the right thing and reject racist policies without any ifs, ands, or buts.

RECOGNIZING ILLINOIS' 18TH CONGRESSIONAL DISTRICT SERVICE ACADEMY APPOINTEES

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

Mr. LAHOOD. Mr. Speaker, I rise today to applaud the impressive individuals who will be representing Illinois' 18th Congressional District at three of the most prestigious academic institutions in our Nation, our U.S. service academies.

Earlier this year, I nominated 22 individuals from my district, and seven of them have been accepted and will begin their service at the Air Force Academy, West Point, and the Naval Academy this summer.

I was privileged to meet with these young men and women in my district last Friday, and the talent among these seven is indeed inspiring and diverse. These cadets and midshipmen are not only at the top of their class in academic achievements, but they also excel in extracurricular activities. We have a State wrestling champion, a hockey player who will be playing for the Air Force Academy, and a competitive golfer who will be playing at the Naval Academy.

Most importantly, I was struck by their earnest commitment to serving our country. Many of these students come from families with a legacy of military service. We even have an aspiring Navy Seal and a JAG attorney in this group.

I want to congratulate Randy Menyweather, II, Matthew Helmich, Faith Kim, Trevor Stone, Eric Betts, August Will, and Morgan Riley.

Thank you to these students for their commitment to our country, and to their families for raising them, and to those in our Illinois communities who have helped them reach this accomplishment. I wish them much success.

CELEBRATING DR. ALLAN WOLFSON

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

Mr. RUIZ. Mr. Speaker, I rise to congratulate a dear friend and mentor of mine, Dr. Allan Wolfson, program director of the emergency medicine residency at the University of Pittsburgh, for his retirement.

Abby trained me in emergency medicine, which has benefited thousands of patients I have cared for. He is the longest active serving residency program director in emergency medicine. Among his over 360 trainees are several deans of medical schools and chairs of departments of emergency medicine.

He is so good and well-respected by his peers that he has been recognized and honored by many prestigious organizations. He received the National Emergency Medicine Residents Association Residency Director of the Year award in 2012. He even wrote the premier textbook of emergency medicine.

He loves to teach, loves to mentor, loves emergency medicine, loves his residents, and loves to have a good time. Abby, you know what I mean.

You trained me to be an advocate for my patients. I carry that can-do, problem-solving, patients-first advocacy with me now in Congress. First and foremost and always an emergency physician.

Abby, congratulations and thank you.

HURRICANE PREPAREDNESS

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

Mr. BILIRAKIS. Mr. Speaker, we are in the midst of hurricane season. My constituents and all Americans in coastal regions are susceptible to these devastating storms.

Disasters can strike at any time, often with little warning. Just days ago, my district was hit by Tropical Storm Colin. The winds and heavy rains were intense, causing dangerous flooding. It is important that we have a plan in place.

We must all be prepared with supply kits filled with potential lifesaving items, like flashlights, radios, and batteries. It is also crucial to follow local weather forecasts and heed any emergency warnings.

The best way to guarantee safety is thorough preparation. My Web site at Bilirakis.house.gov as well as FEMA.gov both have important resources available to you.

This year, be sure you are ready and safe.

POVERTY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, nearly 47 million people are living in poverty in the United States. That is about 10 times the total population of Los Angeles. And, Mr. Speaker, no matter how hard these families work and no matter how much these families save, they are still not able to get ahead.

These families struggle to feed themselves and their children. They struggle to save for a home. They struggle to live the American Dream that we all yearn for, and that is unacceptable.

That is why I support expanding programs, which I believe help and provide a social safety net. Essential programs like the Supplemental Nutrition Assistance Program or Temporary Assistance for Needy Families, and the Free and Reduced Lunch Program serve specific community needs.

Mr. Speaker, we need to bring legislation to the floor that will help families, help families to help themselves get ahead, proven programs. Let's not condense or cut them. Let's work on legislation to help these families.

OZONE STANDARDS IMPLEMENTATION

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

Mr. ALLEN. Mr. Speaker, today I rise in support of H.R. 4775, the Ozone Standards Implementation Act. Under the Clean Air Act, the EPA has used the National Ambient Air Quality Standards to impose costly and burdensome regulations on American manufacturers and the American people.

By the EPA choosing to lower the NAAQ Standards further, many businesses will suffer while still struggling to meet the original standard. American businesses have already spent billions of dollars and years of planning to meet the 75 parts per billion original

standard and will now find themselves unable to meet the new requirements. We can't and shouldn't change the rules in the middle of the game.

Businesses across America and in Georgia 12, like many paper mills and manufacturing plants that are economic drivers in our area, have already spent billions to make our air cleaner.

H.R. 4775 ensures that States and counties have the needed flexibility and time to comply with these standards while keeping our air clean and safe.

I am proud to support this bill and commend my colleagues in the House for passing it this week.

HATEFUL RHETORIC

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

Mr. CROWLEY. Mr. Speaker, if I were to stand here today and read an agenda on attacks on immigrants, Muslims, women, and families living in poverty and even the judicial system, you might think it was the campaign platform for the Republican candidate for President. But every one of those hasn't just come from ''Con Man Don.''

They have been embraced, affirmed, and in many cases even inspired by this Republican Congress. So you could be forgiven for being confused because the truth is they are all one and the same.

We are used to this hateful rhetoric coming from the other side of the aisle. Sometimes it is masked in legislation; sometimes not so much.

But when the leader of their party, their standard-bearer, ''Con Man Don'' makes racist and discriminatory remarks as easily as if he were reciting the alphabet, it begs the question: ''What do Republicans stand for?''

You only have to look at all they have in common with ''Con Man Don,'' a candidate they have even admitted has made racist statements. It is clear they stand with ''Con Man Don,'' but it is also clear who they don't stand with and, that is, the American people.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

CASTNER RANGE NATIONAL MONUMENT

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

Mr. O'ROURKE. Mr. Speaker, I rise today to acknowledge the 110th anniversary of the Antiquities Act.

From the first national monument, Devils Tower in Wyoming that was designated in 1906, to the Statue of Liberty in New York, and Glacier Bay in Alaska, over 148 designations have been made by 16 Presidents, most of them Republicans. While the last 110 years have arguably been successful for this country, we can do better.

Today's national monuments and the people who visit them do not reflect the great diversity of this country. That is why I ask my colleagues to join me in supporting the Castner Range National Monument Act.

The Castner Range is in El Paso, Texas. It is 7,000 acres of pristine Chihuahuan desert, Rocky Mountain wilderness surrounded by a community that is 85 percent Mexican American.

The last 110 years have been great. I ask my colleagues to support me and join me in ensuring that the next 110 years are even better.

DENOUNCE THE HATEFUL RHETORIC

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

Mr. VEASEY. Mr. Speaker, I am calling on House Republicans to denounce the hateful rhetoric coming from the leader of their party.

Week after week, House Republicans, my colleagues, publicly announce their endorsement of Donald Trump. They aren't just endorsing the candidate, but also the hateful and discriminatory agenda set by their party's Presidential nominee.

House Republicans cannot continue to support him and denounce his inflammatory rhetoric, including the demonization of our friends that are Hispanic and Muslim, at the same time.

Mr. Speaker, it is time for Republicans to step up. It is time for them to step up to the plate and do the right thing and denounce this bigotry. You can't pretend that the things that your party's leader is saying aren't hurtful and divisive to the American public.

Mr. Speaker, it is time to do the right thing, step up, come up with an agenda that is good for all Americans, and stop pretending as if the things that the leader of your party is saying isn't hurtful.

The SPEAKER pro tempore. The Chair would, again, remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

□ 1230

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 9, 2016.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 9, 2016 at 9:09 a.m.:

That the Senate disagree to the House amendment to the Senate amendment to the bill; Senate agree to House request for Conference; Senate appoint conferees H.R. 2577.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 770 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 770

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-57. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon passage of H.R. 5278 the House shall be considered to have: (1) stricken all after the enacting clause of S. 2328 and inserted in lieu thereof the provisions of H.R. 5278, as passed by the House; and (2) passed the Senate bill as so amended.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Alabama is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 770 provides for consideration of H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act, or PROMESA. The resolution provides for a structured rule and makes in order eight amendments.

This bill addresses a very serious issue as it relates to the financial situation in Puerto Rico. The Government of Puerto Rico has racked up over $118 billion in debt. They have already defaulted on portions of their debt in May, and they face another deadline on July 1. The territory has reached a point where they can no longer meet the basic demands of their citizens.

The Constitution makes clear that Congress has the authority over territories. Article IV, section 3, clause 2 of the Constitution states: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . . ''

After hearing calls for greater autonomy, in 1950 Congress recognized Puerto Rico's authority over internal matters through passage of the Federal Relations Act. Congress also approved Puerto Rico's constitution in 1952.

So we gave them the control they demanded, and with that, they attempted to become a liberal paradise by raising taxes, expanding government programs, and spending at unsustainable rates. To help pay for these policies, Puerto Rico issued billions of dollars in bonded debt that they can no longer pay back. Now they are demanding help, which puts Congress in a very difficult position.

The fact that we have reached this point is a direct result of the President and the Treasury Department being asleep at the switch. They either were not paying attention to the financial situation in Puerto Rico or they were paying attention and chose to do nothing.

I want to highlight a few important things about this bill. First, this bill is not a bailout. The American taxpayers did not create this problem, and we shouldn't send their money to something they did not cause.

What really worries me is that if Congress doesn't act on this legislation, then we will find ourselves in a position at some point facing serious pressure to vote on a true actual bailout of Puerto Rico. That would be a grave mistake.

As the president of Americans for Tax Reform noted in an op-ed for the National Review, ''Congress needs to step in now; otherwise, a huge taxpayer bailout is the likely outcome. PROMESA is the best, most fiscally responsible way to prevent a bailout from occurring.''

This bill does not include a single penny in taxpayer money. In fact, the Congressional Budget Office found that this bill would have ''no significant net effect on the Federal deficit.'' So let's try and get this problem resolved in a fiscally responsible way that does not use taxpayer dollars.

Second, the policies in Puerto Rico have led to this problem, so it is important that the legislation address some of these policies and require greater accountability. The bill does this through the creation of a seven-person financial oversight board which is responsible for the development of budgets and fiscal plans for Puerto Rico.

The bill also includes some commonsense policy changes that will hopefully ease the burdens on the Puerto Rican Government by prohibiting the costly new overtime rule from taking effect and giving them flexibility with minimum wage requirements for young workers.

Through better oversight and regulatory reforms, it is my belief the Puerto Rican economy can grow and the country can get back on a more stable financial footing.

I want to make one thing very clear. I and every Member of this House have great empathy and appreciation for the Puerto Rican people because they did not cause this problem. I have had the honor of traveling to Puerto Rico and visiting this beautiful place. I enjoyed meeting the people and really appreciated their hospitality. I believe it is important we do what we can in a responsible manner to support the Puerto Rican people.

Ultimately, I wish this legislation wasn't necessary, but the reality of the situation demands action. So I call on my colleagues to support this rule, support the underlying bill, and let's address this problem in a responsible way without a bailout.

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

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

Mr. Speaker, I thank my friend, the gentleman from Alabama, for yielding me the customary 30 minutes for debate.

The people of the Commonwealth of Puerto Rico face an urgent fiscal crisis, and this institution's delay in addressing this crisis has left the United States citizens on that island in dire straits.

In June of 2015, Puerto Rico's Governor stated that the Commonwealth would not be able to pay its debts. Now Puerto Rico faces a $2 billion interest and principal payment on July 1. It is unlikely the Commonwealth will be able to make this payment. So I am pleased that, finally, after a full year, this body has decided that the citizens in the Commonwealth deserve relief from this growing humanitarian disaster.

However, now that legislation has been brought forward to deal with this issue, I fear that the solution to this problem presented here will hobble the workers of Puerto Rico for some time to come. While the bill accomplishes much by way of addressing the debt crisis in Puerto Rico, it also hamstrings workers by expanding the subminimum wage on the island.

This legislation expands the application of the Federal subminimum wage to those under 25 years old and extends the application of this subminimum wage to those workers from 90 days to up to 4 years. Just for reference, the subminimum wage that will now be subjected to workers 25 years old and younger and for up to 4 years is $4.25 an hour—$4.25 an hour—a full $3 per hour less than the workers in the States make when, indeed, the workers in the United States ought be making $15 an hour.

The bill would also delay implementation of the Department of Labor's rule on overtime pay until the GAO completes a study, which could take up to 2 years. This means that under the provisions of this bill, the young people of Puerto Rico will be paid a subminimum wage, and the rest of the workers on the island will not be eligible for the new overtime rules, losing out on hard-earned money for working long hours.

While some legislative solution is necessary in order to responsibly address Puerto Rico's debt crisis, these provisions are unconscionable. It is long past time that we start treating our fellow citizens in the Commonwealth of Puerto Rico—as well as the District of Columbia and the Virgin Islands and American Samoa and Guam and the Marianas—with dignity and respect, not with provisions to limit their ability to earn the same amount of money for their hard work as any other American. It is all right for them to go to war and die—and they do in sometimes disproportionate numbers—but we don't want to see to it that they receive an appropriate wage.

Also disconcerting to me is what is not found in the bill, which is any money to address the Zika virus on the island. Make no mistake, the fiscal situation and the response to this virus are linked. I know that there will be some that will argue that the House passed $633 million, the Senate passed $1.2 billion, and they will go to conference, but I am talking specifically about this financial crisis and Puerto Rico's problem.

Given the financial situation on the island, there are grave concerns about the Commonwealth's ability to handle an outbreak of the virus. Already there

are over 1,000 local cases of Zika in Puerto Rico. To put that in perspective, there are today just over 600 cases in the continental United States, and nearly all of those are travel-related.

As we move further into the summer and into the mosquito season, I fear that what is already a fiscal crisis could turn into a growing health crisis as the economically stressed island will be left with little resources to deal with the virus and a Congress that is unwilling to adequately fund a response.

These wage and overtime provisions will do nothing but increase poverty and force more Puerto Ricans to leave the island. This bill may take steps to right the Puerto Rican economy, which is currently in shambles, but at what cost? Treating the young and the workers of Puerto Rico as second and third class citizens?

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

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

The gentleman from Florida (Mr. HASTINGS), my colleague on the Committee on Rules, brings up two very important issues. Indeed, nothing in this bill would require people to pay the subminimum wage. It simply allows it. It provides it as an alternative.

□ 1245

I think this is a situation where Puerto Rico is going to need all the alternatives it can possibly have at its disposal to deal with what is truly a devastating fiscal problem and a devastating economic problem, which gets to a second point he brought up.

When you have a breakdown in the economy, as you have got, and a breakdown in the government's financing, as we have got in Puerto Rico, it has dramatic effects in other parts of society. We are already seeing a breakdown in their hospitals and their ability to deliver health care. And education, for that matter.

So the best way we can address healthcare problems, whether it is Zika or something else or the other myriad of problems that result from this, is to get this bill passed and get Puerto Rico quickly on the road to recovery, both fiscally and economically.

I heard my friend's comments. I understand them. But the best way to get where we are trying to go is to give Puerto Rican people the most options we can to deal with this problem and also get them on the road as quickly as we can. And that is what the bill is designed to do.

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

Mr. HASTINGS. Mr. Speaker, I yield 5 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI) who really knows Puerto Rico, in light of the fact that he is the Congressman representing Puerto Rico.

Mr. PIERLUISI. Mr. Speaker, in the last year and a half, this Congress has held nine hearings on Puerto Rico, a U.S. territory, home to 3.4 million American citizens. These hearings confirmed that Puerto Rico is in jeopardy right now. Not next year. Now.

Island residents are relocating to the States in unprecedented numbers. The Puerto Rican Government is on the brink of collapse, a victim of decades of inequality at the Federal level and mismanagement at the local level.

The government and its instrumentalities have $70 billion in bonded debt, three public entities on the island have already defaulted on payments to creditors, and larger defaults appear imminent. Puerto Rico's three main pension systems are severely underfunded, placing at risk the retirement security of over 330,000 individuals. The government of Puerto Rico has lost access to the credit markets, so it cannot borrow money to meet current obligations.

All objective observers, including virtually every major editorial board in the Nation, understand that the government of Puerto Rico must restructure its debts—ideally, through voluntary agreements with creditors, but through a court-supervised process, if necessary. It is regrettable that we have reached this point, but it is reality. We must confront this challenge with courage and candor.

PROMESA gives Puerto Rico the critical tool it lacks; namely, a legal mechanism to restructure its debts in an orderly way, ensuring the sacrifice will be shared in a fair and equitable manner.

Without PROMESA, the Puerto Rican Government is likely to collapse, participants in pension plans will be terribly damaged, and most bondholders could lose their investments. Absent this bill, almost nobody wins and nearly everybody loses.

Now, PROMESA pairs debt restructuring authority with the creation of an independent oversight board to help the Puerto Rican Government better manage its public finances, balance its budgets, become more efficient and transparent, and regain access to the credit markets.

There are some Puerto Rican politicians who seek broad debt restructuring authority from Congress, but oppose an oversight board. This is not a realistic option, and would result in Puerto Rico receiving nothing.

I fully understand the importance of democracy and dignity. As a lifelong advocate for statehood for Puerto Rico, I want full democratic rights for the island on both the national and local level, not fewer democratic rights.

My test from day one has been that the board should have the authority to oversee, but not to command and control, the Government of Puerto Rico. PROMESA meets this test.

After intensive negotiations, the bill establishes a reasonable board with powers far less potent than the powers that Congress gave the board it established for the District of Columbia in 1995. If the Puerto Rican Government does its job well, the board will have a limited role and will cease to operate within a few years.

PROMESA, like any product of bipartisan compromise, is not perfect. For instance, the minimum wage provision is deeply misguided, and I support Mrs. Torres' amendment to remove it from the bill.

I will explain it in plain language. It makes no sense to apply a different Federal minimum wage to Puerto Rico, because it simply encourages Puerto Ricans to migrate to the States or otherwise not to seek a job and rely on government assistance.

Nevertheless, I should say that there is almost zero chance this provision will affect a single worker in Puerto Rico, since the government will retain the ability to prevent its use.

This bill is the best chance we have to solve the immediate fiscal crisis in Puerto Rico and to place the island on the path to a brighter future. I urge my colleagues to vote ''yes'' on the bill.

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

I appreciate the remarks of the gentleman from Puerto Rico. I hope he was in the Chamber and he heard words that I said. Everybody in this House stands with the people of Puerto Rico. Our hearts go out for them. This is a very difficult situation.

He used a very strong phrase. He said that they are on the brink of collapse. And I agree with my friend from Florida: no one would know better than the gentleman from Puerto Rico. We want to keep them from collapsing.

There are many of us on this side that would rather do nothing, but we understand that there has to be some responsibility here. And so this is an effort to exercise responsibility in a fiscally sound way, and I believe that is what this does.

So I appreciate the gentleman's remarks. This is an urgent time for him and his people, and it is time for us to act.

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

Mr. HASTINGS. Mr. Speaker, when I came to Congress in 1993, among the first people that I met and got to know and have been fast friends with since, is the gentleman from Illinois (Mr. GUTIÉRREZ), my good friend who also has not only great wisdom on the subject of immigration and social policies in this country, but certainly his understanding of Puerto Rico.

I yield 5 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Speaker, I rise in opposition to the rule and to the underlying bill.

I submitted 10 amendments for consideration, and not one of them was ruled in order to be debated today by my colleagues.

But I don't oppose the bill because I didn't get an amendment in here. The fact that my amendments were deemed unsuitable for debate by the Congress of the United States is an indication of the underlying problems with the bill.

If you can't debate the future of Puerto Rico here in the Congress of the United States, imagine when you give it to seven people unelected by anyone in Puerto Rico or in the United States that can meet in secret. They can meet in secret without informing us of any one of their decisions. If we can't have a debate about Puerto Rico, if it is so important, why not take time to have a debate about the amendments that are offered by people here.

We are engaged today in a wholly undemocratic activity in the world's greatest democracy. We are debating how we will take power from people who are virtually powerless already.

As I have said throughout this debate, Puerto Rico, by virtue of court cases and the Territorial Clause of the Constitution, ''belongs to, but is not a part of the United States.''

I say to all of my colleagues: treat them with dignity, with respect. Do not put blinders on as though they do not exist.

Yes, the Territorial Clause of the Constitution of the United States says that they are a territory and that, therefore, they are property of the United States of America. But I submit to each and every one of you that they are live human beings with hearts, with souls, and they should demand and receive the respect of any other human. Don't treat them like a piece of trash. Don't treat them like an inanimate object that has no right to dignity and to respect, which is what we are doing here today. I cannot vote for this.

President Obama referred to the special place that Kenya owns in his heart because, he says: It will always be a special place because that is the place of the birth of my father.

Let me submit to you that Puerto Rico is the place of the birth of my father. And I cannot come here and turn my back on the place of the birth of my father with this outrageously undemocratic and this outrageously unfair proposal to the people of Puerto Rico.

Think about it. You are imposing a junta, because that is what they are calling it. There will be no difference between this junta and the junta of Pinochet in Chile, as far as the international community is concerned. And why? Because yesterday—and the Speaker of the House of Puerto Rico is in the gallery—they approved a resolution rejecting this junta. Elected by the people of Puerto Rico. And what does the Congress of the United States, the democracy of the world, say? We don't care.

Today, as we speak, the Senate in Puerto Rico has a resolution rejecting it. And just this past Sunday, every candidate for Governor in Puerto Rico, every last candidate for Governor of Puerto Rico that was successful had in their platform a rejection of PROMESA.

How many times do the people of Puerto Rico have to reject this proposal so that the Congress of the United States treats them with some respect and some dignity?

And I just want to say: Control board? Where was the last control board we know so much about? Flint, Michigan. And what did the control board do? They poisoned the people—American citizens—in Flint.

Let me suggest to you that if you give power to a control board unelected and unsupervised by anyone here, be careful. Be careful. Remember Flint. Remember the poisoning of the people and what the control board did there. That is exactly what we should suspect will happen.

People say: LUIS, what is your alternative? Our alternative is quite simple: have a conversation. Not a conversation that begins: we will not spend a penny on the people of Puerto Rico. That is the way our conversation went. We will not. You have to show me a solution in which we do not spend a penny.

Well, let me tell you, we spend money. The Jones Act imposed on the people of Puerto Rico the most expensive merchant marine in the world. It costs $500 million a year. Why don't we lift that from them? We believe in democracy, we believe they should be free. Why don't we lift that from them?

Medicaid and Medicare. Have you seen the reimbursement schedules to Puerto Rico? They pay the same in FICA taxes, but don't receive the same in terms of reimbursements.

In 2006, the wisdom of this Congress was to say to the people of Puerto Rico: we don't care that you are going to lose hundreds of thousands of jobs. We are eliminating section 936 of the Internal Revenue Code that created jobs.

The people of Puerto Rico want jobs. They want jobs and they want the dignity and the respect of being American citizens of this Nation.

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

Mr. HASTINGS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. GUTIÉRREZ. And they demand the dignity and the respect that comes. They don't come here on their knees. They are a proud people. They are a people who want to use their creativity and their energy.

This Congress of the United States has said they are a colony. I didn't say that. The Committee on Natural Resources says: we have plenary powers over the people of Puerto Rico. I didn't say that. You said that. If you have plenary powers over the people of Puerto Rico, then assume your responsibility that comes with those plenary powers over the people of Puerto Rico.

Please don't tell me you are going to put Puerto Ricans on the board. I lived in Puerto Rico. I remember when the sugarcane cutters would cut the sugarcane. Let me assure you there were Puerto Ricans in charge of exploiting those workers in the sugarcane field. There have been many times in history when the very same people who have been put in charge exploit their own.

Give us dignity. Give us transparency. Do it at least in the Spanish language so the people can know what is going on. At least King George, when he would come with his decrees—before he burned this building down—would write his decrees in English so that we would understand what he was doing.

The SPEAKER pro tempore. Members are reminded and requested not to refer to occupant of the gallery.

□ 1300

Mr. BYRNE. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I visited Puerto Rico, and believe me when I say the fiscal crisis the island is facing is, in every way, a crisis. Hospitals can't pay their bills. They have closed wings of the hospital. One hospital is $4 million in debt because they haven't paid an electric bill.

Some people will point out that this is largely a crisis of Puerto Rico's own making. They are right; the gentleman from Illinois is wrong.

Puerto Rico has had internal self-government for over 50 years. It wasn't the Congress that forced Puerto Rico to pile up debt after debt after debt after debt; and it wasn't the Congress that tapped Puerto Rico on the shoulder until now and said: You can't sustain this debt.

There already have been two defaults. There is a $2 billion default coming on the 1st of July because they don't have the money to even do their debt service; and despite this dire situation, the Puerto Rican Government has increased its spending on everything except, ironically, debt service.

I see what is happening in Puerto Rico as a cautionary tale for us here in Washington and here in the Congress of the United States.

Now, PROMESA is not rewarding bad behavior. If we wanted to reward bad behavior, we would pay billions of dollars in a taxpayer-financed bailout to finance all of this irresponsible borrowing that has been going on in Puerto Rico.

Significantly, this bill does not commit one penny of taxpayer funds to bail out Puerto Rico. The fiscal oversight board is designed to help Puerto Ricans set their finances in order when they have failed to do so by themselves.

Now, let me say something. I heard the gentleman from Illinois talk about us treating Puerto Rico as a colony. That has not been the case since Mr. Munoz Marin, the legendary Governor of Puerto Rico, persuaded this Congress to give Puerto Rico internal self-government. What has happened here is internal self-government has failed, and that is why we are talking about this today.

I don't think many of my constituents in Wisconsin or Mr. DUFFY's constituents or Chairman BISHOP's constituents really were concerned about

Puerto Rico, but we were; and we stepped up to the plate and offered a solution that has attracted bipartisan support and the support of the administration.

What do we hear from the opponents of this piece of legislation, one of whom just spoke very eloquently? It is wrong. It is bad. We shouldn't do that. We are ignoring the people of Puerto Rico.

Well, we are not doing that. We are making sure in this bill that the pain is shared. If this bill doesn't pass, there is no plan B, and Puerto Rico is going to collapse into an economic morass. There is no plan B.

I haven't heard anything from those who are opposed to this bill on what their alternative is. They have had a year to come up with their alternative, and all they do is make fiery speeches against what has been a very long and patient negotiated process. They are not a part of the solution. They are trying to engender more opposition, and they are a part of the problem.

Pass this rule. Pass this bill. Let's get Puerto Rico back on track, and this is a way to do it with some help from the oversight board.

Puerto Ricans are going to have to do this themselves. They haven't been able to do it without a tap on the shoulder. Too bad there is an oversight board, but that is the only game in town.

Mr. HASTINGS. Mr. Speaker, through you, I will advise my friend from Alabama that I have no further speakers, and I am prepared to close whenever he is.

I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield 5 minutes to another gentleman from Wisconsin (Mr. DUFFY), the sponsor of this bill.

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman from Alabama for yielding.

It is a fascinating debate, where two sides of the political aisle have come together, at the start, from very different vantage points on how to help Puerto Rico but have consistently worked together to find a compromise that all of us think is going to leave Puerto Rico better off than it is today.

I heard the gentleman from Illinois, in his fiery remarks, talking about dignity and respect for the people of Puerto Rico. He was saying that people in Puerto Rico are being treated like trash.

The economic stats are staggering of what is happening in Puerto Rico: the unemployment rate, it is double that of the mainland; the labor participation rate is 20 points lower than the national average; and thousands of people every month are leaving the island because there is not enough economic opportunity.

If you want to talk about dignity and respect, look at the poverty on the island. Look at the despair on the island. I mean, you have families that are being separated because they have no jobs. They can't live in their neighborhoods, in their communities with their families because they can't find an opportunity, so they have to go somewhere else. That is not dignity. That is not respect.

So this Congress has come together with a unified voice to come up with a package that can actually get Puerto Rico on an economic path to prosperity.

Listen, I would love if we can say to the Puerto Rican Government: You guys have to do a better job of managing your debt.

Guess what. It has been a failure, with $73 billion in debt. They can't get their hands around it. The people have lost trust in the government, and so they are saying: If you look at the polls, we want Congress to act. We want Congress to do something. We can't get saved at home. Would the U.S. Congress please step in? Would you please help us out?

They aren't opposed to an oversight board to help manage the finances of the island. They are not opposed to a system to restructure Puerto Rican debt, a system that, by the way, makes sure that the bondholders of Puerto Rican debt will bear the loss, not the American taxpayer, because I think this institution believes that we should have the bondholders bear that loss instead of the American taxpayer.

We don't believe in capitalism on the way up, where you get all the rewards of your investment and bonds, but socialism on the way down, so, if you lose in an investment, the taxpayer will bail you out. That is not what we believe in.

So I guess when I hear opponents who talk about their fathers being born in Puerto Rico and them wanting to die in Puerto Rico, I love the passion, I love the fire, but you have to have a heart and look at what is happening on the island and look at a commonsense, bipartisan solution where you have the President of the United States, the Treasury, the gentleman from Puerto Rico (Mr. PIERLUISI), who has been masterful in helping make sure that we stay on target, we understand what is going on on the island, that we understand what will work and what won't work, that we have come together, two different parties, actually, the Speaker of the Puerto Rican House engaging with us on how we are going to fix the island.

One quick last point. This is about debt restructuring. This is about getting the finances in order. But this also has to be about economic growth. You won't have a recovery until you have economic growth. We incent investment on the island.

Though we haven't done enough—there is still more to do—both sides have committed to making sure we come up with a strategy and a plan to make sure we have investment in Puerto Rico, so there is more opportunity, more jobs, more tax revenue, and more prosperity for the Puerto Rican people.

I am proud of the work that this House has done on this bill, the different sides, different views, different opinions that have come together to make this bill happen. I would encourage everyone to support the rule and, later today, support this bill.

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

There is no doubt that the people of Puerto Rico find themselves in a dire situation, and there is no doubt that this situation has been made worse by the snail's pace with which the majority has seen fit to address the problems facing the people of Puerto Rico.

Though the restructuring of Puerto Rico's debt is certainly needed, I worry that the burdens placed upon the residents of the island, through this bill, really only amount to punting on important issues that we will, nonetheless, have to address somewhere down the road while making these important issues all the more complicated when we do get to the business of actually helping the people of Puerto Rico.

I urge a ''no'' vote on the rule, Mr. Speaker.

I yield back the balance of my time.

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

I appreciate the remarks of my friend from Florida. This is a tough issue, there is no question about it. There are many of us that don't really understand how we got to this point. I have been trying to do some digging about that.

The truth of the matter is that the people in the Federal Government who were supposed to be looking over this and watching Puerto Rico and making sure that, if things needed to be done, they were done appropriately, under the law, were the President of the United States and the Treasury Department, and they failed.

Now, they failed in watching the situation and raising the alarm for the rest of us. Let's make no mistake about it. The people of Puerto Rico elected governments, and those governments that have home rule authority made decisions that have put this island, as we just heard, on the brink of collapse because they spent money they didn't have, and they racked up debt they can't pay back.

Now, let's just stop and think for a minute. Where are we going in the United States of America? We are spending money we don't have, and we are racking up debt that there may come a day, for our country, as it is for Puerto Rico, that we won't be able to pay back; and then we, as the United States of America, will be on the brink of collapse. So perhaps we should learn a lesson here, that the decisions we make in this House about the future of the United States of America, those decisions could lead to the very same result for our country that we see for Puerto Rico.

My heart goes out to the people of Puerto Rico. They are suffering, and the suffering will get worse if we do not act.

The sponsor of the bill used two phrases with regard to this legislation that really struck me. He said it is ''common sense'' and ''bipartisan.'' Isn't it a good thing that we have commonsense legislation that is bipartisan? Isn't that what the people of the United States of America send us here to do?

Let's come together, as one House, with one voice, help the people of Puerto Rico, and then, together, sit down and learn the lesson of what has happened here so that we don't repeat those mistakes for our country and end up with the United States of America on the brink of collapse.

Ms. JACKSON LEE. Mr. Speaker, I stand before you today to discuss H. Res. 770, the Rule providing for consideration of H.R. 5278—Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).

Our consideration of PROMESA must be a very thoughtful analysis of an outcome where the people of Puerto Rico will be empowered and be on a path towards progress where working families, their children and pensioners can be on a pathway towards a better future.

PROEMSA is a bipartisan measure and effort to assist the Commonwealth of Puerto Rico in restructuring $70 billion in currently unpayable debt, an amount that exceeds the size of its entire economy.

There are a total of 3.548 million people living on the island of Puerto Rico.

Since 2006, Puerto Rico's economy has shrunk by more than 10 percent and shed more than 250,000 jobs.

More than 45 percent of the Commonwealth's residents live in poverty—the highest poverty rate of any state or territory.

Furthermore, its 11.6 percent unemployment rate is more than twice the national level.

The challenges facing the people of Puerto Rico have ignited the largest wave of outmigration since the 1950's, and the pace continues to accelerate.

More than 300,000 people have left Puerto Rico in the past decade with a record of 84,000 people leaving in 2014.

Puerto Ricans suffer from high rates of forced migration due to the better opportunities offered in the United States compared to in the commonwealth.

The gap between emigrants and immigrants has been continuously widening.

Indeed, this increase in emigrants caused a population decline, the first in its history, and the stateside Puerto Rican population grew quickly.

The median age of male Puerto Ricans is of working age from the ages of 25–49 and similarly for women from the ages of 25–59.

Most of the homes are family-led.

There are about 1,133,600 people in the civilian labor force but only 43 percent of them are employed.

In addition, most of those working work in minimum wage jobs.

Over 27 percent of the people in the Commonwealth are on welfare.

The median income in Puerto Rico is only half that of the poorest U.S. state, Mississippi, but welfare benefits are about the same in Puerto Rico as in Mississippi.

Swift action is needed in order to alleviate the pain and suffering of the people of Puerto Rico.

There is no time to waste.

H.R. 5278 appears to be an emergency default for Puerto Rico, an American territory where 3.5 million American citizens reside and continue to live in fear for their finances, their families and their future.

On July 1, Puerto Rico will face nearly $2 billion worth of bond payments.

Already, businesses have closed, public worker benefits are in jeopardy, hospital care is restricted and basic governmental functions are at risk.

Should the Puerto Rican government default in early July, it faces certain litigation by its creditors, further erosion of its economy, and an inability to provide basic services to its people.

This measure creates a process for the Commonwealth to restructure their bond debts, avoiding a default that could lead to a humanitarian catastrophe and instead allowing Puerto Rico to return to economic growth and fiscal balance.

It would allow for the creation of a seven-member Financial Oversight and Management board which will approve annual budgets and fiscal plans.

This fiscal plan must be designed in a way that provides adequate funding for pension obligations.

Also, I have serious concerns about the minimum wage provision of the measure.

Specifically, regarding minimum wage and overtime, H.R. 5278 would extend the application of the existing federal subminimum wage of $4.25 an hour to those under the age of 25 in Puerto Rico for as long as four years, while all other federal jurisdictions pay the subminimum wage to those under the age of 20 for only up to the first ninety days of employment.

We need to continue to work on ways to improve this measure to ascertain that American citizens in Puerto Rico are not languishing in poverty.

Indeed, the measure contains a provision that provides for a delay on the new Department of Labor overtime pay regulation until a Government Accountability Office (GAO) study is completed and the Department of Labor determines whether the rule could negatively impact the economy of Puerto Rico.

Additionally, the measure would create a ''Revitalization Coordinator'' that works closely with the Oversight Board to determine which energy and other infrastructure projects will be able to bypass local environmental, public health, and consumer protection laws.

Let me underscore again that I have serious concerns about the provisions in this measure, not the least of which is the expansion of the subminimum wage, the exemption from the new overtime Rule, and the exclusion of protections for pension benefits.

I commend my Democratic colleagues in their efforts of protecting the environment and wildlife refuge in the Commonwealth.

I look forward to working with my Democratic colleagues and our Republican colleagues across the aisle in continuing to improve the provisions of the measure for the betterment of fellow American citizens in Puerto Rico.

Let me conclude by highlighting that H.R. 5278 is not perfect but so long as we continue to work on a bipartisan basis in good faith, we can work towards our efforts of ensuring that Puerto Rico does not become a humanitarian crisis.

We must continue to work together to be our brother's and sister's keepers.

It is essential that we stand with the people of Puerto Rico and take action.

It is essential that we continue to work towards an orderly process that promotes the livelihood of U.S. citizens in Puerto Rico and alleviates the crisis.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 771 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 771

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5325 pursuant to this resolution, section 3304 of Senate Concurrent Resolution 11 shall not apply.

□ 1315

POINT OF ORDER

Mr. CASTRO of Texas. Mr. Speaker, I raise a point of order against House Resolution 771 because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution, in waiving all points of order against consideration of the bill, waives section 425 of the Congressional Budget Act, thereby causing a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Texas makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Texas and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Speaker, this year's appropriations process has been rocky to say the least. That trend is poised to continue this evening and tomorrow as the House considers the fiscal year '17 Legislative appropriations bill.

Buried in this bill's committee report is controversial language that forces the Library of Congress to continue using the derogatory term ''illegal alien'' in its subject headings. Mr. Speaker, I will explain the background on this issue.

Last month, the Library of Congress announced proposed changes to its subject headings that would replace the term ''aliens'' with ''noncitizens'' and replace the term ''illegal aliens'' with ''noncitizens'' and ''unauthorized immigration.''

It is not unusual for the Library of Congress to make changes to its subject headings. In fact, each year it makes thousands of such changes. In 2015 alone, there were 4,934 new subject headings that were added. An example of one such change that the Library has made in the past was to replace the word ''Negro'' with a less offensive word.

This sort of evolution of the Library's subject headings is not unprecedented by any stretch of the imagination. However, what is unprecedented is Congress' weighing in on these changes. In fact, the Library has confirmed that this is the first time that Congress will have legislated on any of its subject headings in the history of the Library of Congress. So never before in history has Congress so much as communicated with the Library of Congress about its subject headings, let alone introduced legislation concerning them.

With this bill, that is all about to change. House Republicans are poised to make history by—for the first time ever—interfering in the Library of Congress' subject headings process to preserve a prejudicial term.

Now, I am not going to lump everybody on the other side of the aisle together on this issue. When this bill was marked up in the Appropriations Committee, Ranking Member WASSERMAN SCHULTZ introduced an amendment that would remove the ''alien''-related language from the legislation's committee report. In fact, four Republicans in the committee joined Democrats to vote in favor of that measure, and the amendment only failed by one vote.

So there is bipartisan consensus on this matter, and it deserves debate and a vote in the full House of Representatives so that all of us can take a vote where, for the first time—again, this is the first time in its history—where the Congress is legislating on a subject heading of the Library of Congress, and it is to force the Library of Congress to continue using the word ''illegal alien'' rather than allowing them to do their job and, as they were considering doing, retiring that term.

Yesterday, three amendments were presented to the Rules Committee that would allow this to occur. Astoundingly, the Rules Committee rejected all three of those amendments. In other words, they would have allowed us to debate this and take a vote on it, but the Rules Committee rejected all three of these amendments, preventing a vote on this issue on the House floor.

As I mentioned before, Mr. Speaker, the language in the committee report that has sparked this debate refers to a portion of U.S. Code that contains the term ''alien.'' I have introduced legislation that would remove ''alien'' from U.S. Code in instances where it refers to immigrants to this Nation. My bill, which is H.R. 3785, the CHANGE Act, would replace the terms ''alien'' and ''illegal alien'' in Federal law with the terms ''foreign national'' and ''undocumented foreign national.''

Let me be clear about why I am doing that. First, these folks may not be American citizens, but they are human beings. They are not people from outer space. When we think of the term ''alien,'' we don't think of human beings; we think of people that are from somewhere else.

The word ''illegal alien'' has also been used oftentimes—although not by everyone—in a pejorative way, in a way that is meant to be pejorative and offensive. It stigmatizes immigrants in this Nation and diminishes the quality of discussion around immigration issues in the United States. When ugly, belittling names are used to describe groups of people, those terms can make discrimination seem okay.

There is precedent for changing language in our laws as words' meanings evolve over time. For example, our Federal code previously used the terms ''lunatic'' and ''mentally retarded.'' Those words have since been taken out.

Just last month, President Obama signed into law a bill that I believe we can all be proud of, which was introduced by my colleague, Congresswoman GRACE MENG of New York, that removes the terms ''Oriental'' and ''Negro'' from Federal code. It is also time for ''alien'' to be added to the list of words we remove from Federal code.

So I urge my colleagues, both Republican and Democrat, to stand up for the dignity of all people who call America home and vote in favor of the CHANGE Act.

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

Mr. WOODALL. Mr. Speaker, I rise in opposition to the point of order.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 10 minutes.

Mr. WOODALL. Mr. Speaker, I understand that my friend has great passion on this issue. What I love about this Chamber is that it allows people to come and express their passions.

But I serve on the Rules Committee. The Rules Committee has original jurisdiction of the unfunded mandate point of order, and it is designed to prevent Congress from imposing unfunded mandates—rules that we are not going to pay for—on outside institutions: State governments, local governments, and tribal governments.

By definition, this is the legislative branch appropriations bill. It funds the Library of Congress. We are absolutely funding what this bill is asked to do. To debate the merits of the underlying language is absolutely legitimate debate. But to use this point of order, which is almost a textbook definition of what this point of order does not apply to, is a dilatory tactic, Mr. Speaker.

I would ask that we vote to dispense with that, oppose this point of order, and get on to the underlying legislation.

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

Mr. CASTRO of Texas. Mr. Speaker, can I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 4½ minutes remaining.

Mr. CASTRO of Texas. Mr. Speaker, I would make two points. The first is that this is an unfunded mandate because the Library of Congress was already well on its way to changing this term. Now, Congress is instructing it that it cannot do that. There is no way that money is not spent in following the instruction of Congress. So I disagree with the gentleman. This is an unfunded mandate.

To the issue itself, there was no argument from the other side that these words are pejorative, that this word is an anachronism. And, by the way, Mr. Speaker, this word is used in Federal code and applies to people who are here who are undocumented and also people who are here legally who are residents. So this is not only an issue of the undocumented. This is an issue of immigrants generally.

I know that, over the years, ours has been a very devout nation, a nation of faith, and that includes many of the people in this body. I, for example, have had an opportunity to visit with the faith study group that meets once a week that talks about the issues of their own personal faith, their own journeys, and the work that they do for their constituents.

As I think about my own district, which is 64 percent Hispanic in San Antonio, it is a town whose creativity, entrepreneurism, and spirit has been infused by the immigrant spirit. These are hardworking, often humble people who don't ask for much from their government, who work hard to provide for their families and who hardly ever will be heard to complain. Most of them, obviously, are documented; some are not.

But those people who are not and those who are considered resident aliens are human beings, and I believe that our faith would tell us that God considers those folks human beings, not illegals. I don't imagine that God thinks of those people as illegal. They are fundamentally human beings, and they should be respected.

They are not American citizens. We understand that, and there has been much debate over the last few years about passing comprehensive immigration reform or at least considering it here on the House floor. That hasn't happened yet. But I do think that each of us can at least extend some modicum of respect to these people.

Mr. Speaker, I call on my colleagues to join me in voting for the CHANGE Act.

I yield back the balance of my time.

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

Mr. Speaker, again, I applaud my friend for coming down here and speaking on the underlying bill. I think it is very important that we have the conversations that we will have on the underlying bill. But it is also important, in the name of good government, to use these points of order for the purpose these points of order were intended to be used.

The Library of Congress cannot spend one penny except for those dollars provided in the underlying legislation. Yes, the underlying legislation has mandates for the Library of Congress, but those mandates are funded because that is the only way the Library of Congress can be funded.

This is an incredibly important point of order, Mr. Speaker. The power that we have in this body to dictate to State, local, and tribal governments what they must do and then refuse to pay the bill is a dangerous practice that this institution recognized when it created this point of order to avoid.

I hope my friends on both side of the aisle will continue to bring up unfunded mandates points of order when they are applicable. But I implore my colleagues: Do not take a vote to suggest that a point of order designed to prevent us from putting unfunded costs on local governments should apply when we are funding the responsibilities of the Federal Government. That perverts the intent, and it undermines our ability to use this point of order effectively in the future.

Mr. Speaker, I urge us to allow the House to continue our business for the day. Vote ''yes'' on the question of consideration of the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the point of order has expired.

The question is, Will the House now consider the resolution?

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 170, not voting 32, as follows:

[Roll No. 283]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—170

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—32

Barletta
Black
Blumenauer
Brownley (CA)
Capuano
Costa
Cummings
Duffy
Ellison
Ellmers (NC)
Farr
Fincher
Gabbard
Gutiérrez
Hardy
Herrera Beutler
Hice, Jody B.
Hinojosa
Hultgren
Lee
Lieu, Ted
Lipinski
Luetkemeyer
Lynch
Payne
Peterson
Price, Tom
Rice (SC)
Rooney (FL)
Sires
Takai
Welch

□ 1350

Mses. EDWARDS and WASSERMAN SCHULTZ changed their vote from ''yea'' to ''nay.''

Mr. SHUSTER changed his vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, the buzz you hear around this Chamber, I suspect, is enthusiasm for the underlying bill. This is the legislative branch appropriations bill for FY 2017, and it is the single piece of legislation that enables all of the constituent services that go on from this institution. I want to say that again. Not one act of constituent service would go on anywhere in this country but for this underlying text. It is the Legislative Branch Subcommittee, led by my friend and colleague from Georgia, cardinal TOM GRAVES.

They do great work on the Legislative Branch Subcommittee, Mr. Speaker. It is no surprise to my colleagues in this Chamber that the House Appropriations Committee has been hard at work in producing those 12 appropriations bills that we are required to pass every year. Our success record in getting that done as a body has been spotty, but the success record of our committee in getting that done has been historic.

Even more, unlike many bills that come to this floor, the Appropriations Committee has said: Do you know what? We did the very best that we could do, but we welcome the input and counsel from our colleagues because we all have different experiences; we all come from different parts of the country; and we all have something to add.

So this bill, Mr. Speaker, makes in order 13 different amendments—seven offered by Republicans, six offered by Democrats—so that we can improve this bill and discuss this bill even more.

Among the top line items in the bill is the funding for our Capitol Police. No more so than this year have folks had the Capitol Police on their minds. The service that those men and women provide is indispensable in this Chamber, and I would argue, more than it is valuable to us and more than it is valuable to our constituents who visit this Chamber every day throughout the year, it is valuable to the families of those who send their loved ones to work here each and every day.

This bill funds the Architect of the Capitol. We talk so much about spending reductions and trying to be responsible. I am so proud of the spending record in terms of those reductions on inefficient programs that this Chamber has generated, but we have priceless American treasures right here in this building. I recall when you could see the water running down from the Capitol dome as it destroyed those precious American, historical treasures. So this bill funds the Architect of the Capitol so that we are not a penny-wise and pound-foolish in terms of our obligation to tend to America's treasures.

This bill funds the Government Accountability Office. I dare say there is not a Member of Congress in this institution who hasn't had a constituent ask about a GAO report, who hasn't had occasion on his own to ask our auditing agency—our accounting office—to do a study of the best ways to use our resources, to make use of the limited resources that we have. They provide an incredibly valuable, nonpartisan service so that we can do the very best for our constituents back home.

Mr. Speaker, this bill is funded at a level that is lower than the level was when I arrived in this Chamber. It is lower than the level was in 2009 and in 2010. I think that is important, because I think thrift really does begin at home. Throughout every year that I have been in this institution—I am now in year 5—we have absolutely gone after inefficient programs elsewhere in the government. We have absolutely tried to make a difference in curbing that tidal wave of debt that threatens the next generation, but we have started here in each and every bill.

Mr. Speaker, folks don't know it. The newspapers always carry the stories of excess on Capitol Hill. I don't know where they find those excess stories. I will tell you that the allotment for the spending of my office—for all of the constituent service that we do—is less than was allotted 10 years ago. Inflation corrodes it, and the job market erodes it. Time and time again, every dollar buys less, as every American family knows. We have committed ourselves as an institution to do more with less—thrift beginning at home.

There is a modest increase in this bill from the last cycle to deal with those issues, like our Capitol Police, like the Library of Congress, like the preservation of the Capitol. I support all of those underlying measures, and I support the rule by which we are bringing this measure here again. Thirteen amendments are made available by this rule. If we pass the rule, we will then move to the underlying bill, vote on those 13 amendments, and move to final passage.

I urge all of my colleagues to support both the rule and the underlying bill.

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

□ 1400

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

I thank my friend, the gentleman from Georgia (Mr. WOODALL), for yielding me the customary 30 minutes for debate.

This legislation, as he indicated, provides $3.48 billion for the House of Representatives and joint operations of Congress. That is a $73 million increase over the current year's levels, but more than $150 million below the President's request.

This legislation funds the salaries and expenses for the House of Representatives, the Capitol Police, the Congressional Budget Office, the Architect of the Capitol, Government Accountability Office, and the Library of Congress.

Today is June 9. Nearly 2 months have passed since my friends in the majority sailed past the statutory deadline for passing a budget without even looking back. Nearly 1 month has passed since House Republicans began considering appropriations bills without first agreeing to top-line spending levels.

Republicans made passing a budget a top priority this year. They insisted that we would return to regular order. I really wish the American public understood the ''regular order'' concept. Yet here we are working without a roadmap and, instead, passing new rules to stifle debate on the House floor on controversial issues like equal rights.

But I will get to that in a bit, Mr. Speaker. For now, I will just say it is disappointing because, instead of considering appropriations bills funding critical investments for American families and communities, the House majority has again chosen to take care of itself. The partisan mishmash we are discussing today is no different.

Here is an example: This legislation forces the Library of Congress to continue to use the pejorative term ''illegal alien'' in its subject headings. Mr. Speaker, in another life, as a member of the judiciary, I refused to use that term when discussing persons that were before me. I can't help but laugh at the absurdity of this.

We—and I mean Congress—can't have a conversation about comprehensive immigration reform, yet we are forcing the Library of Congress to readopt politically charged rhetoric. For what? How is this a priority? The Legislative Branch Appropriations bill is certainly not the appropriate place for a political debate on immigration.

This legislation continues to fund the Energy and Commerce select panel to target Planned Parenthood, which, thus far, has conducted a completely partisan, political witch hunt and come up empty.

This legislation continues to fund the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, which has already spent $7 million on just four hearings over the

past 2 years in order to smear Secretary Clinton. And what has it produced? Nothing.

I will note that the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi has overlapped a number of previous investigations that also found nothing. You want to cut wasteful spending, Mr. Speaker? Look no further. Defund the Benghazi hearings.

I am happy to say that the bill provides $563 million for Members' representational allowances for the coming fiscal year. This is 1.5 percent increase over the current level. But when we consider the fact that the MRAs have been cut by nearly 17 percent since 2011—that adds up to $312,000—a mere 1.5 percent increase is clearly inadequate. I can make the argument that, because of that, we are unable to pay young people that come here and keep them with their institutional memory, and in addition we are unable to provide efficient services for our constituents; yet we cut that $312,000 out of the budget, and now we are going to add back a little bit and claim that we are being efficient.

I won't even go into the salary and the cost-of-living adjustment but to say that people find it surprising that we are entering this legislation in 2017, year 9, without a cost-of-living increase for Members of Congress. I wonder if that is causing some of them to live in their offices. I wonder if it is causing them to breach tax considerations when they do that and, perhaps, even ethical considerations. But I won't go into that.

Furthermore, an amendment has been offered that will require a 1 percent cut across the board to the bill's spending levels. Such a cut would essentially wipe out this already diminutive increase. Members should vote this amendment down.

With salaries frozen where they are, I just got through saying we can't retain the best talent. We continue to lose staff. I have three staffers that were perfect for their jobs that had to leave because they couldn't afford to live on the salary that we were paying them.

Side note here, Mr. Speaker: the median rent for a one-bedroom apartment in Washington, D.C., was $2,160 per month last December; and I will remind the Members of this body that many staffers start here at $30,000 or less, annually. Do the math. We need to take better care of our people.

Mr. Speaker, before I yield back, I feel compelled to mention Speaker RYAN's new rules governing the appropriations process on the House floor. Three weeks ago, something particularly shameful took place in this room as we debated the Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

An amendment by our colleague and friend, SEAN PATRICK MALONEY, reached the vote threshold needed to pass. Republican leadership, apparently caught off guard, held open the vote for nearly 8 minutes in order to make Republican Members change their vote. They allowed this to happen in the back of the room, and the amendment failed.

And what contentious subject was the amendment focused on? I will tell you. Prohibiting Federal contractors from discriminating against LGBTQ employees. This episode demonstrated just how little courage some Members of the Republican Party have.

A week later, Representative SEAN PATRICK MALONEY offered his amendment again, this time to the Energy and Water Development and Related Agencies Appropriations Act, and it caused such a hubbub that the legislation collapsed on the floor. I will say that again. A provision ensuring that LGBTQ contractors can't be fired solely because they are LGBTQ proved so contentious to Republicans that they defeated their own appropriations bill—I might add, a good bill—to prevent it from taking effect.

As a result, beginning this month, House Republican leadership is closing down the process and requiring all Members to submit amendments for appropriations measures to the Rules Committee in advance and has announced regular order is being suspended in order to make sure Republicans aren't caught off guard by ''embarrassing'' amendments, for instance, ensuring basic civil rights to American citizens.

Remember Speaker RYAN's pledge to return to regular order? Where is that commitment now? Perhaps my friends should consider that the reason these amendments are embarrassing to them is because their position is, in and of itself, embarrassing.

I will note that Representative SEAN PATRICK MALONEY offered his amendment again for the current legislation, but this time Republicans won't even allow it on the floor for a vote.

So, Mr. MALONEY, offer it again and again so we can continue to point out how ridiculous this is.

This entire process is quickly turning into a joke. Enough already. Why don't we fold the tent, wait until after the conventions and the November election, and start all over again, because we are doing nothing here.

I reserve the balance of my time.

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

Mr. Speaker, it is not widely known, but I have believed, in the 5 years that I have been in this institution, that if you were to lock the gentleman from Florida (Mr. HASTINGS) and myself in a room together, we could solve most of the issues that ail this Nation, that there really is more common ground in this institution than folks are willing to let on. But I find myself in the very uncomfortable position today of disagreeing with almost every conclusion that he reached, while I agree with so many of the fundamental issues that he believes brought us to this point; for example, regular order is bringing these appropriations bills to the floor.

The 1974 Budget Act lays out this process clearly. It lays out the process for passing a budget, and it lays out the process, if the disagreements over that budget become too great, how we can proceed with the appropriations bills. It is exactly what is happening here today and exactly the way we envisioned it in 1974 when they passed the first Congressional Budget Act. It continues to roll on that way today. This is a success; it is not a failure

My friend is absolutely right; it has been 9 years since Congress last received a pay raise. I will say to my friend that I go down to townhall meetings and I say: One day, I am going to come down here and tell you that I have so satisfied you and your needs that I think I deserve a pay raise, too.

I listened to my friend, and my friend talks about how the process is broken and we can't pass budgets. My friend talks about particularly shameful episodes that go on here on the floor of the House. My friend talks about failure to do the right thing and shenanigans that go on from leadership.

I will tell you, I failed to find anything in those few minutes that I thought my constituents would find worthy of a pay raise, and I regret that, Mr. Speaker. Because these men and women that I have the great pleasure of surrounding myself with here, these Representatives that come from 343 other very different districts across the country, they work hard, and they are honorable men and women fighting the hardest for their constituents who often disagree with me and mine.

We did have a very important vote 2 weeks ago, Mr. Speaker. You remember it well. I heard my colleagues trumpeting victories for equality, trumpeting historic votes in favor of equal opportunity when they passed an amendment, and not 20 minutes later, they voted against sending that bill to the Senate so that that amendment could become law.

Hear me again. We have big debates in this Chamber about serious issues that matter; and at some point, it has to be incumbent upon each and every one of us, if we get what we want in the amendment process, we need to support the final bill and get it moving to the President. I don't need to be right about policy; I need to make a difference on policy.

Like it or not, there are only two ways to change the law of this land from this Chamber. One is sending a bill to the President's desk and winning his signature; and the second is sending a bill to the President's desk, receiving his veto, and overriding it right back here in this Chamber. Neither of those processes for change, Mr. Speaker, even begin if we don't send the legislation from this floor.

I say to the gentleman from Florida, I am not scared of tough votes. To our colleagues who want to be protected from tough votes, I say you need to get another job than running for Congress. I am sure there are other folks who

will have you. If you don't want to take votes, don't become a United States Congressman. The toughest votes are the best votes we take in this institution. They tell us who we are as a people.

But the issues on which we are voting are too important to reduce to a bumper sticker tagline that goes on a campaign commercial that is going to be useful for 6 months or less. Let's have the big debates; let's do the big things; and then let's send those bills to the President's desk so that it becomes the law of the land.

We can talk and we can talk and we can talk, and so much of that talk centers around bringing change to America. Whether it is restoring a value of old or bringing a new value, it relates to bringing change to America. But that change cannot start until we change a little bit about ourselves.

Vote for the amendments; vote for your conscience; send those bills to the White House so we can get this process going.

I reserve the balance of my time.

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

I would like to address very briefly my friend—and he is my friend—that I agree with much of what he said. He said fundamentally much of what I said he did not agree with, but he pointed to the fact that the Maloney amendment passed and then we turned around and voted against the bill.

There were other measures in that bill that some of us didn't care for that caused us to vote against it as well, and among them was one that was particularly offensive to me since I represent one of our national parks, and that was carrying guns in national parks.

□ 1415

I could go on. There were at least seven other riders that were put on by the majority that caused me angst. I am not sure about everybody else.

Additionally, I agree with my good friend that he and I could solve many of these problems, but one thing that I know that he favors, and I know that he agrees with me, and that is that as often as possible that we have open rules in this body; where we are headed is, in many respects, not in that direction.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. LOFGREN), my good friend.

Ms. LOFGREN. Mr. Speaker, this bill picks a fight with the librarians. In the bill, we seek to compel the Library of Congress to use an outdated and dehumanizing term to reference people who aren't citizens of the country.

Although the term ''alien'' is used in our statutes, it is outdated and deeply insulting to people born abroad who have worked hard to contribute to our economy and communities. In fact, this fall, the Republican Party in California itself decided not to use the term ''illegal alien'' in its platform. In this bill, the Republicans in the House look like they are doubling down on vilifying immigrant communities.

Now, as part of a longstanding, oftenused process for reviewing and updating subject headings, the Library of Congress apolitically decided to use the term ''noncitizens'' and ''unauthorized immigration'' instead of the pejorative term ''illegal aliens.'' The Library makes these types of changes all the time. It is one of 90 such modifications proposed en masse by the Library this last March.

When a subject heading is changed, references to previous headings are retained so researchers can use them, but mandating the term ''illegal alien,'' which is what Republicans are doing in this appropriations bill, is entirely political.

The rider countermands the Library's professional judgment. Now, it is noteworthy that the Library didn't choose the term ''undocumented immigrant'' favored by many because they didn't want to be political. They just wanted to be fair.

Applying these standards in the past, the Library of Congress changed the subject classification ''Negroes'' to ''African Americans,'' the way we discuss African Americans today. The catalog used to say ''cripples.'' That makes me cringe. That was changed over time, first to ''handicapped'' and later to ''people with disabilities.'' But in this political season, it seems there is no limit to the racial invective that is being hurled around, and this bill plays into that.

Now, to my knowledge, Congress has never before told the Library of Congress what the heading in their card catalog has to be, and that we would do it in this case to promote a term that is so offensive to people is a darn shame.

Now, in the past, we have used the appropriations process to shut down the government. Republicans have done that repeatedly. I would hope that the Republicans in the House would not want to go down that path with this. It is true, this term is used in the statute. Our colleague, Representative CASTRO, has a bill to correct it. I would urge that bill be taken up and this unwarranted measure be rejected.

I include in the RECORD a letter from the American Library Association.

AMERICAN LIBRARY ASSOCIATION AND ASSOCIATION FOR LIBRARY COLLECTIONS & TECHNICAL SERVICES,

April 28, 2016.

Re: Request to Remove ''Library of Congress Classification'' Amendment from Legislative Branch Appropriations Legislation.

COMMITTEE ON APPROPRIATIONS,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN ROGERS, RANKING MEMBER LOWEY AND MEMBERS OF THE COMMITTEE: We write today on behalf of the more than 58,000 members of the American Library Association and of the Association for Library Collections & Technical Services (ALCTS): the division of ALA members expert in cataloging and classification. We do so to respectfully urge the House Appropriations Committee to strike language in legislation just adopted by its Legislative Branch Subcommittee that would bar the Library of Congress (Library) from implementing an appropriate and thoroughly researched change in its subject heading classifications announced in late March of this year.

Specifically, the Library proposes to replace the terms ''Aliens'' with ''Noncitizens,'' and ''Illegal aliens'' with two headings: ''Noncitizens'' and/or ''Unauthorized immigration.'' While some see politics in this decision, Mr. Chairman, as library professionals viewing the work of our colleagues we see only attention to historical detail, intellectual honesty, procedural transparency, and faithfulness to long-standing precepts and practices of librarianship. These have been the hallmarks of cataloging for all of ALCTS' nearly 60 years and of almost 130 years of library science. Stripped of polemic and sensationalism, these are the facts underpinning the Library of Congress' frankly routine and professional determination:

The Library of Congress has a long-established, often used process for reviewing and updating outdated subject headings and establishing new ones as needed that preserves all prior versions of updated headings. Such updates may be proposed from outside or within the Library of Congress, but the Library makes the final decision on all changes to subject headings. The Library reviews each change proposal individually and typically adopts over a thousand each year.

Indeed, the heading change now before the Committee was one of 90 such modifications proposed en masse by the Library in March. When a subject heading is changed, references to previous headings are effectively retained indefinitely so that researchers who perform a search for a former heading are certain to be directed to all relevant materials. No document in the Library of Congress' (or any library's) collection itself is ever substantively edited, modified, annotated or ''corrected'' in any way as the result of a subject heading update like the one interdicted by the Subcommittee's recent action. Only its catalog ''label''is altered.

The Library's process in this case was rigorous, transparent, and consistent with the highest standards of professional cataloging practice. The Library was first asked 18 months ago, quite publicly, to review its use of the cataloging term ''illegal aliens'' by one of the nation's preeminent colleges. That request, with modifications, subsequently was echoed by the American Library Association upon debate and approval of a formal Resolution by its more than 180-member Council in January of 2016. A ''stakeholders'' meeting with all appropriate expert sections from within the Library then was convened just over two months ago at which both outside requests, and the broader issues they raised, were reviewed in detail. It is a measure of the Library's professionalism and independence that, in fact, neither external proposal as submitted actually was accepted. Rather, upon review of the totality of the facts and consistent with venerable cataloging practice, the Library apolitically crafted the proposed policy described above and now before the Committee.

Decisions to update a subject heading are based on many considerations, including ''literary warrant'': the frequency with which a term is or is not used in print and other dynamic resources that, by their nature, change with and reflect current social structures and norms. For subject headings that refer to groups of people, special attention is paid to: popular usage; terms used by members of the group to self-identify; and avoiding terms that are widely considered

pejorative toward the group being described. Applying these same standards in the past, for example, the Library of Congress uneventfully changed the subject classification ''Negroes'' to ''Afro-Americans'' and again to ''African Americans'' over a period of years. The catalog term ''Cripples'' similarly morphed over time, first to ''Handicapped'' and later to ''People with disabilities.'' Congress made no move to countermand those expert cataloging determinations.

The Library reasonably and properly concluded in this instance that, when used in reference to people, the long-used terms ''illegal'' and ''alien'' have in recent decades acquired derogatory connotations, become pejorative, and been associated with nativist and racist sentiments. As the Library has noted: the heading ''Aliens'' has been in use by the Library since 1910; ''Aliens, illegal'' came into official use more than 35 years ago; and ''Illegal aliens'' has been in service for almost a quarter-century. Over that long span of time, and particularly in recent years, referring to undocumented persons (as opposed to forms of conduct) as ''illegal'' increasingly has been widely acknowledged as dehumanizing, offensive, inflammatory, and even a racial slur.

This shift has been plain and pronounced, as the Library observed, in precisely the kind of dynamic materials that cataloging standards require any Library to assess in evaluating the suitability of a subject heading in use and its prospective modification. Indeed, in recent years many national news organizations (including the Associated Press, USA Today, ABC, Chicago Tribune, and Los Angeles Times) categorically have stopped using the word ''illegal'' to describe human beings as a matter of editorial policy.

Moreover, the Pew Research Center has documented that their actions were not merely anecdotal or aberrant in any way. To the contrary, Pew compared use of the term ''illegal aliens'' in U.S. newspapers during the same two-week period in 1996, 2002, 2007 and 2013 (all times when immigration matters were much in the news). It found that use of that phrase declined precipitously over the most recent 6-year period surveyed, appearing in 21% of news reports in 2007 but just 5% in 2013: a 76% reduction in use and all-time low.

We understand, Mr. Chairman, why some have chosen to politicize the Library's proposed subject heading changes discussed above. In light of the foregoing, however, it is the view of our Associations that, at minimum, the Library of Congress' recent proposed reclassifications discussed above are fully consistent with accepted professional cataloging standards and practices. Indeed, we believe that a compelling case can be made that the proposed changes are required by them. We hope that the foregoing description of the standards and practices of our profession, rigorously adhered to and unimpeachably applied by the Library of Congress in this case, will assist the Committee to accept the Library's independent professional cataloging determinations.

Specifically, we urge you and all Members of the Committee to strike all language from any piece of appropriations legislation that would countermand or modify the Library's recent determinations pertaining to the terms ''Aliens'' and/or ''Illegal aliens,'' and to oppose any other legislation that would have similar effect.

Thank you for this opportunity to provide the Committee with a factual context in which to consider its upcoming actions. Please contact us should you or your staff have any questions, or require any additional information.

Respectfully submitted,

SARI FELDMAN,
President, American Library Association.

NORM MEDEIROS,
President, Association for Library Collections & Technical Services.

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

My friend from Florida made reference to regular order earlier and, again, he and I see very much eye-to-eye on that issue. The gentlewoman who just spoke is one of my great friends on the Committee on the Judiciary.

I would like to read the offending language that folks are referring to. It says this in its entirety:

To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title VIII United States Code. To the extent practicable, the Congress directs the Library of Congress to use the laws passed by Congress.

That is the offending language.

My friend serves on the Committee on the Judiciary. If the Committee on the Judiciary did as she is suggesting and changed the law tomorrow, this language would reflect those changes passed by the Committee on the Judiciary tomorrow. This isn't the Committee on Appropriations' jurisdiction. We can, as an open appropriations process allows, make every political point that we want to make on every topic under the Sun, but longstanding policy is not changed in an annual appropriations bill. It is changed by authorizers like my friends on the Committee on the Judiciary, and I urge them to get to work on it.

There is no question, all of the examples the gentlewoman cited, I am with her 100 percent. We have made those changes, and we are the better for it, but let's not suggest—again, to my friend from Florida's point, why don't folks think Congress is deserving of a pay raise? I listened to my friend describe the motivations that folks had for including this language. They were not described as motivations in friendly or admiring terms. The language that says from Congress to the Library of Congress, use the laws passed by Congress.

Ms. LOFGREN. Will the gentleman yield?

Mr. WOODALL. I yield to the gentlewoman from California.

Ms. LOFGREN. I would just like to note and put into the RECORD the fact sheet from the American Library Association indicating that it is the Library of Congress' belief that it will need to change its policy already underway on this, so if the gentleman is saying that the language in the bill doesn't require a change on the Library's part, I think that would be news to the Library.

Mr. WOODALL. Reclaiming my time, I am not suggesting anything of the kind. I am suggesting that the language that folks are describing as offensive says from the Congress to the Library of Congress, use the laws passed by Congress.

If we don't like the laws of the land, we have a process to change them, and for better or for worse, that process begins in the committee on which the gentlewoman serves.

Mr. Speaker, I reserve the balance of my time so that I can continue my discussion with my friend from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from California (Ms. LOFGREN) for a unanimous consent request.

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, I include in the RECORD the missive from the American Library Association entitled ''Support Library of Congress Autonomy in Subject Heading Determinations.''

SUPPORT LIBRARY OF CONGRESS AUTONOMY IN SUBJECT HEADING DETERMINATIONS

[From the American Library Association and Association for Library Collections & Technical Services]

In late March of this year, after an extensive process consistent with long-standing library principles and practice, the Library of Congress proposed to replace the subject heading classification ''Aliens'' with ''Noncitizens,'' and ''Illegal aliens'' with two headings: ''Noncitizens'' and/or ''Unauthorized immigration.'' Similar, but not identical, changes previously had been requested by Dartmouth College and endorsed by the American Library Association.

In mid-April, the Legislative Branch Subcommittee of the House Appropriations Committee adopted language that would, in effect, countermand the Library's professional judgments and reverse the proposed reclassifications noted above. (The Report adopted by the Subcommittee states: ''To the extent practicable, the Committee instructs the Library to maintain certain subject headings that reflect terminology used in title 8, United States Code.'') The full House Appropriations Committee will meet in mid-May and has the power to undo the Subcommittee's action.

On April 28, the Presidents of ALA and ALCTS (ALA's division of members expert in cataloging and classification) wrote the attached letter to the Committee's leaders and members on April 28 asking that they do so. Its principal points and specific requests follow on the reverse.

KEY POINTS: ''LIBRARY LETTER'' TO HOUSE APPROPRIATORS BACKING PROPOSED LIBRARY OF CONGRESS RECLASSIFICATIONS

The Library of Congress has a long-established, often used process for reviewing and updating outdated subject headings and establishing new ones as needed that preserves all prior versions of updated headings.

The Library's process in this case was rigorous, transparent, and consistent with the highest standards of professional cataloging practice.

Decisions to update a subject heading are based on many considerations, including ''literary warrant:'' the frequency with which a term is or is not used in print and other dynamic resources that, by their nature, change with and reflect current social structures and norms. For headings that refer to groups of people, special attention is paid to: popular usage; terms used by members of the group to self-identify; and avoiding terms widely considered to be pejorative toward the group being described.

The Library reasonably and properly concluded in this instance that, when used in reference to people, the long-used terms ''illegal'' and ''alien'' have in recent decades acquired derogatory connotations, become pejorative, and been associated with nativist and racist sentiments. Particularly in recent years, referring to undocumented persons (as opposed to forms of conduct) as ''illegal'' increasingly has been widely acknowledged as dehumanizing, offensive, inflammatory, and even a racial slur. This shift has been plain and pronounced:

in recent years many national news organizations (including the Associated Press, USA Today, ABC, Chicago Tribune, and Los Angeles Times) categorically have stopped using the word ''illegal'' to describe human beings as a matter of editorial policy; and

the Pew Research Center compared use of the term ''illegal aliens'' in U.S. newspapers during the same two-week period in 1996, 2002, 2007 and 2013 (all times when immigration matters were much in the news). It found that use of that phrase declined precipitously over the most recent 6–year period surveyed, appearing in 21% of news reports in 2007 but just 5% in 2013: a 76% reduction in use and all-time low.

The Library of Congress' recent proposed reclassifications discussed above are fully consistent with accepted professional cataloging standards and practices. Indeed, a compelling case can be made that the proposed changes are required by them.

ALA and ALCTS, its division of experts in cataloging, urge the Committee to accept the Library's apolitical subject heading judgment and, thus, to strike language from any piece of appropriations legislation that would modify or countermand the Library's recent determinations pertaining to the terms ''Aliens'' and/or ''Illegal aliens,'' and to oppose any other legislation that would have similar effect.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ of California), my friend and the ranking member of the Committee on Ethics in this body.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in opposition to the consideration of H.R. 5325, a deceitful effort by House Republicans to yet again dehumanize an entire group of people. It pains me to even say the phrase ''illegal alien'' out loud because it is pejorative, it is offensive, and has no place in our modern discourse. The Library of Congress is correct to leave this phrase in the pages of history and never to have it uttered again.

The importance of the Library of Congress' decision to discontinue and remove the outdated phrase cannot be emphasized enough. Libraries nationwide and around the world look to the Library of Congress' subject headings and other standards to publish information. As lawmakers representing a country of immigrants, Congress should not assist in the dissemination of information that perpetuates racism and promotes hate.

Of course, I am not at all surprised that congressional Republicans would resort to inserting themselves into bibliographic decisions that are normally reserved for librarians, not appropriators or politicians. Republicans hypocritically claim to want to keep government out of people's lives, but want government to intrude and dictate standards only when it benefits their bigoted views.

Sadly, today's effort and other past maneuvers to block President Obama's executive actions on immigration falls in line with the concerted effort to move our country backward. We are better than that. Instead of promoting antiquated and deplorable language, we should be tackling any number of important issues—affordable education, tax reform, and promoting job growth—not telling librarians and educators how to do their jobs.

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

Going back to my friend from Florida's case that we have hardworking men and women here who haven't had a pay raise in 9 years, if we are a part of a body that perpetuates racism and hate, I don't want a single one of us to get a penny. I don't want a single one of us to get a penny. My experience is that is not at all who we are. That is not who we are at all.

My quick text search of the U.S. Code—and I am a lawyer, but I haven't read the Code cover to cover—tells me that ''illegal alien'' is referenced 32 times, even in a single title. Let's go change it. If you want to get rid of it, let's go in and get rid of it. Don't act like this is beyond our control and if only we can fix the Library of Congress, suddenly we can solve all that ails us.

This is the United States Code. If you don't like the Code, change the Code. Tell me that we are ineffective and we can't get that done? We are talking about a title change here, one that we have already done, already this Congress. We eliminated the last reference to ''Oriental'' in the United States Code. We do these things together, but we don't do them by accusing one another of promoting racism and hate. We do those things by talking to one another.

Mr. HASTINGS. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. HASTINGS. The Library of Congress has made 90 subject head changes. Why this one? Why does it have to stick and can't be changed? I thank the gentleman for yielding.

Mr. WOODALL. Reclaiming my time, I confess that I had no idea the Library of Congress was even in the subject change heading business. It wasn't until I read a press release from somebody talking about this issue that I even knew this issue existed. But now that I know it exists, I know that it doesn't exist in subject titles at the Library of Congress. It exists in the United States Code that is the law of the land for the greatest free nation this world has ever known.

You want to talk about shame on us? Shame on us for letting the librarians decide when the debate begins and when the debate ends. It is the United States Code and the responsibility falls to one body and one body only, and that body is here.

I want to go back home, Mr. Speaker. I want to tell my constituents they are getting every dollar's worth out of this institution and, candidly, I believe they are getting more value today than they were yesterday and they got more value yesterday than they did a week ago or a month ago or a year ago. I think we are getting better.

I will give you a small example. We talk about legislative branch funding as if it is some sort of self-serving institution. That is just nonsense. We came here with one job and one job only, and that is to serve our constituents back home. This cycle we have passed the FAST Act, the first long-term transportation funding bill in 20 years. We did it together. We couldn't do it alone. We did it together.

Mr. Speaker, after 17 years of kicking the can down the road on the sustainable growth rate, that Medicare tag line that threatened care for every single senior citizen on Medicare, 17 years of kicking it down the road, we came together and abolished it forever. Forever. We did it together because that is the only way we could get it done. The Visa Waiver Program improvement.

Mr. Speaker, S. 139, the bill that made it easier for people with rare diseases to get involved in clinical trials. Can you imagine? Can you imagine a government that in the name of helping people said: Oh, no, you can't try that new cure. It might hurt you. When your response is, Mr. Government, I am dying, it is my only chance of survival. We fixed that. One of many things about what is best about this institution, Mr. Speaker, Time and time again, we come together to solve real problems that real people have asked of us. That is what this funding bill is about.

I hope we are going to move past this bill today. I hope we are going to get back to regular order. It pains me that in an election year, it threatens the free and open debate that this institution prides itself on. But I think that is just fear. I think we are better than that. I think we are going to get past it. But that is not the debate today.

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

Mr. HASTINGS. Mr. Speaker, would you be kind enough to tell both sides how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 14 minutes remaining. The gentleman from Georgia has 11 minutes remaining.

Mr. HASTINGS. Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up legislation that would disband the select investigative panel of the Committee on Energy and Commerce. Mr. Speaker, this panel is just another waste of taxpayer money. Three House committees, 12 States, and one grand jury have already investigated the charges against Planned Parenthood, and none found evidence of wrongdoing.

□ 1430

Mr. Speaker, this panel is conducting a purely partisan political witch hunt, and it should be disbanded.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the distinguished ranking member of the select investigative panel, to discuss the proposal.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, I rise to urge my colleagues to defeat the previous question so that Mr. HASTINGS can offer H.R. 769, a resolution to shut down the select panel that we call the select panel to attack women's health.

House Republicans created this panel based on a lie and fraudulent videotapes that have been discredited by three House committees, 12 States, and a Texas grand jury that actually indicted the video maker. They have used this fraud as a pretext to conduct a lethally dangerous witch hunt aimed at women's health clinics and scientists conducting promising research on diseases like Alzheimer's, MS, and the Zika virus.

Panel Republicans are bullying witnesses and abusing congressional authority in a manner not seen since the days of Senator Joe McCarthy. But this time, people's lives, not just their livelihoods, are at stake.

Republicans have issued dozens of unilateral subpoenas without first seeking voluntary cooperation. They are demanding the names of researchers, students, clinical personnel, doctors, and medical students, amassing a database that could be released publicly at any time.

Republicans refuse to put rules in place to protect these names and have reneged on public promises to do so. Instead, they have publicly released names and confidential documents.

They issued a press release naming a doctor who has already faced decades of harassment and violence; disclosed the time, place, and location of his appearance before the panel; and fueled the flames by comparing him to a convicted murderer.

They have repeatedly used inflammatory rhetoric, comparing researchers to Nazi war criminals and echoing words of antiabortion activists that were also used by the gunman who shot 12 people, killing 3, at a Planned Parenthood clinic in Colorado Springs.

Republicans have demanded and obtained information that they have no right or need to know, including records of victims of rape and personal financial information.

The Republicans are abusing power and putting people's lives in danger in pursuit of their agenda to limit legal abortion and a woman's right to choose and to shut down fetal tissue research.

Fetal tissue research has historically had broad bipartisan support. It is the basis for key vaccines that have saved millions of lives, including the polio vaccine.

The so-called investigative panel has already had a chilling effect on research, drying up the supply of needed tissue for research on multiple sclerosis and threatening other diseases, including Alzheimer's and diabetes.

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

Mr. HASTINGS. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. SCHAKOWSKY. All I really need is the time to say this:

We should now be ending this dangerous and unjustifiable witch hunt. It is time to say ''no'' to this panel, and it is time to say ''no'' to the previous question so that we can finally have a really strong debate on this House floor and finally defund this panel.

Mr. WOODALL. Mr. Speaker, I would advise my friend from Florida that I do not have any speakers remaining and am prepared to close when he is.

I reserve the balance of my time.

Mr. HASTINGS. I thank the gentleman.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), my good friend.

Ms. JACKSON LEE. Mr. Speaker, I want to thank the distinguished gentleman from Florida for his management of what is a difficult and trying legislative process and my distinguished friend from Georgia, as well, for his service. Both of them are on the Rules Committee.

It pains me to come to the floor on an appropriations bill when I know that there is so much opportunity for us to be able to work together. I know my good friend from Georgia will understand the pain of which I speak and will also attest to the fact that, in many instances in the appropriations process, we have an open rule and we allow our Members to express themselves on behalf of the people of their congressional districts but, more importantly, the higher goal, and that is, the people of the United States of America.

Let me first express my pain that this bill is the first bill that has come to the floor, when I know that there was vigorous debate and possibilities for the energy and water bill—certainly, in my congressional district, which has seen itself under inches and inches of rain, seeing people die, and losing individuals through these enormous rains and flooding—because we need the kind of infrastructure that comes under energy and water. That bill is not being able to pass. Seeing the funding for access to health care, community centers, community health clinics not yet come to the floor; seeing the funding for infrastructure and transit that is so needed in our urban centers, like Houston, Texas, not coming to the floor. And then, of course, the Department of Justice, which is in the middle of dealing with commutation of sentencings, dealing with youth justice programs, dealing with a number of issues that are paining Americans; and they need our relief.

Yet the bill that comes to the floor, I must again painfully say, is an appropriations bill that I will not be able to support. It is a bill that really keeps the wheels going in this place. It is not a more important bill, but it keeps the wheels going so that we can do the people's work.

Here is what is happening that I think is a dastardly reflection on what we have come to. Let me be very clear. As a senior member of the Judiciary Committee dealing with the mechanics of lawmaking, dealing with laws that ultimately provide people civil or criminal justice relief or constitutional relief, I want to tell my colleagues who wrote this language that the issue dealing with the Library of Congress is an administrative one.

The idea that noncitizens and unauthorized immigration have any impact on creating a comprehensive immigration system, which I have introduced legislation along with my colleagues, joining with them over the years, has no import and impact of law. It is truly an administrative task that the Library of Congress is attempting to comport with national experts of librarians.

Everybody loves a librarian. They give our children knowledge. They give our students knowledge. They give all of us knowledge.

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

Mr. HASTINGS. Mr. Speaker, I yield the gentlewoman an addition 1 minute.

Ms. JACKSON LEE. They give us their best expertise.

Why we would intrude in an administrative process when it goes into nothing that impacts the scheme of the administrative or the legal structure here in the United States: it is to denigrate; it is to insult.

We understand that the word ''illegal'' does connote that you have violated a criminal act in certain instances. And there are those who are undocumented, noncitizens, et cetera, unauthorized, that have not violated any criminal laws.

Let me also say to you that defunding of the foolish Planned Parenthood investigation is warranted. Why? In my own home State of Texas, in Houston, the indictment did not go to Planned Parenthood, which was the attempt; but it went to the perpetrators of fraud on Planned Parenthood. There is nothing to investigate.

If you want to investigate, then investigate the lack of access of millions of women in the State of Texas who were using those clinics that Planned Parenthood had.

So my point is this is a bill we must vote against. Vote against the underlying rule and the bill, because it is nothing but fraud and foolishness, and that is not what we should do in this House.

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

Mr. HASTINGS. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Florida has 5½ minutes remaining.

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

Mr. Speaker, I rarely speak from the well of the House. I come down here today because, like my good friend from Georgia and many of us in this institution, those of us that have studied the institution genuinely love it and recognize that it is, fundamentally, what makes our Nation great.

When we speak of Congress, we are talking about the House of Representatives and the United States Senate. For a substantial period of time, both in the control of Democrats and Republicans, we have carried ourselves in a way that has caused us to appear dysfunctional. And, in many instances—validly—those that look at us feel that we are unable to get things done.

My younger friend from Georgia pointed out a significant number of things that we did do, and he is correct about that. But he also knows there are a significant number of things that we have not been able to do, largely for the reason that we are not acting in a bipartisan manner—in an openly transparent manner, in many instances—in order to provide for all of the Members of this body to have input.

I came to the well because, as I near my 80th birthday, I am in a different category than many of the younger Members in this institution. Many of the younger Members of this institution have young families.

We, the 434 of us that are seated—and we will swear in the 435th a little later today—and the delegates from the territories and the District of Columbia, are in a variety of categories, as Americans. Some substantial number of Members in this body are multimillionaires; a significant number of Members of this body easily qualify to be in the middle class or the upper class; and there are some Members here who are in the lower class in our society.

Fortunately for us, in the 22 years that I have been here, I have seen this body grow in its diversity. More women on both sides, African Americans, Latino Americans, Asian Americans, Native Americans are part of this body from different walks of life. Some of us own our own homes here in the metropolitan Virginia-Maryland area. Some rent apartments. Some are in basements. Some are in one room. Some are gathered together because of the expenses here.

Now, my friend is right. I would like to go home and be able to show to my constituents and to his that we did everything that we could here to make for more efficiency. But I can cite the glut all over our agencies and, at the very same time, I make no apologies to anybody for how hard I work or how hard he works and the fact that we are entering our 9th year without a pay raise.

Now, I think it is wrong for Members of the House of Representatives to live in their offices. I think that there is an ethics provision that needs to be addressed, and I think there is a tax consideration that needs to be addressed.

□ 1445

And the public does not understand that nearly 100 Members, including the Speaker of the House of Representatives, live in their offices. Something is drastically wrong with that. Most of them are there for the reason that they can't afford to live in this town; and somehow or another, we are deserving, as are our staffs, deserving of being paid appropriately.

Mr. Speaker, in closing, I would like to remind my friends of the importance of the legislation we are debating today. This legislation allows us to run our operations here in Congress. Unfortunately, with this legislation, my friends in the majority are continuing their trend of putting politics above policy.

For this reason, I urge my colleagues to vote ''no'' on the rule and oppose the underlying measure.

And I want to make it very, very clear that the remarks that I made are my remarks. They are not the remarks of the Democrats in this institution. But I know this: I have had a lot of Members on both sides of the aisle say to me that they know that I am correct.

Courage, friends, courage, that is what it takes.

I yield back the balance of my time.

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

I love watching my friend from Florida speak. The only thing I love more than watching him speak is talking to him one-on-one when the cameras are turned off.

It is not as easy as it ought to be in 2016 to come to the floor of the House and speak one's mind. Folks are worried about what the newspapers are going to say. Folks are worried about what the news is going to broadcast. Folks are worried about what the Twitterverse is going to do.

A lot of folks will tell you one thing when the cameras are on and another thing when the cameras are turned off, Mr. Speaker, but ALCEE HASTINGS is not one of those folks. It is the same message no matter who he is talking to and no matter where he is saying it because he comes from a place of conviction, and I love serving with people like that.

Truthfully, Mr. Speaker, if folks knew that it wasn't just their Member of Congress that was like that, but it was the one next door, and the one down the road, and the one across the river, and the one upstate, I think we would have a very different discussion about whether Congress is working or whether Congress is failing.

But, Mr. Speaker, when I try to sort those issues out, I don't really have to go back home to figure out why folks are disappointed. I don't even have to go back to the public record. I don't have to go any further than this one debate on this one legislative day.

Just in our hour together, Mr. Speaker, I have heard Members suggest that this House is using tactics not seen since Joe McCarthy. I wouldn't pay for that. I have heard Members suggest that this House is perpetuating racism and hate. I wouldn't pay for that. I have heard that there are dastardly things happening in the work of this institution. I am not going to pay for that. I have heard that we have been involved in activities particularly shameful.

Mr. Speaker, I think we have all got a great relationship with the men and women who send us here to serve them. We have a special relationship, and a relationship that, I think, the men and women in this Chamber work exceptionally hard to make good on; but when we use the credibility that we develop in that relationship to tell folks that we are broken, to tell folks that we are worthless, to tell folks that the greatest experiment in self-governance that the world has ever known is failing, they believe us. They believe us.

Mr. Speaker, the discussions that we have, the differences that are brought to life on this floor, those are not failures. Those are successes. The back and the forth, the fights that we have, the headlines that get made when folks just can't agree, those are not failures: those are successes.

When the Framers put together this Constitution, Mr. Speaker, they made it hard—they made it hard to change the law of the land. It was supposed to be the rare thing that happened when we all came together and found agreement, and when we did, it was going to be in the best interest of a young Nation.

Mr. Speaker, I have heard my colleagues challenge us to defeat this bill today, as if funding the United States Congress is a self-serving action. I don't know who the self-serving Members of this institution are, Mr. Speaker, because I have not met them.

My friend from Texas came to the floor, and she said: If we don't get our work done, NIH will not be funded. And she is right. She said: If we do not get our work done, justice reform will not happen. And she is right. She said: If we do not get our work done, families that are struggling to respond to floods in her home part of the country will not get the dollars. And she is right. She is right.

Mr. Speaker, we are talking about changing the appropriations process to allow a little less openness, and I regret that. We are talking about it because, in the name of doing that energy

and water bill that she spoke of, in the name of passing those bills that are essential to the functioning of the country, in the name of doing that responsibility that the Constitution places squarely on our shoulders, we have folks who pass amendments to bills only to let those bills fail.

I would tell you, as someone who believes in an open process, who believes in an open process, that if we can have that festival of democracy that is an open rule on an appropriations bill, let's have it. Let's let the votes fall where they may, and then send that bill to the Senate and on to the White House and make it the law of the land.

But if in the name of making a point, we prevent this institution from doing its constitutionally mandated business, if in the process of making a political point, we prevent this institution from providing the money for that fundamental research, from providing the money for that flood relief, from providing the money for essential justice reform, I tell you, we have not honored this Nation with an open process; we have failed it.

And the question then falls to us: Are we going to have an open process that allows every Member to speak out on behalf of their constituency to fight for what may be best for this Nation that we all love? Or are we going to have election-year politics, decide that being able to produce that press release is more important than getting our work done?

I happen to know the answer, Mr. Speaker. I happen to know the answer because I happen to know each one of these Members on a personal level. There is not one of them who wouldn't turn in their voting card tomorrow if they could take a vote on the biggest issue that matters to them today. There is not one of them that wouldn't turn in their voting card tomorrow if they could make a difference for this generation and the next generation today, and I love that about them. I love it about each and every one of them.

Passing this bill lets those folks come to work and get this job done. Passing this bill allows us to get to work doing those things that I believe will honor the men and women who sent us here. Passing this rule allows us to get to the underlying bill that will keep the lights on not just for constituent service back in every district in this land, but the lights on in what I would argue is the greatest deliberative body, the greatest embodiment of self-governance that this world has ever known.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 771 OFFERED BY MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 769) Terminating a Select Investigative Panel of the Committee on Energy and Commerce. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Rules.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 769.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Adopting House Resolution 770;

Ordering the previous question on House Resolution 771; and

Adopting House Resolution 771, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 770) providing for consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 241, nays 178, not voting 14, as follows:

[Roll No. 284]

YEAS—241

Abraham	Blum	Calvert
Aderholt	Bost	Carter (GA)
Allen	Boustany	Carter (TX)
Amodei	Brady (TX)	Chabot
Babin	Brat	Chaffetz
Barr	Bridenstine	Clawson (FL)
Barton	Brooks (AL)	Coffman
Benishek	Brooks (IN)	Cole
Bilirakis	Buchanan	Collins (GA)
Bishop (MI)	Buck	Collins (NY)
Bishop (UT)	Bucshon	Comstock
Black	Burgess	Conaway
Blackburn	Byrne	Cook

Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NAYS—178

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Barletta
Butterfield
Farr
Fincher
Hardy
Herrera Beutler
Hinojosa
Lieu, Ted
Luetkemeyer
Payne
Ryan (OH)
Sires
Takai
Young (IN)

□ 1515

Mr. SHERMAN and Ms. SPEIER changed their vote from ''yea'' to ''nay.''

Mr. SHUSTER changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. YOUNG of Indiana. Mr. Speaker, on rollcall No. 284, had I been present, I would have voted ''yea.''

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2016.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Patricia Wolfe, Elections Administrator, State of Ohio, indicating that, according to the preliminary results of the Special Election held June 7, 2016, the Honorable Warren Davidson was elected Representative to Congress for the Eighth Congressional District, State of Ohio.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk.

OHIO SECRETARY OF STATE,
Columbus, Ohio, June 8, 2016.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 7, 2016, for Representative in Congress from the Eighth Congressional District of Ohio, show that Warren Davidson received 21,537 or 76.79% of the total number of votes cast for that office.

It would appear from these unofficial results that Warren Davidson was elected as Representative in Congress from the Eighth Congressional District of Ohio.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all Eighth Congressional District of Ohio boards of elections involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

PATRICIA WOLFE,
Elections Administrator.

SWEARING IN OF THE HONORABLE WARREN DAVIDSON, OF OHIO, AS A MEMBER OF THE HOUSE

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio, the Honorable WARREN DAVIDSON, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The SPEAKER. Will Representative-elect DAVIDSON and the members of the Ohio delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. DAVIDSON appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 114th Congress.

WELCOMING THE HONORABLE WARREN DAVIDSON TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 1 minute.

There was no objection.

Ms. KAPTUR. Mr. Speaker and Members, it is my privilege to welcome Congressman WARREN DAVIDSON, his wife, Lisa; and their two beautiful children, Rachel and Zach, to Washington, D.C.

To the Davidsons, their extended family, and their friends who are here to support them, we all wish you hearty congratulations. To Congressman DAVIDSON, on behalf of a grateful

Nation, I want to extend our gratitude for your many years of service in the United States Army. Thank you for your dedication to duty, honor, and country.

Though I am dean of Ohio's delegation, it seems just like yesterday when I was in your shoes. This moment you will never forget. You have worked hard to put together a winning coalition to win a hard-fought campaign, and that takes a dedicated person and a very giving family to make the necessary sacrifices.

To accomplish worthy objectives during your time in Congress, you will want to find issues that you can build coalitions around and then enlist others on both sides of the center aisle in that cause. Perhaps the best advice I can give you is to stay close to the people where you came from in Troy, Ohio; in Clark, Miami, Darke, Preble, and Butler Counties; and as DANIEL WEBSTER's words inspire us through the ages, dedicate our efforts to a higher cause, developing the resources of our land, calling forth its powers, building up its institutions, promoting all its great interests, and seeing whether we also, in our day and generation, may not perform something worthy to be remembered.

Welcome to the United States House of Representatives to WARREN, Lisa, and your family.

Mr. Speaker, I yield to the gentleman from Cincinnati, Ohio (Mr. CHABOT) my dear colleague. He is the dean, the longest serving member, on the Republican side.

Mr. CHABOT. Mr. Speaker, I thank the gentlewoman for yielding, and I want to thank her for her kind words to our now-colleague, WARREN DAVIDSON. As the two longest serving Members from Ohio, she and I have worked together for many years, particularly on matters important to our great State of Ohio. I look forward to continuing to work with her in the future.

Mr. Speaker, WARREN DAVIDSON is an American success story. Born and raised in the great State of Ohio, WARREN enlisted in the Army right after high school. While serving in Germany, he witnessed the fall of the Berlin Wall. He impressed his superior officers with his dedication and leadership qualities and thus earned an appointment to West Point where he continued to excel, in fact, finishing in the top 10 percent of his graduating class.

Upon his return to Active Duty, WARREN's reputation as an outstanding officer earned him positions in some of the Army's most distinguished units: The Old Guard, the 75th Ranger Regiment, and the 101st Airborne Division.

For many people, that would be a successful career. But WARREN had more to accomplish. In 2000, he returned to Ohio to help out with the family manufacturing business. To prepare himself to run the business, he earned an MBA from the University of Notre Dame, where, not surprisingly, he graduated with honors.

WARREN brought the same work ethic and leadership abilities that he employed as an Army officer to grow and expand the family business. Since taking over the business, he has transformed it from a small shop with 20 employees to an enterprise now employing more than 200 people.

Now WARREN brings the lessons that he learned and the wisdom that he gained, both in the military and as a small-business owner, to the people's House, to Congress. Personally, I think that the House will benefit tremendously from his experiences, and I look forward—and I know you also will look forward—to working with him.

With that, Mr. Speaker, I would like to welcome WARREN DAVIDSON, his lovely wife, Lisa, and their children, Zach and Rachel, to the United States House of Representatives.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. DAVIDSON. Mr. Speaker, distinguished colleagues, and honored guests, it is a pretty good welcome. I thank you all.

My new colleagues, surely you know how surreal this moment is. Not all of you had the same experience of a special election. It is a little different. But you have all been here and have been given the trust of your districts to come represent them and serve here, so I am sure you understand how surreal it is having already been here.

I am really honored today to have a lot of folks with me. We all know that politics is a team sport. I have no greater teammate than my wife, Lisa. Our family was able to join us. Our daughter, Rachel, and my son, Zach, have been able to come on the floor. They took a fast route to the floor here. My sister, Robin, her husband, Larry, and close to 100 other friends and family were able to come here. So having run campaigns, you all know that it takes maybe a battalion-sized element to put a whole campaign together. So in some way, they are representative of all the hard work that goes on to win a campaign. I could not have been here without them. So I thank you all.

To really have come from the background, just enlisting in the Army, going to West Point, serving in some great units, and growing small manufacturing companies, doing all these things that we heard about, it is pretty, pretty nice. I have been focused on raising a family and growing kids. Frankly, in October, I was not planning to run for Congress. To come from filing 10 minutes before the deadline, jumping into a very competitive race, I understand that not a ton of you guys wanted the Speaker's job, and you got drafted. But about 15 other Republicans wanted the district Representative job, so it was very competitive. I am really thankful to have won the race and been able to come here.

It is really an honor to be able to stand here and talk with you, my new colleagues. I look forward to getting to know every one of you on both sides of the aisle. I hope you will take the chance to get to know me. You can probably appreciate drinking from a firehose. I think I had about 2 or 3 hours now, maybe 4 hours, from my first meetings, whereas I think a lot of you had a couple of months, from November to January. I really hope to get to know you all.

The Founders intended us to have a strong Congress, and especially with the Presidential race the way it is, Congress truly has an opportunity to show real leadership and to be able to have the chance to be here and do the incredibly consequential work, face the challenge, and perhaps be part of solving some great things is an incredible honor. So let's get around to it.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Ohio, the whole number of the House is 435.

PROVIDING FOR CONSIDERATION OF H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 771) providing for consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 181, not voting 12, as follows:

[Roll No. 285]

YEAS—241

Abraham	Burgess	DeSantis
Aderholt	Byrne	DesJarlais
Allen	Calvert	Diaz-Balart
Amash	Carter (GA)	Dold
Amodei	Carter (TX)	Donovan
Babin	Chabot	Duffy
Barr	Chaffetz	Duncan (SC)
Barton	Clawson (FL)	Duncan (TN)
Benishek	Coffman	Ellmers (NC)
Bilirakis	Cole	Emmer (MN)
Bishop (MI)	Collins (GA)	Farenthold
Bishop (UT)	Collins (NY)	Fitzpatrick
Black	Comstock	Fleischmann
Blackburn	Conaway	Fleming
Blum	Cook	Flores
Bost	Costello (PA)	Forbes
Boustany	Cramer	Fortenberry
Brady (TX)	Crawford	Foxx
Brat	Crenshaw	Franks (AZ)
Bridenstine	Culberson	Frelinghuysen
Brooks (AL)	Curbelo (FL)	Garrett
Brooks (IN)	Davidson	Gibbs
Buchanan	Davis, Rodney	Gibson
Buck	Denham	Gohmert
Bucshon	Dent	Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Barletta
Farr
Fincher
Hardy
Herrera Beutler
Hinojosa
Lieu, Ted
Luetkemeyer
Payne
Sires
Smith (NE)
Takai

□ 1533

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. SMITH of Nebraska. Mr. Speaker, on rollcall No. 285, I was unavoidably detained. Had I been present, I would have voted "yes."

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 182, not voting 15, as follows:

[Roll No. 286]

AYES—237

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Rush
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—182

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano

Sewell (AL)	Thompson (MS)	Velázquez
Sherman	Titus	Visclosky
Sinema	Tonko	Walz
Slaughter	Torres	Wasserman Schultz
Smith (WA)	Tsongas	Waters, Maxine
Speier	Van Hollen	Watson Coleman
Swalwell (CA)	Vargas	Welch
Takano	Veasey	Yarmuth
Thompson (CA)	Vela	

NOT VOTING—15

Barletta	Herrera Beutler	Payne
Farr	Hinojosa	Sires
Fincher	Jackson Lee	Takai
Hanna	Lieu, Ted	Walker
Hardy	Luetkemeyer	Wilson (FL)

□ 1540

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. JACKSON LEE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 286.

PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 5278.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 770 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5278.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1543

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chair, I yield myself such time as I may consume to say that to date, this is one of the most significant bills that has come to the floor in a long time, and it is going to be an excellent solution to a very, very difficult problem.

I yield 5 minutes to the gentleman from Wisconsin (Mr. DUFFY), the sponsor of the bill, for its introduction.

□ 1545

Mr. DUFFY. Mr. Chair, I thank Congressman BISHOP and the whole Natural Resources Committee for all of the hard work they put into this bill.

This has been a months-long process of working with Democrats and Republicans, the administration, Treasury, Puerto Rican elected officials, all coming together to negotiate, to discuss, to philosophize and then eventually come up with what I think is an excellent resolution to the burning crisis in Puerto Rico. I want to take a moment to talk about what is actually happening on the island.

Puerto Rico is $73 billion in debt. That is over 100 percent of GNP. They have almost $2 billion of unpaid bills to their vendors. So what does that mean? That means schools are closing down because we don't have fuel for energy in the schools or for school buses. Hospital wings are closing. Emergency vehicles aren't being run because the island doesn't have money to pay its bills. This is a true economic crisis. It is a true humanitarian crisis that is taking place in Puerto Rico.

So the question becomes: Does this institution act to help Puerto Rico, or do we continue to negotiate and refine and tweak a bill that will never come to the floor, that will never make it to the Senate, that will never gain the President's signature? Do we let perfect be the enemy of the good?

I think this is a great bill that is going to actually get Puerto Rico on a path to prosperity, opportunity, and economic growth; that is going to help the people in Puerto Rico who have a dream of living in Puerto Rico stay in Puerto Rico with their families in their communities on the island that they love.

Right now, there is despair. We have thousands of people leaving Puerto Rico every month to come to the mainland because there is no opportunity. This is what debt does to economies. It absolutely crushes them, and it crushes people.

So what do we do? Well, we have a two-pronged approach. Number one, the elected officials in Puerto Rico have known that this issue has been coming for years, and they haven't been able to get their hands around it, haven't had the political will to fix the burning problem. So we are going to put into effect an oversight board to actually work with the island government to get its finances and its budgets under control.

That oversight board is going to have an opportunity to work on debt restructuring, which is the second prong of this bill. $73 billion in debt, they can't pay it. People might want to wish that all the bondholders could be paid. They might dream about all the bondholders being paid, but the bottom line is Puerto Rico doesn't have enough income to pay its bondholders. They can't pay their vendors, let alone their bondholders.

So we set up a system where the island and the bondholders have a forum in which to negotiate a settlement, a resolution to this massive debt. And if they can't come up with a resolution or a solution to the debt, they can access the court system, and the courts can help them resolve the disputes in regard to this massive debt. It is that system that is going to allow for debt restructuring and an oversight board that is going to bring Puerto Rico to a place of economic health. When you can get to a place of economic health, you can start to have a conversation about economic growth; and when you have economic growth, you actually help people, you help families, and you help communities.

Now, there are some who have said that this bill is a bailout. Let me tell you what. I have the definition of a bailout, and a bailout happens when this institution sends taxpayer monies to somewhere else or to somebody else. The bottom line is this bill doesn't spend any taxpayer money bailing anybody out. There is no taxpayer money that is involved.

What we do here is say: Hey, listen. If you invested in Puerto Rican bonds and you might have gotten a great upside, a great return on your bonds that you maybe bought at 50 or 60 cents on the dollar, you took that risk; and if there is a loss, you, the bondholder, are going to bear the loss on that bond, but the taxpayers aren't going to bear that loss for you.

So I think this is a great compromise, a great package that is going to bring economic health and growth back to Puerto Rico.

I want to thank Mr. PIERLUISI for all of the insight that he has given to both sides of the aisle on what needs to be done to make this work, and the elected politicians, the Speaker of the Puerto Rican House, who has been so gracious with his insight into how we structure a package that is going to grow Puerto Rico.

Mr. GRIJALVA. Mr. Chair, I yield myself 5 minutes.

The United States flag has flown over Puerto Rico for more than a century. Those born on the island are American citizens, and more than 200,000 have served in the United States military, including roughly 10,000 serving today. Millions more live on the U.S. mainland but consider Puerto Rico their home.

Mr. Chairman, we are here today because our fellow Americans are suffering, and it is our constitutional responsibility to help them. They are suffering from the effects of a debt crisis more than a decade in the making.

A devastating combination of mismanagement, unfair Federal policies, opportunistic hedge funds, and desperate budget cuts have destroyed the economy on the island. The monstrous burden of Puerto Rico's $70 billion debt is swallowing the funds needed to provide health care, education, transportation, and public safety for the Commonwealth's families.

Almost 100,000 people have left the Commonwealth last year to look for

better economic opportunities, which only makes the situation on the island worse. About 80 percent of children in Puerto Rico live in high-poverty areas, compared to about 11 percent of children on the mainland. The island's poverty rate is about 44 percent, and unemployment is 13 percent.

If Congress fails to act, the island and its people face another decade of further economic and social collapse. Our fellow citizens of Puerto Rico should not have to endure this coming humanitarian crisis. Our colleague, NYDIA VELÁZQUEZ, has described the status quo as a ''recipe to lose an entire generation to forced migration to the mainland.''

After 6 months of difficult bipartisan negotiations, four hearings, and a series of draft bills, we are here today to consider H.R. 5278. H.R. 5278 will provide the tools necessary to get the economy of Puerto Rico on a more stable footing and allow the Commonwealth to regain access to credit markets.

The bill would allow restructuring of all outstanding debt without favoring any particular creditor; require transparent audits, combined with annual fiscal plans and budgets; and temporarily pause the ongoing flurry of litigation to allow the oversight board to begin its work and create a space for voluntary negotiations.

As I have said throughout this process, this is not a bill that I or Democrats would have written. The oversight board is too powerful and is yet another infringement of the sovereignty of the people of Puerto Rico, and they have a right to find it offensive. The provisions undermining minimum wage and overtime rules don't belong in the bill. What is worse, they threaten the effectiveness of the overall legislation.

Provisions that should be included—like full pension protections, an earned income tax credit, equal funding for Medicaid, and a Zika response—are missing. But the reality is that this is the only bill that would attract enough support from my colleagues across the aisle to pass in a Congress which they control. There is no other avenue available to address the crisis. This compromise is the bill we can and should pass.

When measured against a perfect bill, this legislation is inadequate. When measured against the worsening crisis in Puerto Rico, this legislation is vitally necessary.

I urge my colleagues to support H.R. 5278.

I would like to take a moment to clarify for the record a number of inaccurate and misleading statements in the Committee Report on H.R. 5278. It appears that the Committee Report on H.R. 5278 was prepared based on earlier non-public drafts of the bill—not the version considered by the Committee. Several references plainly do not reflect the current language in H.R. 5278 as introduced or as voted on by the House Committee on Natural Resources during its markup hearing.

The following statement on page 40 of the Committee Report oversimplifies a complex problem facing Puerto Rico and, in my view, mischaracterizes the nature of the territory government's action: It says, ''Puerto Rico's local politicians have accelerated the crisis on the island through the passage of harmful legislation, including the imposition of a moratorium on the payment of debt.'' Puerto Rico's passage of a moratorium law was a local response to attempt to address its fiscal and debt emergency in the absence of necessary Congressional action. It is misleading and unreasonable to characterize the passage of a local moratorium law as accelerating the crisis.

The Committee Report's summary of section 101 provides that: ''[additionally, this section provides for the appointment of seven individuals to the Oversight Board through a process that ensures that a majority of its members are effectively chosen by Republican congressional leaders on an expedited timeframe, while upholding the President's constitutional role in making appointments.'' Let's be very clear: The President appoints all seven members of this Puerto Rico Board. To be sure, members of Congress may make suggestions to the President, but the power to appoint members of this territorial entity remains with the President.

The Committee Report's summary of section 201 is inaccurate in a number of respects. The report states, on page 45, that ''[i]mportantly, Fiscal Plans ensure the protection of the lawful priorities and liens as guaranteed by the territorial constitution and applicable laws, and prevent unlawful inter-debtor transfers of funds.'' This interpretation is misleading and does not reflect the language of the bill or the evolution of the language throughout the legislative process. Section 201(b)(1)(N) provides that a Fiscal Plan certified by the Oversight Board must ''respect'' the relative lawful priorities or lawful liens under territory laws, not ''ensure the protection'' of such priorities or liens. The verb ''respect'' was specifically chosen by the drafters of the bill and carefully considered by the Committee. For instance, at the Committee markup, Representative FLEMING twice offered amendments that would have changed the ''respect'' language in section 201(b)(1)(N) to ''comply with.'' The Committee twice rejected those amendments—the first time on a voice vote and the second time on a roll call vote, 16 yeas to 23 nays. The Committee recognized that the verb ''comply with'' was unduly restrictive and that the Oversight Board needed the flexibility afforded by the verb ''respect,'' which is more open-ended. For that reason, it is inaccurate for the Committee Report to state—contrary to the current legislative text and the Committee's intent—that Fiscal Plans ensure the protection of lawful priorities and liens.

In addition, the summary of section 201 explains that ''[w]hile this language seeks to provide an adequate level of funding for pension systems, it does not allow for pensions to be unduly favored over other indebtedness in a restructuring.'' But Section 201(b)(1)(C) has nothing to do with relative priorities among various creditors; the provision requires the Board to provide for adequate funding of pensions, which relates to the Fiscal Plan and the manner by which annual budgets comply with the Fiscal Plan. Of course, any restructuring under Title III must be consistent with the Fiscal Plan under Section 314 of the bill, but the Committee Report is inaccurate in suggesting that this provision relates to relative priorities.

The following statement on page 48 summarizing section 303 is missing a critical adjective: ''nor may an executive order divert funds from one instrumentality to another or to the territory.'' Certain executive orders that divert funds from one territorial instrumentality to another or to the territory may be lawful under applicable territory laws. The only types of executive orders that are preempted by section 303(3) of this Act are ''unlawful'' executive orders, as the text of section 303(3) makes abundantly clear. For instance, if an executive order is permitted by the territory's constitution or its laws, it is not an unlawful executive order and is not preempted by section 303. The drafters intended section 303(3) to make clear that PROMESA preempts and renders void any executive orders issued beyond the scope of what would have been authorized by its local laws; lawful exercises of executive authority are unaffected.

In summarizing section 314 on page 50, the report states: ''[b]y incorporating consistency with the Fiscal Plan into the requirements of confirmation of a plan of adjustment, the Committee has ensured lawful priorities and liens, as provided for by the territory's constitution, laws, and agreements, will be respected in any debt restructuring that occurs.'' This summary suffers from the same problem that the summary of the provisions of section 201 suffered: It refers to language that has never existed in a public version of the bill; rather, it reflects staff-level draft text that was ultimately rejected. Section 201 clarifies that Fiscal Plans must ''respect'' lawful priorities and lawful liens. The Committee carefully considered this language and twice rejected amendments proposed to change it to ''comply with'' such priorities and liens.

The summary of section 407 on page 52 explains that: ''[t]his section grants creditors the right to sue upon the conclusion of the stay, if the government of Puerto Rico transfers property between instrumentalities during the tenure of the Oversight Board in violation of any agreement, or applicable law that a creditor has or would have a pledge of, security interest in, or lien on such property.'' Section 407, as drafted and passed through Committee establishes a federal remedy for Puerto Rico's creditors in certain circumstances. But the addition of the language ''or would have'' in the Committee Report, again, reflects staff-level text that was not ultimately included in the version approved by the Committee. The current text provides a cause of action for creditors that—at the time of the alleged unlawful transfer—in fact have ''a pledge of, security interest in, or lien on'' the transferred property. Contrary to the suggestion of the Committee Report, the provision does not permit such a cause of action if the plaintiff only ''would have'' in some future circumstance such an interest.

Indeed, the fact that the addition of words like ''or would have'' were discussed but not ultimately included in the text is strong evidence that Congress did not intend for such prospective, contingent rights to be within the scope of this provision. It would have been extraordinary to provide certain creditors an argument that federal law establishes for them a property interest where no such property interest existed under the terms of the agreements

they negotiated. The Committee rightly declined to do so.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to one of the senior members of our committee, a senior member of his delegation, and someone who happens to be celebrating today not only his anniversary, but also his birthday; and what better way of giving a birthday present to the Representative from Alaska than to allow him to speak on the floor on the subject of Puerto Rico.

I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chair, I rise today in support of H.R. 5278.

May I commend Chairman BISHOP for his kindness in recognizing my birthday and my anniversary. I am quite proud of that. I am 83 years old. I want a lot of you to remember the fact I still can kick tails and take names, so just keep that in mind.

This is a bill that I do support. It has been worked together with the Puerto Ricans. It has been worked together with Representatives GRIJALVA and PIERLUISI. I would say most all of the people involved in this recognize this is not everything we would want, but it is the bill, I think, that can help Puerto Rico today and now.

It is not a bailout. That is for some people who keep saying it is a bailout. It does not allow taxpayer dollars to be used for paying down the Puerto Rican debt.

I held a hearing in February on the oversight board concept, and it was clear that it was needed and it was testified in favor of. I understand some reluctance in Puerto Rico, but let's get this ship righted. Once we get it righted, restaffed, and the sails full of wind, then Puerto Rico will have a chance.

I do support the multiple-step process. The bill combats the immediate crisis. It will help out Puerto Rico's ability to take and get credit. We need more long-term solutions, though, about the economic zones in Puerto Rico and how we improve the economy there so they can continue to grow.

I want to compliment Mr. DUFFY's amendment, and I will support Mr. DUFFY and his work on this legislation. I do believe a HUBZone is very necessary in the contracting program.

As I mentioned, I have been worked passionately on Puerto Rican issues on the floor of the House. Fifteen years ago, we had a vote about statehood. I passed it by one vote. I am a big supporter of statehood and always have been. It didn't occur. We didn't allow it.

Right now, this problem has to be addressed.

I again do compliment Mr. BISHOP, Mr. DUFFY, and members on that side of the aisle. Let's take our American people and Puerto Rico and give them the recognition that is necessary. Let's take and help them now so we can go forth.

Mr. GRIJALVA. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I want to take this opportunity to really thank Ranking Member GRIJALVA for the important role that he has played throughout this process.

Mr. Chairman, I rise in support of the bill. When I was elected to Congress, I understood there would be tough votes. For me, PROMESA is one of those votes. For those of us with ties to Puerto Rico, this a profoundly personal issue.

There is plenty of blame to go around for this situation. San Juan has played a role, but Washington and Wall Street have equally contributed to this crisis. It is a crisis that is already harming working families that call the island home and, if left unaddressed, it will grow immeasurably worse.

So today we stand at a fork in the road: one path—the bill before us—empowers Puerto Rico to restructure 100 percent of its debt; the only other route sends Puerto Rico to the courthouse, where it will be at the mercy of creditors that will inflict further suffering on the island.

Now, some would suggest that if we oppose this bill, somehow a third option will magically appear before us. That is nonsense. The stark reality we now face is that, other than PROMESA, there are simply no other politically feasible options left.

That does not mean that this is a perfect bill. It is not even close. It makes no sense that this bill includes an attempt to pay Puerto Rican workers less than those on the mainland. It is offensive that Puerto Rico must foot a $370 million price tag for an oversight board its residents do not want. And the bill does not address economic growth incentives and healthcare parity, issues at the core of Puerto Rico's crisis.

Despite these shortcomings, I see no alternative. If we do not act, Puerto Rico will unravel further. Basic services are being cut, and these cuts will deepen. More schools will close. More police and firefighters will be terminated. And those who will pay the price are Puerto Rico's most vulnerable: its children, its seniors, and its working families.

We have a profound responsibility to prevent this catastrophe from worsening. Those suffering on the island are my brothers and sisters, my fellow Puerto Ricans.

□ 1600

But, my friends, they are also your fellow citizens. 200,000 Puerto Ricans have fought—and shed blood—in every military conflict since World War I. Now these citizens need our help. This is a responsibility we cannot ignore. You see, when the United States took Puerto Rico—and remember we seized it by force—we did not just obtain a pretty island. We also took on a responsibility to care for the people who live there.

Now, let me say this: Living up to that responsibility does not end with this vote on this bill today. Decisions made by Washington over decades have corroded Puerto Rico's economy. Addressing those problems will require more work by Congress. Until we end the colonial conditions that have subjugated and exploited the island, there will be no long-term recovery.

So this bill alone is not enough. We must pass additional legislation, in the next 6 months, addressing Puerto Rico's deep-seated economic challenges and ongoing healthcare crisis. If we do not, then, Washington, we have failed the people of Puerto Rico once more.

Mr. Chairman, this is not the legislation I would have written, but it is the only way we can extend a lifeline to Puerto Rico right now. In many ways, the easy path for me would be to vote ''no.'' Certainly, I have heard the case made by some in the Puerto Rican community.

The CHAIR. The time of the gentlewoman has expired.

Mr. GRIJALVA. Mr. Chair, I yield an additional 1 minute to the gentlewoman.

Ms. VELÁZQUEZ. I thank the gentleman.

Mr. Chair, at the end of the day, I know that if this bill does not pass, people I care about and love on the island I grew up on will suffer greatly. At least with this legislation, Puerto Rico can begin restructuring its debts and start down a new path toward a brighter future. I urge my colleagues to vote ''yes'' on the bill. Then please join me in working to address the other long-term challenges confronting Puerto Rico.

In closing, let me thank all those who worked on this legislation, especially Leader PELOSI, Speaker RYAN, and Whip HOYER. Let me also thank Ranking Member GRIJALVA and Chairman BISHOP for their efforts as well as my fellow Puerto Rican Members of Congress. And, of course, our thanks to the staff who dedicated countless hours crafting this compromise.

Mr. BISHOP of Utah. Mr. Chair, I yield 2 minutes to the gentleman from Florida (Mr. CURBELO). He is from the southern tip of Florida, as close to Puerto Rico as you can get on the mainland.

Mr. CURBELO of Florida. Mr. Chairman, today I rise in support of H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act, or PROMESA. I want to thank Chairman BISHOP and Representative DUFFY, who have shown steadfast leadership in finding practical solutions to address the fiscal crisis in Puerto Rico.

The situation in Puerto Rico is urgent and so is the need for a responsible reform agenda. Hundreds of thousands of citizens have left the island—many have come to Florida—to find better opportunities as a result of the deteriorating economic conditions.

Our friends in Puerto Rico, our fellow American citizens deserve a better future, one that gives them the chance to

achieve prosperity on the island. This legislation is an important step forward in helping the island mitigate the existing humanitarian and economic emergency in a responsible way.

The bill also allows the congressional task force to look at impediments to economic growth and poverty reduction, including equitable access to Federal healthcare programs for the island's residents. Serious challenges remain in the healthcare sector—like the impending Medicaid cliff—that could have a detrimental impact on the future of the island.

I also urge my colleagues to vote in favor of my amendment with Mr. JOLLY which will guarantee that addressing the nearly 60 percent of children living in poverty on the island is a top priority. As we work to achieve economic stability on the island, we must also ensure that the mechanisms in this bill benefit the extremely vulnerable child population.

Congress has an important interest in ensuring that Puerto Rico not only survives the current crisis, Mr. Chairman, but that it is able to build a better and more sustainable future. Again, I am very supportive of the bipartisan solutions in H.R. 5278, and I urge my colleagues to vote in favor of the bill and of my amendment which addresses child poverty on the island.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), our whip.

Mr. HOYER. Mr. Chairman, at the outset, rarely do we see the political courage and intellectual integrity that we have seen in the gentlewoman from New York (Ms. VELÁZQUEZ). I have worked with her for months now trying to get to a solution fair to Puerto Rico and fair to the 3.5 million American citizens who live in Puerto Rico.

I also want to thank my friend JOSÉ SERRANO, also from New York, also Puerto Rican, also having thought about this extraordinarily thoughtfully, and it has been difficult. I want to congratulate both of them for coming to the decision that is a terribly difficult one for them that this is, at this juncture, the only alternative to the pain and the suffering of which Ms. VELÁZQUEZ spoke.

I am sure the citizens of Puerto Rico are watching this debate, and they understand this is not a perfect bill. It is not the bill I or Mr. PIERLUISI—who lost an election, in my view, because of his fidelity to what he believes is in the island's best interest—would have written.

It forces Puerto Rico to take some bitter medicine, accept an oversight board with broad powers that is unacceptable to many living on the island, and it does not provide additional assistance to the island that is critically needed and ought to be done. Hopefully we can address that.

It is a compromise, and it will enable the Commonwealth of Puerto Rico to restructure its debt and prevent economic catastrophe. I can assure both sides of the aisle in this Chamber and in the Senate that it is a compromise forged out of a serious consideration of all possible alternatives that could result in bipartisan agreement.

We must not risk the cost of further inaction by this Congress, which should have acted months ago; but it is not too late to do the right thing. Congress must act before Puerto Rico's next interest payment is due on July 1.

According to The New York Times Editorial Board: This bill ''has flaws . . . ''.

I think both sides would agree to that.

The New York Times went on: '' . . . but at this late hour, it offers the island its best chance of survival.''

It is, therefore, Mr. Chairman, my advice and urging to our Members that we vote for this bill. We need to come together and pass this bill without any controversial riders.

Again, I want to thank Representatives VELÁZQUEZ and SERRANO and Resident Commissioner PIERLUISI for their leadership, their courage, and their integrity.

Mr. Chairman, we need to pass this bill for the American citizens living on Puerto Rico and to meet the responsibility of which Ms. VELÁZQUEZ spoke so eloquently.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. WESTERMAN), one of the premier members of our committee.

Mr. WESTERMAN. Mr. Chairman, I rise today in support of H.R. 5278. I thank the gentleman from Wisconsin, Congressman DUFFY, and Chairman BISHOP for their work in crafting this bipartisan legislation.

H.R. 5278 is a compromise bill designed to save Puerto Rico from economic calamity and prevent a taxpayer bailout. Mr. Chairman, I suggest that the admission from both sides of the aisle that this bill isn't perfect is a testament that this bill is the best solution.

Puerto Rico is in a crisis. The territory has already missed payments on its debt, and more and larger missed payments are on the near horizon. The fiscal and economic conditions of Puerto Rico are unsustainable. Based on the constitutionally delegated power of Congress ''to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States,'' we have a responsibility to take action on this matter.

This unsustainable debt burden brought on by poor decisions, unfulfilled promises, and bad investments has crippled their economy. Their unemployment rate is 12.2 percent, and since Puerto Ricans are American citizens, thousands of young people come to the mainland each year to find work. Puerto Rico is spiraling out of control, and it is our constitutional responsibility to put our territory on a different path and change the economic trajectory.

H.R. 5278 establishes a 7-member oversight board that will have the authority to establish budgets for the territory, require the scoring of legislation so the people of Puerto Rico know the true costs of government programs, and the power to veto contracts and executive orders.

Once again, I would like to thank Congressman DUFFY and Chairman BISHOP for their hard work in crafting a bill to get Puerto Rico on the right track without a taxpayer bailout. I urge my colleagues to support H.R. 5278 to stop Puerto Rico's economic death spiral and to lay a foundation for a brighter future in Puerto Rico without spending taxpayer dollars.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chairman, when we started these negotiations, with both sides wanting to do something, with both leaderships in the House wanting to do something, I knew that at the end of the day I would be voting for a bill. I knew I had to do that for a very simple reason. Inactivity, inaction was not an option. The only option was to do a bill.

What that bill would look like was my question. What that bill would look like was my challenge and my dilemma. The bill changed. The original bill had some provisions that no one could really defend on either side. We have made a bill now that does have some hard pills to swallow, but then over $70 billion in debt with no signs of being able to pay is even more of a bitter pill to swallow. The territory is hurting. The people are hurting.

In fact, if anything comes out of this that is positive, it is the fact that the U.S. Congress is paying attention to Puerto Rico in a way that it hasn't in a long, long time, if at all. We are paying attention, and we want to do something about the situation at hand.

We are not supposed to direct our comments to the gallery or to the TV cameras, so I won't do that. But there are people watching this, and they need to have faith in the fact that both parties have come together to come together with a plan that will help us, a plan that will bring Puerto Rico back out of this debt situation. And, most importantly, I believe there is a commitment on both sides to work on economic development projects for the future to help Puerto Rico and its economy.

But I couldn't get off this podium today without addressing my most important issue, and that is that the problem with Puerto Rico continues to be the status. As long as Puerto Rico is a colony, a territory of the United States, these issues will come back and other issues will come back.

I once, some months ago, either sarcastically or very profoundly, said that all we were doing if we didn't deal with the status was putting a Band-Aid on a bigger problem. Well, there is a bigger problem, and I think it is time Congress came together with the people of

Puerto Rico and decided to end the colonial status. But ending the colonial status does not mean tweaking the colony to make it a little better or washing the face of the colony to make it a little more presentable. It means getting rid of the colony and either becoming the 51st State or an independent nation. There is no other solution.

□ 1615

And for us, as the people who promote—and rightfully so—democracy throughout the world, to have a colony for 118 years is wrong. And remember, Puerto Rico didn't do this by itself. The indifference and inequality created this problem, as much as everything else.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. LABRADOR), my good friend, who has done a whole lot of work on this particular bill.

Mr. LABRADOR. I thank the chairman and Mr. DUFFY for the work they and their staffs have done on this critical piece of legislation. I especially want to thank my staffer, Aaron Calkins, for his work to make this a better bill. We have worked countless hours to improve this bill, and I am proud of the work that we have done.

Mr. Chairman, I rise today as a member of the Natural Resources Committee and as a Representative of Idaho's First Congressional District to support H.R. 5278.

The debt crisis in Puerto Rico is a result of years of liberal policies where the government carelessly borrowed and overspent, while simultaneously encouraging mismanagement and inefficiency. We cannot view Puerto Rico's situation in a vacuum. If left unresolved, the financial crisis in Puerto Rico will impact the rest of our Nation.

The bill imposes fiscal reforms without spending a single dollar of U.S. taxpayer money to relieve Puerto Rico's debt. The bill protects taxpayers from bailing out a government that spent recklessly and avoids setting a horrible precedent that could tempt free-spending States to walk away from their obligations.

Specifically, H.R. 5278 establishes a strong oversight board to require Puerto Rico to balance its budget and achieve fiscal responsibility. The bill includes language that ensures that the fiscal plans and any potential restructuring must honor lawful priorities and liens as guaranteed by Puerto Rico's constitution and laws.

Every State and municipality in this country relies on bond markets to provide funding for government operations. H.R. 5278 creates the balance that will effectively address the needs of Puerto Rico, while ensuring access to these markets for States and municipalities nationwide.

In conclusion, as a person who was born and raised in Puerto Rico and somebody who is very proud of his Puerto Rican heritage, I love the people, I love the island, and I hope that this bill sets them on the path to fiscal responsibility and a brighter future.

The House must pass this bill to establish the necessary framework to help Puerto Rico put its fiscal house in order, while also protecting the interests of every American.

Mr. GRIJALVA. Mr. Chairman, I yield 5 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI), who, at great risk politically, continued to push for this compromised bill we have before us; and for that, we are grateful.

Mr. PIERLUISI. Mr. Chairman, I represent Puerto Rico in Congress, and I rise in support of PROMESA.

Puerto Rico is at a crossroads. Since 1898, it has been a territory of the United States, subject to the broad powers of Congress under the Territory Clause.

In 1917, Congress conferred U.S. citizenship on individuals born in Puerto Rico. In the 1950s, Congress authorized and approved a constitution for Puerto Rico, which provides the island with a republican form of government consisting of three branches.

Because Puerto Rico is a territory, my constituents have never been treated equally relative to their fellow U.S. citizens in the States in terms of either democratic rights or economic opportunities. In large part, to compensate for the lack of fair treatment at the Federal level, the Puerto Rican Government has spent beyond its means at the local level, leading to excessive deficits and debt.

This lack of discipline is regrettable but understandable, since the Puerto Rican Government is seeking to provide a quality of life to island residents comparable to the quality of life in the States. Bear in mind that my constituents can hop on a plane any time, any day, and move to Florida or Texas.

The bill we consider today, PROMESA, is a bipartisan compromise intended to deal with the territory's unprecedented fiscal crisis, which is severe and immediate. The bill will enable Puerto Rico to restructure its public debt in a fair and orderly manner, while establishing an independent and temporary oversight board to ensure that Puerto Rico has a viable, long-term fiscal plan and balanced budgets and that it sticks to both.

In an emergency, the first step is to stabilize the situation, and I believe PROMESA can accomplish this objective. Without this legislation, the Puerto Rican Government is likely to collapse, participants in public pension plans will be terribly harmed, and many bondholders could lose their investments.

PROMESA is in the interest of all stakeholders, and the most likely alternative is chaos, litigation, a rapidly deteriorating quality of life in Puerto Rico, and even greater migration to the States. However, let me be plain. This bill is an essential first step, but it is not an enduring solution.

The Federal Government and, indeed, the Puerto Rican Government must come to terms with a fundamental fact: so long as my constituents are treated like second-class citizens, Puerto Rico will never have a first-class economy.

Puerto Rico must become a full and equal member of the American family as a State, which is the just and logical next step, or Puerto Rico must join the community of nations as a sovereign country.

Puerto Rico deserves true democracy and true dignity—nothing less—yet first things come first. We have to deal with this immediate crisis. We have to save the house in Puerto Rico. Vote ''yes'' on H.R. 5278.

Mr. BISHOP of Utah. Mr. Chairman, I, too, would like to express my appreciation and sincere gratitude to the Resident Commissioner of Puerto Rico for his hard work.

I may be known as the historian of this body, but the gentleman from Oklahoma will give a historical perspective.

Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I rise today to note that there are only a handful of my colleagues on the floor or in the body who were here when the precedent for this process was set in 1995.

Some of my colleagues on this side of the room argue that we are setting a new precedent. We are not. Some of you remember 1994, when I came as a new Member in a special election. Some of you remember the economic chaos, the near collapse of the District of Columbia and the city of Washington. Some of you remember how we were told in those days that you can't go into certain parts of town because it is not safe. Some remember the stories about how a high percentage—if not almost half—the police cars wouldn't run at any one time.

I remember waking up one July night and looking out the fifth-floor window of the apartment building I was in as the firemen were hosing down a spot not many paces from the corner of First and D Streets where someone had been killed, literally within hundreds of feet of the Federal campus. Washington, D.C., the District of Columbia, was about to collapse into chaos—1994.

So what did we do in 1995? We passed a bill very similar to this. We set up a supervisory board that took control of the finances to help right the ship.

For 2 years, there were tremendously painful decisions made here in Washington, D.C., at the municipal level; but after those 2 years, we had 4 years of balanced budgets, and the Control Act, as it was called, was suspended. It was successful. And the renaissance this town, this community has gone through all started with that bill in 1995.

Now, I am voting for this piece of legislation because I believe my fellow American citizens who live in Puerto

Rico deserve the right to have a renaissance, deserve the right to move forward. But we are all Members of elected bodies and we know how tough these decisions and situations are.

Pass this bill; create the supervisory board; give the good citizens of Puerto Rico, the Commonwealth, our fellow Americans, a chance to benefit, just as Washington, D.C., did. They deserve the chance.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Chairman, I rise in opposition to this legislation. The people of the enchanted island deserve better. It is my duty to my heritage and to the land where I intend to return some day and where someday—hopefully, not soon—I intend to be buried.

As President Obama said so profoundly when he visited the land of his father's birth, Kenya, a nation with one of the richest histories of the struggle for freedom against the colonial power, I, too, LUIS GUTIÉRREZ, am deeply and profoundly connected to my father's birthplace.

I cannot add my vote to this bill and go back to Puerto Rico or to the Puerto Rican people in my congressional district in Illinois with my head held high. I cannot and will not, not when I know that the majority of votes that will pass this legislation if it passes today will come from the Democratic Party, a party that, for all its flaws, is a party I expect a lot more from in times like this.

At a moment in American history when Latinos are quite literally being dragged through the mud by the other party and maligned for being Latinos and distrusted and disrespected because of where their parents or grandparents were born, I expect my fellow Democrats to stand up tall when the lives and destinies of so many citizens—the entire island and its people—are held in the hands of the U.S. Congress.

By law, they do not have a vote here. By law, they need others to vote on their behalf. By law, Puerto Rico belongs to, is property of but not part of, the United States. By law, this Congress owns Puerto Rico and must treat that ownership as stewardship, as a caring and respectful seat of power over the powerless.

And because it is the Democratic Party that will supply so many folks to enact this bill, I expect my colleagues to demand more. I expect us not to support a sub-minimum wage. I expect us not to waive overtime rules that pay people for the work they do.

I expect my fellow Democrats to stand up for equity and equality for Puerto Ricans in our Tax Code, in Medicare and health care, so that they don't have to flee Puerto Rico to go to Orlando, Newark, or Chicago.

I expect Democrats to join me in opposing the same type of unelected control board that has no accountability to the people that it is controlling—the type of control board focused on austerity without consequences of action for the people; the kind of control board that made decisions in Flint, Michigan, and that poisoned the people that did not elect them, that acted slowly to remedy the situation until other governments and other elected leaders accountable to the people they govern have to step up and begin addressing.

Let me say, I am going to offer a translation in Spanish.

(English translation of the statement made in Spanish is as follows:)

This is not my promise. My promise is that the people of Puerto Rico be respected, that we don't treat them as if they were colonized slaves. I reject this bill. Let me tell you that my promise is clear: to continue my work to defend Puerto Rico. As it is said by the Puerto Rican people: precious, it does not matter what tyrant treats you with bad intentions, precious you'll be.

Esta no es mi promesa; mi promesa es que el pueblo de Puerto Rico se respete y que no se trate como si fueran colonizados esclavos. Yo rechazo esta propuesta, y les digo que mi promesa es clara; de trabajar para defender. Porque como se dice pueblo de Puerto Rico preciosa, no importa el tirano te trate con negra maldad.

The Acting CHAIR (Mr. COLLINS of Georgia). The gentleman from Illinois will provide the Clerk a translation of his remarks.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), one of the cosponsors of this bill.

Mr. SENSENBRENNER. Mr. Chairman, I went to Puerto Rico in March. I have been involved in negotiating this, at the request of the Speaker, literally since the first of this year.

This is difficult. This is something that nobody is happy with. This is something where everybody is going to take a haircut because the depth of the problem is so bad.

What we heard right after this Congress began its session this year was: Why don't we just give them a super chapter 9 bankruptcy? That would have been bad for the future of Puerto Rico, because super chapter 9 would have dumped the $72 billion of debt and had it wiped out. And there is no way that Puerto Rico, having stiffed $72 billion worth of bondholders, would ever have been able to access the bond market again.

□ 1630

Bond market access is essential to any type of State or municipal financing.

So what do we have? A choice of doing nothing, and we have heard about the severe consequences if we do nothing, or going with something that worked in the District of Columbia, which is the oversight board.

Now, sure, they are unelected. One of them has to be from Puerto Rico. But the Puerto Rican Government, which has been elected, is the one that caused this problem to begin with. They have increased just about every function of spending on the Island except debt service, and they have borrowed more and more and more and more, and they don't have the money, or wouldn't appropriate the money to service the debt.

That is why we are here today, and that is what has got to be fixed. It should be fixed with an oversight board working in conjunction with the Puerto Rican Government, not by a court, or simply by not doing anything. It can be fixed, and Puerto Rico can have a renaissance because this is about the only practical way out of the mess.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I rise in strong support of H.R. 5278. This bill is not a perfect bill, but it is a true bipartisan compromise, and it is the only option on the table to address the crisis in Puerto Rico, which is the home to 3.5 million American citizens.

The solution that this bill adopts is simple: It will allow Puerto Rico to restructure its debt in an orderly, court-supervised process and, in exchange, a temporary, temporary Federal oversight board will help Puerto Rico make the structural reforms necessary to get its finances in order and set it on the path of economic growth.

I would like to truly thank all parties for their hard work on this bill, especially Mr. PIERLUISI; my good friends from New York, my colleagues Representatives VELÁZQUEZ and SERRANO; Ranking Member GRIJALVA; Chairman BISHOP; Leader PELOSI; and Antonio Weiss, at the Treasury Department.

New York City, which I represent, has some experience with control boards. When we faced a fiscal crisis back in the 1970s, the State established two control boards. And while that was a tough pill to swallow, in the long run, it made our city better and stronger.

I would like to emphasize that the solution to New York City's fiscal crisis involved a control board, a debt restructuring, and a $2.3 billion loan from the Federal Government. Puerto Rico isn't getting any Federal money at all, so a debt restructuring law is really the least we can do to help them.

Finally, while some opponents of this bill claim on this floor that debt restructuring is unnecessary because Congress solved D.C.'s fiscal crisis in the nineties with just a control board, this is fundamentally untrue.

The only reason the D.C. Control Board was able to balance D.C.'s budget so quickly was because Treasury assumed the District's $4 billion in pension obligations the year after the Control Board was created.

So a control board by itself is not enough. We need to do more. But I urge my colleagues to support this bill.

Mr. BISHOP of Utah. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MACARTHUR), who is another Member who has worked hard on this particular bill.

Mr. MACARTHUR. Mr. Chairman, we all know about the crisis in Puerto Rico involving 3½ million U.S. citizens, and we know the causes, fiscal mismanagement over decades, resulting in nearly $120 billion of bonds and unfunded pension liabilities. Unemployment is two times what it is here on the mainland, and people are fleeing Puerto Rico in droves, especially young people. It is not sustainable.

Mr. Chairman, we decided, as a society, hundreds of years ago, that we were not going to throw debtors into prison, but we were going to allow for the orderly reorganization of debts. And yet, Puerto Rico does not have the basic laws that allow that to take place in this situation. This bill fixes that.

This bill puts equal pressure on bondholders, on the island of Puerto Rico. The bill will require them to work together or there will be consequences. And the bill brings an oversight board to help that happen, to even require that to happen. We have to do this.

But, Mr. Chairman, fixing the debt crisis alone is not going to fix Puerto Rico's future. We need growth initiatives. This island will not enjoy an enduring prosperity until this Congress also thinks about how to help Puerto Rico grow.

That is why I introduced a title to this bill; it is just a sense of Congress, but it puts a flag in the ground saying that we have more work to do on growth, and I am really pleased to see a Growth Commission included in the bill.

Mr. Chairman, I have spent a lifetime in business. I have had the privilege of creating thousands of jobs. That doesn't happen when you have uncertain conditions.

In 1996, we changed the Tax Code in Puerto Rico that treats the return of earnings from that island to the mainland like it is coming from a foreign country, and you can watch the growth rate of Puerto Rico plummet ever since. Ever since 2006—my date was wrong—2006, you can see the growth rate plummet over 10 years.

Manufacturing is still half of the island's economy and yet, it is reduced by half over the last 20 years. We have to do things that make Puerto Rico an attractive business environment.

We all are worried about offshoring. This is an opportunity for near-shoring in a U.S. territory. It is an opportunity to demonstrate pro-growth principles in action; to allow Puerto Rico, an island paradise, to become an economic miracle.

This is the opportunity that I see. I am proud of the bill. Like any bill, it is not perfect. But let's not let the perfect become the enemy of the good. It is a good bill that deserves our support. I urge my colleagues to vote ''yes.''

Mr. GRIJALVA. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI). Her time and commitment to the people of Puerto Rico and to working on a compromise in a bipartisan bill have been the primary drivers to this point on the bill that we have before us.

Ms. PELOSI. Mr. Chairman, I rise and commend the leadership of Chairman BISHOP. I thank the gentleman for bringing us here today, as well as our ranking member, Mr. GRIJALVA, for bringing this compromise legislation to the floor.

It is with the deepest of pride that I join my colleagues, Congresswoman NYDIA VELÁZQUEZ and Congressman JOSÉ SERRANO, in support of this legislation. Although we have concerns about some elements of it, we support it on balance.

I can't help but mention to my colleagues here that in April, many of you were there when Congress bestowed the Congressional Gold Medal on the legendary 65th Infantry Regiment, a largely Puerto Rican regiment that served with valor since World War I.

Honor et Fidelitas, honor and fidelity, so rings the motto of this courageous regiment of Americans. With honor and fidelity, the 65th Regiment overcame prejudice and bigotry and wrote a new chapter of heroism in our shared American story.

In the Panama Canal Zone in World War I, on the doorsteps of Nazi Germany, in the defining crucible of the Korean War, and beyond, the Borinqueneers protected freedom abroad and advanced dignity at home.

Their daring on the battlefield helped break down the discrimination facing Puerto Rican and Latino Americans across our country. They enriched our Nation with the strength of their service, through the excellence of their example, and the power of their bravery. Their valor under fire is nothing short of legendary. The heroic service of the Borinqueneers is one of the true great American stories.

I bring this to mind because on that day in Emancipation Hall, which was crowded with people, and the presentations were led by the bipartisan, bicameral House and Senate, Democrat and Republican leadership who had representatives of our military to salute the bravery of these people of Puerto Rico in defense of our country.

Now we have nearly 100,000 veterans in Puerto Rico who will be affected, harmed, unless we act today. Today, more than 3 million of our fellow American citizens in Puerto Rico are facing a fiscal and public debt emergency that threatens their economy, their communities, and their families. Only Congress can provide Puerto Rico with the tools it needs to emerge from this crisis.

After long bipartisan negotiations, we achieved a restructuring process that meets the test of workability. Does it work? Will it happen?

This is not a bailout. Some people are trying to describe it as such for some other purposes. I know that my colleague from Puerto Rico, PEDRO PIERLUISI, has explained to us the urgency of this. I know that we would have, perhaps, had a bill that didn't have some of the provisions in it that are in it, and we would have preferred to add some better things to the bill, but that is not the choice before us.

As legislators, we have to make a choice: will the bill alleviate the challenge that the people of Puerto Rico are facing? Our Resident Commissioner, PEDRO PIERLUISI, thinks that this bill does achieve that, and I thank him for his courageous leadership on all of this.

Again, this can be a very passionate discussion. It is an emotional one because it involves the lives of people that some of us know and are part of the families of our Members, as JOSÉ SERRANO and NYDIA VELÁZQUEZ mentioned. But we have to be dispassionate in how we make a judgment about how we can solve the problem, and we have that opportunity today.

The oversight board that President Obama will appoint is one that will have the opportunity to implement the restructuring as described in this legislation. On a bipartisan basis, we will be submitting names to the President promptly so that he can appoint the oversight board.

It would be my commitment to make sure that the commitment from the House Democrats is for there to be one from Puerto Rico representing the people of Puerto Rico on that board.

In addition to the oversight board, this legislation also contains a task force, a Members' task force whose task it is to look at impediments in Federal law to Puerto Rico's economic growth. I would hope that that task force would afford us the opportunity to see other ways that we can help the economic growth of Puerto Rico, for the citizens, our fellow citizens in Puerto Rico.

We can talk about parity in relationship to Medicare, Medicaid, and the rest. We can talk about the earned income tax credit, which we enjoy in the United States, and having that be more available in Puerto Rico. We can talk about ways to use the Tax Code to give more opportunity there.

So I urge my colleagues to support the legislation. Even though it is not the bill that either one side would have written, it is a compromise. But it will provide the people of Puerto Rico the tools to overcome the crisis and move forward, hundreds of millions of dollars, maybe $1 billion a year. It will alleviate Puerto Rico from having to commit, because of the restructuring, and will enable it to meet the needs of the people of Puerto Rico as it gets back on its feet.

Puerto Rico's economic success is important to the United States. Our

economic growth and job creation plans must include our fellow citizens in Puerto Rico. I would hope, with the task force; I would hope with future legislation, as we go forward, we will recognize how close our connection is, how important it is for Puerto Rico to survive, and express our gratitude to the people of Puerto Rico for the vitality they bring to the United States of America, and for the security that so many Puerto Ricans risk their lives to protect our country.

With that, I urge our colleagues to pray over it and conclude, as our three colleagues, Congresswoman VELÁZQUEZ, Congressman SERRANO, Congressman PIERLUISI have concluded, that, on balance, we must move forward for the benefit of the veterans, for the people, for their children, for the citizens of Puerto Rico.

I urge an ''aye'' vote.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself 4 minutes.

I appreciate the comments that have been made so far on a bill that I want to think actually has a lot of good in it.

□ 1645

Article 4, section 3 of the Constitution provides Congress not only the power, but also the responsibility to do what is needful dealing with the territories.

As a matter of fact, Mr. Chairman, just this morning, the Supreme Court ruled on a case concerning the territory and a question of double jeopardy. By a 6–2 decision, the Court held that Puerto Rico is not a separate sovereignty because the ultimate source of its power and its constitution is the United States Congress. So, indeed, this reminds us all here today of our duty to assist in the territorial issues.

Now, there are seven titles to this particular piece of legislation. The first two deal with the oversight board that will bring fiscal plans and a budget to the island. Titles III and VI deal with restructuring of the debt if certain criteria are met in the oversight board's discretion that it include good-faith debt negotiations with its creditors.

Title V is something I think we sometimes overlook because it gives fast-track authority for vital infrastructure projects to be moved by the government of Puerto Rico, especially in the area of energy generation and distribution systems. One of the problems of Puerto Rico is the high energy costs that have caused them to lose jobs. What we are attempting to do is trying to find a way of changing that problem and reducing Puerto Rico's reliance on diesel fuel to generate their electricity. That is one of the parts of this bill that is extremely important and I think is overlooked sometimes. The final title I am happy about because that has pro-growth portions and reforms in it.

But let it be very clear: this is a conservative bill that is rooted in the Constitution that does not cost the American taxpayers a dime. It is not a bailout. It does not expand the size or scope of the Federal Government, and it does not encroach on State authority.

In fact, I think we have done a pretty good job in trying to solve some problems in a way that can move everyone forward.

At this point, I also want to thank the chairmen of the Committee on Education and the Workforce and the Committee on the Judiciary and Small Business Committee for their help with this particular bill, so especially Chairman KLINE, Chairman GOODLATTE, and Chairman CHABOT. I do appreciate their help on this particular bill.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 25, 2016.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business, Washington, DC.

DEAR MR. CHAIRMAN: On May 25, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Small Business, among other committees.

I ask that you allow the Committee on Small Business to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Small Business represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, May 25, 2016.

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

DEAR MR. CHAIRMAN: I am writing regarding H.R. 5278, the Puerto Rico Oversight, Management and Economic Stability Act. The bill contains a provision that is within the jurisdiction of the Committee on Small Business.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner. Accordingly, I will agree that the Committee on Small Business be discharged from further consideration of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Small Business, and that the Committee expressly reserves the right to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation. I would ask that you support any such request.

I also ask that a copy of this letter be included in the Congressional Record during the consideration of H.R. 5278 on the House floor.

Thank you for your consideration and for your work on this legislation.

Sincerely,

STEVE CHABOT,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 31, 2016.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR MR. CHAIRMAN: On May 25, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Education and the Workforce, among others.

I ask that you allow the Committee on Education and the Workforce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Education and the Workforce represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

COMMITTEE ON EDUCATION
AND THE WORKFORCE,
Washington, DC, May 31, 2016.

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

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 5278, the Puerto Rico Oversight. Management, and Economic Stability Act. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 5278 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 5278, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my Committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. Additionally, I appreciate your committee's assistance with any additional improvements to the bill within the jurisdiction of the Education and the Workforce Committee.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Committee Report on H.R. 5278 and in the Congressional Record during consideration of this bill on the

House Floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 31, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: On May 25, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary, among others.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 2, 2016.

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

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 5278, the ''Puerto Rico Oversight, Management, and Economic Stability Act,'' which was referred to the Committee on Natural Resources and in addition to the Committee on the Judiciary among other committees. As a result of your having consulted with us on provisions in H.R. 5278 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5278 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I appreciate your May 31, 2016, letter confirming this understanding with respect to H.R. 5278 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during Floor consideration of H.R. 5278.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. GRIJALVA. I yield myself the balance of my time, and thank Leader PELOSI and my colleague, Chairman BISHOP, his staff, and certainly staff on our side of the aisle for their hard work.

It is a bill that is indeed a compromise, and we shouldn't be ashamed of that. It is a compromise that I wish was more tilted on our side and the things that we wanted. But, Mr. Chairman, those are not the dynamics or the numbers in this House.

The reality is that the urgency of Puerto Rico, the humanitarian demands and needs of the island make us look at this bill not with an eye towards perfection, but with an eye toward what is doable and what can provide some immediate relief and begin the process of stability for the island and for its people, and begin the process of an economic renewal for the island itself.

I want to also acknowledge my colleagues, Mr. PIERLUISI, Ms. VELÁZQUEZ, and Mr. SERRANO. I know how difficult this vote was and how difficult it is to vote on a compromise that does not fully empower and fully acknowledge the self-governance of the Puerto Rican people. I know that. But your endorsement of this bill is very meaningful in that it ties us to a heritage of representation by the Puerto Rican people in this body and to insisting and demanding that the needs of the people of Puerto Rico be recognized fully by this Congress. We recognize them today, as Mr. SERRANO said, but there is much, much more to do.

This vote, by the way, as I close, is not about heritage. More importantly, it is not about selling out one's heritage. It is about future generations and the opportunities they will have on the island. It is about stability for children, families, and the elderly with a fiscally stable economy and an accountable fiscal system within the island.

While I can understand the political expediency of voting ''no,'' I think the demands and the urgency to deal with this question compel me—and I hope all my colleagues in this body—to vote ''yes.''

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

Mr. BISHOP of Utah. I yield 4½ minutes to the gentleman from Louisiana (Mr. GRAVES), another member of our committee.

Mr. GRAVES of Louisiana. Mr. Chairman, I first want to thank Chairman BISHOP, Ranking Member GRIJALVA, Congressmen LABRADOR, DUFFY, and PIERLUISI, and many others who worked tirelessly on this legislation.

Mr. Chairman, the island of Puerto Rico with a population of under 4 million people has a debt of, by some measure, $100 billion. That is a population less than the State of Louisiana, but a debt of nearly $100 billion.

We have three options: We can do nothing and continue to allow this island territory to continue spiraling downward in a financial and humanitarian crisis. We can provide financial oversight. We can relieve regulation, help to reignite the economy, and allow for a negotiation between the creditors and the debtor. Or we can pay off their debt and add to the already $19 trillion irresponsible debt of the American Government today. Those are the options that are out there.

I will tell you, I also struggled with what the right conservative solution was in this case.

Ultimately, there is just one right answer. Doing nothing will simply worsen the financial condition, will probably put more burden on us to actually bail out the Nation on Congress and on the White House to do that. I oppose a bailout, and I oppose putting taxpayer dollars on the hook to pay off nearly a dozen years of irresponsible spending of the Puerto Rican Government.

So establishing a financial oversight board similar to what was done in Washington, D.C. and providing conditions to negotiate a solution is the right answer. It is the conservative solution.

During committee consideration of the bill, I included an amendment to ensure that Federal taxpayers are not put on the hook for this liability.

Section 210 says: ''No Federal funds shall be authorized by this act for the payment of any liability of the territory or territorial instrumentality.''

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

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment makes it clear: as affirmed by the Supreme Court today and mentioned by the committee chairman, Puerto Rico is different from a State, and the Supreme Court affirmed that today. It is not a State. It is a territory of the U.S., and we have a constitutional obligation to prevent a worsening disaster.

This bill does not set a precedent for States and municipalities. It respects the priority of debt by general obligation bondholders and others. It prevents higher cost of borrowing by States and municipalities by controlling the situation. Most importantly, Mr. Chairman, it doesn't bail out Puerto Rico. It creates a path for financial stability.

Mr. Chairman, I urge support for H.R. 5278.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. Mr. Chairman, I come before the House today to support an important piece of legislation that will allow the people of Puerto Rico a path towards economic stability, growth, and prosperity.

Beholden to out-of-control tax-and-spend policies, the Puerto Rican people are experiencing the harsh realities of fiscal irresponsibility and unaccountable government. That is why I strongly support this bill.

We have a moral and constitutional responsibility to address this fiscal crisis which will only get worse if we don't act. That is why I support this bill and what we must learn from this experience.

Congress and Presidents of both parties have let our national debt reach an unsustainable $19 trillion. That is only because the U.S. Government has something that Puerto Rico doesn't have: the ability to print money and borrow endlessly. So that is why I support the fiscal reforms in this bill which do not spend a single dollar in U.S. taxpayer money to relieve Puerto Rico of its debt.

I have long opposed taxpayer bailouts. Fortunately, this bill prevents the taxpayers from bailing out a government that spent recklessly and provides a conservative solution to force Puerto Rico to spend now responsibly. The bill also avoids setting a horrible precedent that could tempt free-spending States to walk away from their obligations by behaving irresponsibly.

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

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. GARRETT. Most importantly, the bill creates a seven-member oversight board to oversee their debt restructuring and to conduct financial audits. What would this board do? It would require commonsense actions like sustainable government programs to establish fiscal plans to achieve needed reform and so on. This bipartisan bill is the first step to return Puerto Rico to solvency and stability.

Americans, each and every day, balance their own checkbooks and live within their own means. Politicians and government bureaucrats should behave no differently. I therefore support the underlying legislation.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Wyoming (Mrs. LUMMIS). She is the vice-chair of the committee.

Mrs. LUMMIS. Mr. Chairman, we saw a bunch of ads on TV about this bill and about what it would do to the bondholders. So I did some research.

I rise in support of this bill as one of the more conservative members of the Republican wing of this House. The reason I support it is the research I did showed me that it wasn't this widow that bought these bonds, it was large institutional investors. It was investors who knew what they were buying because they read the disclosure documents. It was investors who buy billions of dollars worth of bonds, and they are trying to diversify those portfolios, so they have some high-risk, high-return investments and some low-risk, low-return investments. They have different maturity dates. They come from different jurisdictions. They are trying to have a balanced portfolio. Those portfolios were purchased recognizing that some of these bonds might have a higher risk and a higher return. That higher return comes at a discounted price. So they paid a discount in hopes that they would get the higher return and that these bonds would hold up.

Quite frankly, those bondholders knew what they were getting because it was even disclosed in the bond documents that Congress might be here today debating this very problem of the island's inability to repay everything.

Not all general obligation bonds are created equal. The bond purchasers knew what they were getting. This bill is going to allow for the relative-to-each-other agreement among the bondholders about how to treat the bonds.

Mr. Chairman, I fully support the bill.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN). He also has the title of Speaker of the House.

Mr. RYAN of Wisconsin. Mr. Chairman, it is vital that we pass this bill. Let me tell you why. Puerto Rico is in trouble, and we need to act now before that trouble threatens taxpayers.

Let me explain why. Puerto Rico's government owes $118 billion in bonds and in unfunded pension liabilities. It has already defaulted on much of it. Things are only going to get worse.

Now the island is shutting down. You can see it in the news—closed schools, and hospitals are beginning to close. That is today. Tomorrow it could be policemen without cars. It could be blackouts at hospitals. This is a humanitarian disaster in the making. What is worse, if we do nothing, it could be a manmade humanitarian disaster.

I know this goes without saying, but it is worth repeating: the Puerto Rican people are our fellow Americans. They pay our taxes. They fight in our wars. We cannot allow this to happen.

I should also say that if we do nothing, the contagion will simply spread. About 15 percent of Puerto Rico's debt is already held by middle class Americans, and if the government can't meet its obligations, these families will pay the price—or even worse, taxpayers could be asked to bail it out.

□ 1700

That is simply unacceptable. That is why we are taking action now, to prevent a bailout and to help the Puerto Rican people.

What this bill will do is allow Puerto Rico to restructure its debts and set up an oversight board that will oversee this process. 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. It will also make sure the restructuring honors the agreements. It will make sure the government changes its ways so we don't have to do this again.

Let me set a few things straight. Some people say this will set a bad precedent. Some people say this will encourage reckless spending by the States. No, absolutely not. The bill applies only to territories and not to States.

I also want to point one other thing out. The Puerto Rican Government is not getting off scot-free here. Not at all. It has not served the Puerto Rican people well. It has spent money recklessly for decades.

This legislation will make sure that the government balances its budget. It will make sure that they pass reforms that will grow the Puerto Rican economy. It gives flexibility on the youth minimum wage so businesses will hire more young people.

I also hear people say that this is a bailout. That is absolutely, categorically, undeniably false. This bill won't add a single dollar to the deficit. All you have to do is look at the Congressional Budget Office. Not a single taxpayer dollar added to the deficit.

This bill prevents a bailout. That is the entire point. Let me tell you this: if we do not pass this bill, then there is much more likely going to be a bailout because there will be no other choice. But if we pass this bill, Puerto Rico will get a handle on its debt. Its economy will begin to grow. The people in Puerto Rico will see that help is on the way and there is a reason to stay because they are finally getting their act together. Taxpayers will be safe.

I am telling all Members right now, the best chance to get this right is to pass this bill. The best chance for creditors to get what they are owed is this bill. This is our responsibility. The Constitution is really clear. The Constitution gives Congress the duty to oversee legislation for all U.S. territories. Now it is time that we do our constitutional duty.

A lot of people have spent so much time on this legislation. Here is what we are doing. If we see a problem among our fellow citizens and it is in a territory where we have a constitutional responsibility, we have to address this problem, and we have to address this problem in a smart way so that we prevent the taxpayer from getting involved, we have to address this problem in a smart way so that we prevent any contagion from occurring in the bond markets, and we have to address this problem in a smart way so that Puerto Rico can get back on its feet again, so that the future for the people in Puerto Rico is a brighter future.

There are so many people who have poured their hearts into this. I want to thank ROB BISHOP from Utah, the chairman of the committee; I want to thank SEAN DUFFY from Wisconsin; I want to thank RAÚL LABRADOR from Idaho; I want to thank JIM SENSENBRENNER from Wisconsin; I want to thank PEDRO PIERLUISI from Puerto Rico; and I want to thank the Members from the other side of the aisle who put so much time into this.

This is a bipartisan bill. This is the best solution in a deepening crisis. This

bill has my full support. I urge all of my colleagues in the House to give it their full support as well.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself the balance of my time.

Six months ago, our committee began the effort to try to solve this problem. We had four hearings, countless stakeholder meetings, and got input from expert testimony. Interested parties from all over the place were able to get their input in various drafts of this bill. It was an exhaustive effort, but what happened is at the end of this time we had a good bill. That is the way this process is supposed to work.

It is a bill that is rooted in the Constitution, it doesn't cost the taxpayers, it provides Puerto Rico with the tools to impose discipline over its finances, and led towards an element of prosperity.

In Spanish, I am told that the phrase promesa means promise. This bill is a promise for Puerto Rico for a better life. It is the way we go forward.

I urge everyone's adoption of a great piece of legislation.

I yield back the balance of my time.

Mr. HINOJOSA. Mr. Chair, today I rise in support of H.R. 5278, the ''Puerto Rico Oversight, Management, and Economic Stability Act'' (PROMESA)—a bipartisan bill providing short-term relief to respond to the humanitarian crisis facing the people of Puerto Rico.

Mr. Chair, Puerto Rico's faltering economy and the well-being of its more than 3.4 million people are of great concern to may colleagues and me. The island's $70 billion debt has made it extremely difficult for the Commonwealth to provide adequate health care, education and public safety for the people of Puerto Rico.

As a result, its people are struggling to access basic public services—as schools and hospitals face daily electricity and water shortages. I am deeply concerned that the island's health care systems have been adversely affected by Puerto Rico's debt crisis, making it increasingly difficult to handle a Zika outbreak or other health crises.

As a senior member of the Financial Services Committee, I support giving Puerto Rico all the tools necessary to restore its access to credit markets and restructuring its outstanding debt. These critically important measures will help restore its financial footing.

I do not support certain provisions in the bill, including sections undermining a minimum wage and protections for pension benefits. However, it is my hope that this bill on balance will help Puerto Rico stave off catastrophe by restoring basic services, with the hope of putting Puerto Rico back on the path toward improving the quality of life of its people.

In closing, Mr. Chair, I urge my colleagues on both sides of the aisle to support H.R. 5278. This bill is not perfect, but it takes a step in the right direction.

Ms. BORDALLO. Mr. Chair, I am disappointed that two amendments I offered yesterday at the Rules Committee were not made in order for debate on H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA). These amendments, along with amendments offered by Rep. KILILI SABLAN of the Northern Mariana Islands on the Earned Income Tax Credit and Rep. AMATA RADEWAGEN of American Samoa on the Child Tax Credit, would have addressed underlying issues that are experienced in all the territories and that contributed to Puerto Rico's debt crisis. We had a chance to address legacy policy issues that unduly put a significant financial strain on our local treasuries, yet we were denied an opportunity to more fully debate these issues and be afforded an up or down vote.

My first amendment would have granted the government of Guam flexibility to extend Social Security to all new government hires. The Government of Guam's (GovGuam) current retirement plan will leave many without sufficient means when they retire. As you know, the pension shortfall in Puerto Rico was a key contributor to its current fiscal crisis and local leaders in Guam are working proactively to enact legislation to prevent a similar situation in Guam. Part of their efforts is contingent on enrolling employees in Social Security, and my amendment would give GovGuam flexibility to enroll new hires in Social Security as it works to address retirement shortfalls for its current workforce. The Social Security Actuaries and the CBO have indicated that the amendment would have a net positive increase on federal revenues. I offered a practical, common sense solution that is supported by many on Guam. It was a proactive attempt to provide GovGuam with the tools it needs to address this systemic issue.

My second amendment would have granted equitable treatment to the U.S. territories in carrying out the Medicaid program. The amendment would have eliminated the Medicaid caps on the territories and provide parity with the federal medical assistance percentage in force in the territories. The inequitable treatment of the territories in Medicaid has caused significant financial strain on our local governments and has forced us to contribute a disproportionate share of local dollars when compared to the 50 states and DC. This was a bipartisan amendment supported by all representatives of the territories, and it would have put our constituents, who are all Americans, on equal footing with those who reside in the States. The cost of providing health care in our jurisdictions, particularly on Guam, inhibits our economies from truly developing. Further, this amendment was modeled off a request contained in President Obama's Fiscal Year 2017 budget request which would have eliminated the caps and put the territories on a path to improving their FMAP. This budget proposal is a critical component of solving the crisis we see in Puerto Rico yet we have been denied a chance to address this matter on the floor. We have an opportunity to address this inequity, and I feel it is critical that we act with purpose on this matter.

I also want to underscore my disappointment that amendments submitted by my colleagues, Mr. SABLAN and Ms. RADEWAGEN were also not made in order. We firmly believe that Puerto Rico's debt crisis cannot be resolved through debt restructuring alone. This debt crisis was caused by underlying issues which have been impacted by the unequal treatment of the territories in certain federal programs. Again, like with Medicaid, addressing these issues for Puerto Rico and the other territories would help lift a burden and allow our local governments to focus more on economic development and improving infrastructure to support those new economies.

Together our amendments addressed disparities in Medicaid and the application of the Earned Income Tax Credit and the Child Tax Credit, and would have fixed critical issues that contributed to Puerto Rico's debt crisis. We offered these amendments because while Guam's and the other territories' fiscal situations are nowhere near the crisis in Puerto Rico, we had an opportunity to be proactive and eliminate federal policies and programs that are not treating the territories with equity. Put more simply, we could have been proactive in addressing federal law to ensure our other territories are put in a better shape financially.

We simply do not believe that extending the authorities proposed in PROMESA without addressing continued systemic challenges will resolve Puerto Rico's problems, nor will it provide a more secure financial footing in all the territories. I recognize the political challenges that have been undertaken to get this bill to the point that we are at right now. However, we need to find the political will to address the systemic challenges now, before they become crises later. We are doing all we can to be proactive so that what is happening to Puerto Rico does not happen to the rest of us. I hope this Congress will address these issues so that we can bring parity to the millions of Americans living in the territories and enable the territories' local governments to focus on programs that will enhance their economies.

Mr. SMITH of Texas. Mr. Chair, House Resolution 5278 creates a board of managers to address the fiscal condition of Puerto Rico.

However, Puerto Rican officials still have not been held accountable or accepted responsibility for their policies that caused the financial crisis. In fact, just the opposite: the Puerto Rican government ignored its fiscal obligations when it recently voted to approve a moratorium on repaying any of its debt.

But it is Puerto Rico and not Congress who should take the first steps to adopt reform measures.

There is no certainty that a financial oversight board would implement any economic growth measures to improve the Island's fiscal condition.

The board has no mandate from Congress to address the bloated government workforce, high taxes, an insolvent pension system, limitations on trade under the Jones Act, and excessive welfare benefits, all of which helped cause the fiscal crisis.

This legislation rewards bad behavior and represents a missed opportunity for Congress to insist on fiscally responsible reforms.

Mr. CONYERS. Mr. Chair, I rise today because Puerto Rico is confronting a catastrophe. The spiral of recession, emigration, debt, and austerity has left the island in dire straits. Puerto Rico faces immediate default on a large portion of its debt and the island might have to halt emergency services if it cannot obtain further credit.

This crisis has been developing for a long time, but the problem has grown increasingly unworkable over the past year while this Congress has done nothing. The potential humanitarian consequences of continuing to do nothing have convinced me that despite my grave concerns about what I consider a mere half-measure, I must support PROMESA, the Puerto Rico Oversight, Management, and Economic Stability Act (H.R. 5278).

Puerto Rico's problems go beyond short-term debt service. Federal changes to their unique tax structure have helped push the territory into recession for a decade, which in turn has driven massive emigration elsewhere, which harms their ability to attract investment and fair financing, which has only further imperiled the Island's fiscal situation. It is the very definition of an austerity driven destructive cycle.

Correcting its course is no easy task, but Puerto Rico can succeed if they receive two necessary things: time and support.

First, an immediate stay on debt collection and payments that would allow time to develop a negotiated resolution, or absent that a bankruptcy process that treats creditors equitably. All creditors should expect to shoulder some of the pain, but nobody should take unfair losses—least of all the pensioners who can least afford an unequal burden.

Second, an economic development plan that reflects Puerto Rico's unique challenges, like emigration to the mainland, which hinder the island's ability to rebuild its tax base and attract new investment. Alternative energy programs and tax incentives should be supported to encourage a more self-sufficient economy. Public health efforts should be directed to the island in order to evaluate growing problems that disproportionately affect Puerto Rico, such as Zika.

PROMESA, while well intentioned, simply may not fully address the magnitude of Puerto Rico's problems. Without an adequate commitment to improving economic stability on the island, talented residents will continue emigrating elsewhere, industry will further wither because of substandard public services, and local fiscal problems will likely escalate. Further, the ridiculous riders that potentially undercut wage and overtime protections—as well as environmental regulations—represent a cynical effort to take advantage of the Island's desperate situation. It is a shameful reminder that many in this body see Puerto Rico as a colony unworthy of the privileges we enjoy on the mainland.

I am voting for PROMESA despite my serious concerns because I hope against hope that it will be improved in the Senate. A real recovery strategy—one that gives residents, workers, and pensioners a viable future—is what Puerto Rico needs and deserves.

Ms. JACKSON LEE. Mr. Chair, I stand before you today to discuss H.R. 5278—Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).

Our consideration of PROMESA must be a very thoughtful analysis of an outcome where the people of Puerto Rico will be empowered and be on a path towards progress where working families, their children and pensioners can be on a pathway towards a better future.

PROEMSA is a bipartisan measure and effort to assist the Commonwealth of Puerto Rico in restructuring $70 billion in currently unpayable debt, an amount that exceeds the size of its entire economy.

There are a total of 3.548 million people living on the island of Puerto Rico.

Since 2006, Puerto Rico's economy has shrunk by more than 10 percent and shed more than 250,000 jobs.

More than 45 percent of the Commonwealth's residents live in poverty—the highest poverty rate of any state or territory.

Furthermore, its 11.6 percent unemployment rate is more than twice the national level.

The challenges facing the people of Puerto Rico have ignited the largest wave of outmigration since the 1950's, and the pace continues to accelerate.

More than 300,000 people have left Puerto Rico in the past decade with a record of 84,000 people leaving in 2014.

Puerto Ricans suffer from high rates of forced migration due to the better opportunities offered in the United States compared to in the commonwealth.

The gap between emigrants and immigrants has been continuously widening.

Indeed, this increase in emigrants caused a population decline, the first in its history, and the stateside Puerto Rican population grew quickly.

The median age of male Puerto Ricans is of working age from the ages of 25–49 and similarly for women from the ages of 25–59.

Most of the homes are family-led.

There are about 1,133,600 people in the civilian labor force but only 43 percent of them are employed.

In addition, most of those working work in minimum wage jobs.

Over 27 percent of the people in the Commonwealth are on welfare.

The median income in Puerto Rico is only half that of the poorest U.S. state, Mississippi, but welfare benefits are about the same in Puerto Rico as in Mississippi.

Swift action is needed in order to alleviate the pain and suffering of the people of Puerto Rico.

There is no time to waste.

H.R. 5278 appears to be an emergency default for Puerto Rico, an American territory where 3.5 million American citizens reside and continue to live in fear for their finances, their families and their future.

On July 1, Puerto Rico will face nearly $2 billion worth of bond payments.

Already, businesses have closed, public worker benefits are in jeopardy, hospital care is restricted and basic governmental functions are at risk.

Should the Puerto Rican government default in early July, it faces certain litigation by its creditors, further erosion of its economy, and an inability to provide basic services to its people.

This measure creates a process for the Commonwealth to restructure their bond debts, avoiding a default that could lead to a humanitarian catastrophe and instead allowing Puerto Rico to return to economic growth and fiscal balance.

It would allow for the creation of a seven-member Financial Oversight and Management board which will approve annual budgets and fiscal plans.

This fiscal plan must be designed in a way that provides adequate funding for pension obligations.

Also, I have serious concerns about the minimum wage provision of the measure.

Specifically, regarding minimum wage and overtime, H.R. 5278 would extend the application of the existing federal subminimum wage of $4.25 an hour to those under the age of 25 in Puerto Rico for as long as four years, while all other federal jurisdictions pay the subminimum wage to those under the age of 20 for only up to the first ninety days of employment.

We need to continue to work on ways to improve this measure to ascertain that American citizens in Puerto Rico are not languishing in poverty.

Indeed, the measure contains a provision that provides for a delay on the new Department of Labor overtime pay regulation until a Government Accountability Office (GAO) study is completed and the Department of Labor determines whether the rule could negatively impact the economy of Puerto Rico.

Additionally, the measure would create a ''Revitalization Coordinator'' that works closely with the Oversight Board to determine which energy and other infrastructure projects will be able to bypass local environmental, public health, and consumer protection laws.

Let me underscore again that I have serious concerns about the provisions in this measure, not the least of which is the expansion of the subminimum wage, the exemption from the new overtime Rule, and the exclusion of protections for pension benefits.

I commend my Democratic colleagues in their efforts of protecting the environment and wildlife refuge in the Commonwealth.

I look forward to working with my Democratic colleagues and our Republican colleagues across the aisle in continuing to improve the provisions of the measure for the betterment of fellow American citizens in Puerto Rico.

Let me conclude by highlighting that H.R. 5278 is not perfect but so long as we continue to work on a bipartisan basis in good faith, we can work towards our efforts of ensuring that Puerto Rico does not become a humanitarian crisis.

We must continue to work together to be our brother's and sister's keepers.

It is essential that we stand with the people of Puerto Rico and take action.

It is essential that we continue to work towards an orderly process that promotes the livelihood of U.S. citizens in Puerto Rico and alleviates the crisis.

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

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–57. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5278

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 ''Puerto Rico Oversight, Management, and Economic Stability Act'' or ''PROMESA''.

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

SEC. 2. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act shall take effect on the date of the enactment of this Act.

(b) TITLE III AND TITLE VI.—

(1) Title III shall apply with respect to cases commenced under title III on or after the date of the enactment of this Act.

(2) Titles III and VI shall apply with respect to debts, claims, and liens (as such terms are defined in section 101 of title 11, United States Code) created before, on, or after such date.

SEC. 3. SEVERABILITY.

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, or the application of that provision to persons or circumstances other than those as to which it is held invalid, is not affected thereby, provided that title III is not severable from titles I and II, and titles I and II are not severable from title III.

SEC. 4. SUPREMACY.

The provisions of this Act shall prevail over any general or specific provisions of territory law, State law, or regulation that is inconsistent with this Act.

SEC. 5. DEFINITIONS.

In this Act—

(1) AGREED ACCOUNTING STANDARDS.—The term ''agreed accounting standards'' means modified accrual accounting standards or, for any period during which the Oversight Board determines in its sole discretion that a territorial government is not reasonably capable of comprehensive reporting that complies with modified accrual accounting standards, such other accounting standards as proposed by the Oversight Board.

(2) BOND.—The term ''Bond'' means a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness for borrowed money, including rights, entitlements, or obligations whether such rights, entitlements, or obligations arise from contract, statute, or any other source of law, in any case, related to such a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness in physical or dematerialized form of which the issuer, obligor, or guarantor is the territorial government.

(3) BOND CLAIM.—The term ''Bond Claim'' means, as it relates to a Bond—

(A) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or

(B) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

(4) BUDGET.—The term ''Budget'' means the Territory Budget or an Instrumentality Budget, as applicable.

(5) PUERTO RICO.—The term ''Puerto Rico'' means the Commonwealth of Puerto Rico.

(6) COMPLIANT BUDGET.—The term ''compliant budget'' means a budget that is prepared in accordance with—

(A) agreed accounting standards; and

(B) the applicable Fiscal Plan.

(7) COVERED TERRITORIAL INSTRUMENTALITY.—The term ''covered territorial instrumentality'' means a territorial instrumentality designated by the Oversight Board pursuant to section 101 to be subject to the requirements of this Act.

(8) COVERED TERRITORY.—The term ''covered territory'' means a territory for which an Oversight Board has been established under section 101.

(9) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means an Executive Director appointed under section 103(a).

(10) FISCAL PLAN.—The term ''Fiscal Plan'' means a Territory Fiscal Plan or an Instrumentality Fiscal Plan, as applicable.

(11) GOVERNMENT OF PUERTO RICO.—The term ''Government of Puerto Rico'' means the Commonwealth of Puerto Rico, including all its territorial instrumentalities.

(12) GOVERNOR.—The term ''Governor'' means the chief executive of a covered territory.

(13) INSTRUMENTALITY BUDGET.—The term ''Instrumentality Budget'' means a budget for a covered territorial instrumentality, designated by the Oversight Board in accordance with section 101, submitted, approved, and certified in accordance with section 202.

(14) INSTRUMENTALITY FISCAL PLAN.—The term ''Instrumentality Fiscal Plan'' means a fiscal plan for a covered territorial instrumentality, designated by the Oversight Board in accordance with section 101, submitted, approved, and certified in accordance with section 201.

(15) LEGISLATURE.—The term ''Legislature'' means the legislative body responsible for enacting the laws of a covered territory.

(16) MODIFIED ACCRUAL ACCOUNTING STANDARDS.—The term ''modified accrual accounting standards'' means recognizing revenues as they become available and measurable and recognizing expenditures when liabilities are incurred, in each case as defined by the Governmental Accounting Standards Board, in accordance with generally accepted accounting principles.

(17) OVERSIGHT BOARD.—The term ''Oversight Board'' means a Financial Oversight and Management Board established in accordance with section 101.

(18) TERRITORIAL GOVERNMENT.—The term ''territorial government'' means the government of a covered territory, including all covered territorial instrumentalities.

(19) TERRITORIAL INSTRUMENTALITY.—

(A) IN GENERAL.—The term ''territorial instrumentality'' means any political subdivision, public agency, instrumentality–including any instrumentality that is also a bank–or public corporation of a territory, and this term should be broadly construed to effectuate the purposes of this Act.

(B) EXCLUSION.—The term ''territorial instrumentality'' does not include an Oversight Board.

(20) TERRITORY.—The term ''territory'' means—

(A) Puerto Rico;

(B) Guam;

(C) American Samoa;

(D) the Commonwealth of the Northern Mariana Islands; or

(E) the United States Virgin Islands.

(21) TERRITORY BUDGET.—The term ''Territory Budget'' means a budget for a territorial government submitted, approved, and certified in accordance with section 202.

(22) TERRITORY FISCAL PLAN.—The term ''Territory Fiscal Plan'' means a fiscal plan for a territorial government submitted, approved, and certified in accordance with section 201.

SEC. 6. PLACEMENT.

The Law Revision Counsel is directed to place this Act as chapter 20 of title 48, United States Code.

SEC. 7. COMPLIANCE WITH FEDERAL LAWS.

Except as otherwise provided in this Act, nothing in this Act shall be construed as impairing or in any manner relieving a territorial government, or any territorial instrumentality thereof, from compliance with Federal laws or requirements or territorial laws and requirements implementing a federally authorized or federally delegated program protecting the health, safety, and environment of persons in such territory.

TITLE I—ESTABLISHMENT AND ORGANIZATION OF OVERSIGHT BOARD

SEC. 101. FINANCIAL OVERSIGHT AND MANAGEMENT BOARD.

(a) PURPOSE.—The purpose of the Oversight Board is to provide a method for a covered territory to achieve fiscal responsibility and access to the capital markets.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), a Financial Oversight and Management Board for a territory is established in accordance with this section only if the Legislature of the territory adopts a resolution signed by the Governor requesting the establishment.

(2) PUERTO RICO.—Notwithstanding paragraph (1), a Financial Oversight and Management Board is hereby established for Puerto Rico.

(3) CONSTITUTIONAL BASIS.—The Congress enacts this Act pursuant to article IV, section 3 of the Constitution of the United States, which provides Congress the power to dispose of and make all needful rules and regulations for territories.

(c) TREATMENT.—An Oversight Board established under this section—

(1) shall be created as an entity within the territorial government for which it is established in accordance with this title; and

(2) shall not be considered to be a department, agency, establishment, or instrumentality of the Federal Government.

(d) OVERSIGHT OF TERRITORIAL INSTRUMENTALITIES.—

(1) DESIGNATION.—

(A) IN GENERAL.—An Oversight Board, in its sole discretion at such time as the Oversight Board determines to be appropriate, may designate any territorial instrumentality as a covered territorial instrumentality that is subject to the requirements of this Act.

(B) BUDGETS AND REPORTS.—The Oversight Board may require, in its sole discretion, the Governor to submit to the Oversight Board such budgets and monthly or quarterly reports regarding a covered territorial instrumentality as the Oversight Board determines to be necessary and may designate any covered territorial instrumentality to be included in the Territory Budget; except that the Oversight Board may not designate a covered territorial instrumentality to be included in the Territory Budget if applicable territory law does not require legislative approval of such covered territorial instrumentality's budget.

(C) SEPARATE INSTRUMENTALITY BUDGETS AND REPORTS.—The Oversight Board in its sole discretion may or, if it requires a budget from a covered territorial instrumentality whose budget does not require legislative approval under applicable territory law, shall designate a covered territorial instrumentality to be the subject of an Instrumentality Budget separate from the applicable Territory Budget and require that the Governor develop such an Instrumentality Budget.

(D) INCLUSION IN TERRITORY FISCAL PLAN.—The Oversight Board may require, in its sole discretion, the Governor to include a covered territorial instrumentality in the applicable Territory Fiscal Plan. Any covered territorial instrumentality submitting a separate Instrumentality Fiscal Plan must also submit a separate Instrumentality Budget.

(E) SEPARATE INSTRUMENTALITY FISCAL PLANS.—The Oversight Board may designate, in its sole discretion, a covered territorial instrumentality to be the subject of an Instrumentality Fiscal Plan separate from the applicable Territory Fiscal Plan and require that the Governor develop such an Instrumentality Fiscal Plan. Any covered territorial instrumentality submitting a separate Instrumentality Fiscal Plan must also submit a separate Instrumentality Budget.

(2) EXCLUSION.—

(A) IN GENERAL.—An Oversight Board, in its sole discretion, at such time as the Oversight Board determines to be appropriate, may exclude any territorial instrumentality from the requirements of this Act.

(B) TREATMENT.—A territorial instrumentality excluded pursuant to this paragraph shall not be considered to be a covered territorial instrumentality.

(e) MEMBERSHIP.—

(1) IN GENERAL.—

(A) The Oversight Board shall consist of seven members appointed by the President who meet the qualifications described in subsection (f) and section 109(a).

(B) The Board shall be comprised of one Category A member, one Category B member, two Category C members, one Category D member, one Category E member, and one Category F member.

(2) APPOINTED MEMBERS.—

(A) The President shall appoint the individual members of the Oversight Board, of which—

(i) the Category A member should be selected from a list of individuals submitted by the Speaker of the House of Representatives;

(ii) the Category B member should be selected from a separate list of individuals submitted by the Speaker of the House of Representatives;

(iii) the Category C members should be selected from a list submitted by the Majority Leader of the Senate;

(iv) the Category D member should be selected from a list submitted by the Minority Leader of the House of Representatives;

(v) the Category E member should be selected from a list submitted by the Minority Leader of the Senate; and

(vi) the Category F member may be selected in the President's sole discretion.

(B) After the President's selection of the Category F Board member, for purposes of subparagraph (A) and within a timely manner—

(i) the Speaker of the House of Representatives shall submit two non-overlapping lists of at least three individuals to the President; one list shall include three individuals who maintain a primary residence in the territory or have a primary place of business in the territory;

(ii) the Senate Majority Leader shall submit a list of at least four individuals to the President;

(iii) the Minority Leader of the House of Representatives shall submit a list of at least three individuals to the President; and

(iv) the Minority Leader of the Senate shall submit a list of at least three individuals to the President.

(C) If the President does not select any of the names submitted under subparagraphs (A) and (B), then whoever submitted such list may supplement the lists provided in this subsection with additional names.

(D) The Category A member shall maintain a primary residence in the territory or have a primary place of business in the territory.

(E) With respect to the appointment of a Board member in Category A, B, C, D, or E, such an appointment shall be by and with the advice and consent of the Senate, unless the President appoints an individual from a list, as provided in this subsection, in which case no Senate confirmation is required.

(F) In the event of a vacancy of a Category A, B, C, D, or E Board seat, the corresponding congressional leader referenced in subparagraph (A) shall submit a list pursuant to this subsection within a timely manner of the Board member's resignation or removal becoming effective.

(G) With respect to an Oversight Board for Puerto Rico, in the event any of the 7 members have not been appointed by September 30, 2016, then the President shall appoint an individual from the list for the current vacant category by December 1, 2016, provided that such list includes at least 2 individuals per vacancy who meet the requirements set forth in subsection (f) and section 109, and are willing to serve.

(3) EX OFFICIO MEMBER.—The Governor, or the Governor's designee, shall be an ex officio member of the Oversight Board without voting rights.

(4) CHAIR.—The voting members of the Oversight Board shall designate one of the voting members of the Oversight Board as the Chair of the Oversight Board (referred to hereafter in this Act as the ''Chair'') within 30 days of the full appointment of the Oversight Board.

(5) TERM OF SERVICE.—

(A) IN GENERAL.—Each appointed member of the Oversight Board shall be appointed for a term of 3 years.

(B) REMOVAL.—The President may remove any member of the Oversight Board only for cause.

(C) CONTINUATION OF SERVICE UNTIL SUCCESSOR APPOINTED.—Upon the expiration of a term of office, a member of the Oversight Board may continue to serve until a successor has been appointed.

(D) REAPPOINTMENT.—An individual may serve consecutive terms as an appointed member, provided that such reappointment occurs in compliance with paragraph (6).

(6) VACANCIES.—A vacancy on the Oversight Board shall be filled in the same manner in which the original member was appointed.

(f) ELIGIBILITY FOR APPOINTMENTS.—An individual is eligible for appointment as a member of the Oversight Board only if the individual—

(1) has knowledge and expertise in finance, municipal bond markets, management, law, or the organization or operation of business or government; and

(2) prior to appointment, an individual is not an officer, elected official, or employee of the territorial government, a candidate for elected office of the territorial government, or a former elected official of the territorial government.

(g) NO COMPENSATION FOR SERVICE.—Members of the Oversight Board shall serve without pay, but may receive reimbursement from the Oversight Board for any reasonable and necessary expenses incurred by reason of service on the Oversight Board.

(h) ADOPTION OF BYLAWS FOR CONDUCTING BUSINESS OF OVERSIGHT BOARD.—

(1) IN GENERAL.—As soon as practicable after the appointment of all members and appointment of the Chair, the Oversight Board shall adopt bylaws, rules, and procedures governing its activities under this Act, including procedures for hiring experts and consultants. Such bylaws, rules, and procedures shall be public documents, and shall be submitted by the Oversight Board upon adoption to the Governor, the Legislature, the President, and Congress. The Oversight Board may hire professionals as it determines to be necessary to carry out this subsection.

(2) ACTIVITIES REQUIRING APPROVAL OF MAJORITY OF MEMBERS.—Under the bylaws adopted pursuant to paragraph (1), the Oversight Board may conduct its operations under such procedures as it considers appropriate, except that an affirmative vote of a majority of the members of the Oversight Board's full appointed membership shall be required in order for the Oversight Board to approve a Fiscal Plan under section 201, to approve a Budget under section 202, to cause a legislative act not to be enforced under section 204, or to approve or disapprove an infrastructure project as a Critical Project under section 503.

(3) ADOPTION OF RULES AND REGULATIONS OF TERRITORIAL GOVERNMENT.—The Oversight Board may incorporate in its bylaws, rules, and procedures under this subsection such rules and regulations of the territorial government as it considers appropriate to enable it to carry out its activities under this Act with the greatest degree of independence practicable.

(4) EXECUTIVE SESSION.—Upon a majority vote of the Oversight Board's full voting membership, the Oversight Board may conduct its business in an executive session that consists solely of the

Oversight Board's voting members and is closed to the public, but only for the business items set forth as part of the vote to convene an executive session.

SEC. 102. LOCATION OF OVERSIGHT BOARD.

The Oversight Board shall have an office in the covered territory and additional offices as it deems necessary. At any time, any department or agency of the United States may provide the Oversight Board use of Federal facilities and equipment on a reimbursable or non-reimbursable basis and subject to such terms and conditions as the head of that department or agency may establish.

SEC. 103. EXECUTIVE DIRECTOR AND STAFF OF OVERSIGHT BOARD.

(a) EXECUTIVE DIRECTOR.—The Oversight Board shall have an Executive Director who shall be appointed by the Chair with the consent of the Oversight Board. The Executive Director shall be paid at a rate determined by the Oversight Board.

(b) STAFF.—With the approval of the Chair, the Executive Director may appoint and fix the pay of additional personnel as the Executive Director considers appropriate, except that no individual appointed by the Executive Director may be paid at a rate greater than the rate of pay for the Executive Director unless the Oversight Board provides for otherwise. The staff shall include a Revitalization Coordinator appointed pursuant to Title V of this Act. Any such personnel may include private citizens, employees of the Federal Government, or employees of the territorial government, provided, however, that the Executive Director may not fix the pay of employees of the Federal Government or the territorial government.

(c) INAPPLICABILITY OF CERTAIN EMPLOYMENT AND PROCUREMENT LAWS.—The Executive Director and staff of the Oversight Board may be appointed and paid without regard to any provision of the laws of the covered territory or the Federal Government governing appointments and salaries. Any provision of the laws of the covered territory governing procurement shall not apply to the Oversight Board.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Chair, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, and in accordance with the Intergovernmental Personnel Act of 1970 (5 U.S.C. 3371–3375), any of the personnel of that department or agency to the Oversight Board to assist it in carrying out its duties under this Act.

(e) STAFF OF TERRITORIAL GOVERNMENT.—Upon request of the Chair, the head of any department or agency of the covered territory may detail, on a reimbursable or nonreimbursable basis, any of the personnel of that department or agency to the Oversight Board to assist it in carrying out its duties under this Act.

SEC. 104. POWERS OF OVERSIGHT BOARD.

(a) HEARINGS AND SESSIONS.—The Oversight Board may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Oversight Board considers appropriate. The Oversight Board may administer oaths or affirmations to witnesses appearing before it.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Oversight Board may, if authorized by the Oversight Board, take any action that the Oversight Board is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—

(1) FROM FEDERAL GOVERNMENT.—Notwithstanding sections 552 (commonly known as the Freedom of Information Act), 552a (commonly known as the Privacy Act of 1974), and 552b (commonly known as the Government in the Sunshine Act) of title 5, United States Code, the Oversight Board may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act, with the approval of the head of that department or agency.

(2) FROM TERRITORIAL GOVERNMENT.—Notwithstanding any other provision of law, the Oversight Board shall have the right to secure copies, whether written or electronic, of such records, documents, information, data, or metadata from the territorial government necessary to enable the Oversight Board to carry out its responsibilities under this Act. At the request of the Oversight Board, the Oversight Board shall be granted direct access to such information systems, records, documents, information, or data as will enable the Oversight Board to carry out its responsibilities under this Act. The head of the entity of the territorial government responsible shall provide the Oversight Board with such information and assistance (including granting the Oversight Board direct access to automated or other information systems) as the Oversight Board requires under this paragraph.

(d) OBTAINING CREDITOR INFORMATION.—

(1) Upon request of the Oversight Board, each creditor or organized group of creditors of a covered territory or covered territorial instrumentality seeking to participate in voluntary negotiations shall provide to the Oversight Board, and the Oversight Board shall make publicly available to any other participant, a statement setting forth—

(A) the name and address of the creditor or of each member of an organized group of creditors; and

(B) the nature and aggregate amount of claims or other economic interests held in relation to the issuer as of the later of—

(i) the date the creditor acquired the claims or other economic interests or, in the case of an organized group of creditors, the date the group was formed; or

(ii) the date the Oversight Board was formed.

(2) For purposes of this subsection, an organized group shall mean multiple creditors that are—

(A) acting in concert to advance their common interests, including, but not limited to, retaining legal counsel to represent such multiple entities; and

(B) not composed entirely of affiliates or insiders of one another.

(3) The Oversight Board may request supplemental statements to be filed by each creditor or organized group of creditors quarterly, or if any fact in the most recently filed statement has changed materially.

(e) GIFTS, BEQUESTS, AND DEVISES.—The Oversight Board may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Oversight Board. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in such account as the Oversight Board may establish and shall be available for disbursement upon order of the Chair, consistent with the Oversight Board's bylaws, or rules and procedures. All gifts, bequests or devises and the identities of the donors shall be publicly disclosed by the Oversight Board within 30 days of receipt.

(f) SUBPOENA POWER.—

(1) IN GENERAL.—The Oversight Board may issue subpoenas requiring the attendance and testimony of witnesses and the production of books, records, correspondence, memoranda, papers, documents, electronic files, metadata, tapes, and materials of any nature relating to any matter under investigation by the Oversight Board. Jurisdiction to compel the attendance of witnesses and the production of such materials shall be governed by the statute setting forth the scope of personal jurisdiction exercised by the covered territory, or in the case of Puerto Rico, 32 L.P.R.A. App. III. R. 4. 7., as amended.

(2) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under paragraph (1), the Oversight Board may apply to the court of first instance of the covered territory. Any failure to obey the order of the court may be punished by the court in accordance with civil contempt laws of the covered territory.

(3) SERVICE OF SUBPOENAS.—The subpoena of the Oversight Board shall be served in the manner provided by the rules of procedure for the courts of the covered territory, or in the case of Puerto Rico, the Rules of Civil Procedure of Puerto Rico, for subpoenas issued by the court of first instance of the covered territory.

(g) AUTHORITY TO ENTER INTO CONTRACTS.—The Executive Director may enter into such contracts as the Executive Director considers appropriate (subject to the approval of the Chair) consistent with the Oversight Board's bylaws, rules, and regulations to carry out the Oversight Board's responsibilities under this Act.

(h) AUTHORITY TO ENFORCE CERTAIN LAWS OF THE COVERED TERRITORY.—The Oversight Board shall ensure the purposes of this Act are met, including by ensuring the prompt enforcement of any applicable laws of the covered territory prohibiting public sector employees from participating in a strike or lockout. In the application of this subsection, with respect to Puerto Rico, the term ''applicable laws'' refers to 3 L.P.R.A. 1451q and 3 L.P.R.A. 1451r, as amended.

(i) VOLUNTARY AGREEMENT CERTIFICATION.—

(1) IN GENERAL.—The Oversight Board shall issue a certification to a covered territory or covered territorial instrumentality if the Oversight Board determines, in its sole discretion, that such covered territory or covered territorial instrumentality, as applicable, has successfully reached a voluntary agreement with holders of its Bond Claims to restructure such Bond Claims—

(A) except as provided in subparagraph (C), if an applicable Fiscal Plan has been certified, in a manner that provides for a sustainable level of debt for such covered territory or covered territorial instrumentality, as applicable, and is in conformance with the applicable certified Fiscal Plan;

(B) except as provided in subparagraph (C), if an applicable Fiscal Plan has not yet been certified, in a manner that provides, in the Oversight Board's sole discretion, for a sustainable level of debt for such covered territory or covered territorial instrumentality; or

(C) notwithstanding subparagraphs (A) and (B), if an applicable Fiscal Plan has not yet been certified and the voluntary agreement is limited solely to an extension of applicable principal maturities and interest on Bonds issued by such covered territory or covered territorial instrumentality, as applicable, for a period of up to one year during which time no interest will be paid on the Bond Claims affected by the voluntary agreement.

(2) EFFECTIVENESS.—The effectiveness of any voluntary agreement referred to in paragraph (1) shall be conditioned on—

(A) the Oversight Board delivering the certification described in paragraph (1); and

(B) the agreement of a majority in amount of the Bond Claims of a covered territory or a covered territorial instrumentality that are to be affected by such agreement, provided, however, that such agreement is solely for purposes of serving as a Qualifying Modification pursuant to subsection 601(g) of this Act and shall not alter existing legal rights of holders of Bond Claims against such covered territory or covered territorial instrumentality that have not assented to such agreement.

(3) PREEXISTING VOLUNTARY AGREEMENTS.—Any voluntary agreements that the territorial government or any covered territorial instrumentality has executed with holders of its debts to restructure such debts prior to the date of enactment of the Act shall be deemed to be in conformance with the requirements of this subsection, to the extent the requirements of paragraph (2)(B)(i) have been satisfied.

(j) RESTRUCTURING FILINGS.—

(1) IN GENERAL.—Subject to paragraph (3), before taking an action described in paragraph (2)

on behalf of a debtor or potential debtor in a case under title III, the Oversight Board must certify the action.

(2) ACTIONS DESCRIBED.—The actions referred to in paragraph (1) are—

(A) the filing of a petition; or

(B) the submission or modification of a plan of adjustment.

(3) CONDITION FOR PLANS OF ADJUSTMENT.—The Oversight Board may certify a plan of adjustment only if it determines, in its sole discretion, that it is consistent with the applicable certified Fiscal Plan.

(k) CIVIL ACTIONS TO ENFORCE POWERS.—The Oversight Board may seek judicial enforcement of its authority to carry out its responsibilities under this Act.

(l) PENALTIES.—

(1) ACTS PROHIBITED.—Any officer or employee of the territorial government who prepares, presents, or certifies any information or report for the Oversight Board or any of its agents that is intentionally false or misleading, or, upon learning that any such information is false or misleading, fails to immediately advise the Oversight Board or its agents thereof in writing, shall be subject to prosecution and penalties under any laws of the territory prohibiting the provision of false information to government officials, which in the case of Puerto Rico shall include 33 L.P.R.A. 4889, as amended.

(2) ADMINISTRATIVE DISCIPLINE.—In addition to any other applicable penalty, any officer or employee of the territorial government who knowingly and willfully violates paragraph (1) or takes any such action in violation of any valid order of the Oversight Board or fails or refuses to take any action required by any such order, shall be subject to appropriate administrative discipline, including (when appropriate) suspension from duty without pay or removal from office, by order of the Governor.

(3) REPORT BY GOVERNOR ON DISCIPLINARY ACTIONS TAKEN.—In the case of a violation of paragraph (2) by an officer or employee of the territorial government, the Governor shall immediately report to the Oversight Board all pertinent facts together with a statement of the action taken thereon.

(m) ELECTRONIC REPORTING.—The Oversight Board may, in consultation with the Governor, ensure the prompt and efficient payment and administration of taxes through the adoption of electronic reporting, payment and auditing technologies.

(n) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Oversight Board, the Administrator of General Services or other appropriate Federal agencies shall promptly provide to the Oversight Board, on a reimbursable or non-reimbursable basis, the administrative support services necessary for the Oversight Board to carry out its responsibilities under this Act.

(o) INVESTIGATION OF DISCLOSURE AND SELLING PRACTICES.—The Oversight Board may investigate the disclosure and selling practices in connection with the purchase of bonds issued by the Government of Puerto Rico for or on behalf of any retail investors including any underrepresentation of risk for such investors and any relationships or conflicts of interest maintained by such broker, dealer, or investment adviser is as provided in applicable laws and regulations.

(p) FINDINGS OF ANY INVESTIGATION.—The Oversight Board shall make public the findings of any investigation referenced in subsection (o).

SEC. 105. EXEMPTION FROM LIABILITY FOR CLAIMS.

The Oversight Board, its members, and its employees shall not be liable for any obligation of or claim against the Oversight Board or its members or employees or the territorial government resulting from actions taken to carry out this Act.

SEC. 106. TREATMENT OF ACTIONS ARISING FROM ACT.

(a) JURISDICTION.—Except as provided in section 104(f)(2) (relating to the issuance of an order enforcing a subpoena), and title III (relating to adjustments of debts), any action against the Oversight Board, and any action otherwise arising out of this Act, in whole or in part, shall be brought in a United States district court for the covered territory or, for any covered territory that does not have a district court, in the United States District Court for the District of Hawaii.

(b) APPEAL.—Notwithstanding any other provision of law, any order of a United States district court that is issued pursuant to an action brought under subsection (a) shall be subject to review only pursuant to a notice of appeal to the applicable United States Court of Appeals.

(c) TIMING OF RELIEF.—Except with respect to any orders entered to remedy constitutional violations, no order of any court granting declaratory or injunctive relief against the Oversight Board, including relief permitting or requiring the obligation, borrowing, or expenditure of funds, shall take effect during the pendency of the action before such court, during the time appeal may be taken, or (if appeal is taken) during the period before the court has entered its final order disposing of such action.

(d) EXPEDITED CONSIDERATION.—It shall be the duty of the applicable United States District Court, the applicable United States Court of Appeals, and, as applicable, the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this Act.

(e) REVIEW OF OVERSIGHT BOARD CERTIFICATIONS.—There shall be no jurisdiction in any United States district court to review challenges to the Oversight Board's certification determinations under this Act.

SEC. 107. BUDGET AND FUNDING FOR OPERATION OF OVERSIGHT BOARD.

(a) SUBMISSION OF BUDGET.—The Oversight Board shall submit a budget for each fiscal year during which the Oversight Board is in operation, to the President, the House of Representatives Committee on Natural Resources and the Senate Committee on Energy and Natural Resources, the Governor, and the Legislature.

(b) FUNDING.—The Oversight Board shall use its powers with respect to the Territory Budget of the covered territory to ensure that sufficient funds are available to cover all expenses of the Oversight Board. Within 30 days after the date of enactment of this Act, the territorial government shall designate a dedicated funding source, not subject to subsequent legislative appropriations, sufficient to support the annual expenses of the Oversight Board as determined in the Oversight Board's sole and exclusive discretion.

SEC. 108. AUTONOMY OF OVERSIGHT BOARD.

(a) IN GENERAL.—Neither the Governor nor the Legislature may—

(1) exercise any control, supervision, oversight, or review over the Oversight Board or its activities; or

(2) enact, implement, or enforce any statute, resolution, policy, or rule that would impair or defeat the purposes of this Act, as determined by the Oversight Board.

(b) OVERSIGHT BOARD LEGAL REPRESENTATION.—In any action brought by or on behalf of the Oversight Board, the Oversight Board shall be represented by such counsel as it may hire or retain so long as no conflict of interest exists.

SEC. 109. ETHICS.

(a) CONFLICT OF INTEREST.—Notwithstanding any ethics provision governing employees of the covered territory, all members and staff of the Oversight Board shall be subject to the Federal conflict of interest requirements described in section 208 of title 18, United States Code.

(b) FINANCIAL DISCLOSURE.—Notwithstanding any ethics provision governing employees of the covered territory, all members of the Oversight Board and staff designated by the Oversight Board shall be subject to disclosure of their financial interests, the contents of which shall conform to the same requirements set forth in section 102 of the Ethics in Government Act of 1978 (5 U.S.C. app.).

TITLE II—RESPONSIBILITIES OF OVERSIGHT BOARD

SEC. 201. APPROVAL OF FISCAL PLANS.

(a) IN GENERAL.—As soon as practicable after all of the members and the Chair have been appointed to the Oversight Board in accordance with section 101(e) in the fiscal year in which the Oversight Board is established, and in each fiscal year thereafter during which the Oversight Board is in operation, the Oversight Board shall deliver a notice to the Governor providing a schedule for the process of development, submission, approval, and certification of Fiscal Plans. The notice may also set forth a schedule for revisions to any Fiscal Plan that has already been certified, which revisions must be subject to subsequent approval and certification by the Oversight Board. The Oversight Board shall consult with the Governor in establishing a schedule, but the Oversight Board shall retain sole discretion to set or, by delivery of a subsequent notice to the Governor, change the dates of such schedule as it deems appropriate and reasonably feasible.

(b) REQUIREMENTS.—

(1) IN GENERAL.—A Fiscal Plan developed under this section shall, with respect to the territorial government or covered territorial instrumentality, provide a method to achieve fiscal responsibility and access to the capital markets, and—

(A) provide for estimates of revenues and expenditures in conformance with agreed accounting standards and be based on—

(i) applicable laws; or

(ii) specific bills that require enactment in order to reasonably achieve the projections of the Fiscal Plan;

(B) ensure the funding of essential public services;

(C) provide adequate funding for public pension systems;

(D) provide for the elimination of structural deficits;

(E) for fiscal years covered by a Fiscal Plan in which a stay under titles III or IV is not effective, provide for a debt burden that is sustainable;

(F) improve fiscal governance, accountability, and internal controls;

(G) enable the achievement of fiscal targets;

(H) create independent forecasts of revenue for the period covered by the Fiscal Plan;

(I) include a debt sustainability analysis;

(J) provide for capital expenditures and investments necessary to promote economic growth;

(K) adopt appropriate recommendations submitted by the Oversight Board under section 205(a);

(L) include such additional information as the Oversight Board deems necessary;

(M) ensure that assets, funds, or resources of a territorial instrumentality are not loaned to, transferred to, or otherwise used for the benefit of a covered territory or another covered territorial instrumentality of a covered territory, unless permitted by the constitution of the territory, an approved plan of adjustment under title III, or a Qualifying Modification approved under title VI; and

(N) respect the relative lawful priorities or lawful liens, as may be applicable, in the constitution, other laws, or agreements of a covered territory or covered territorial instrumentality in effect prior to the date of enactment of this Act.

(2) TERM.—A Fiscal Plan developed under this section shall cover a period of fiscal years as determined by the Oversight Board in its sole discretion but in any case a period of not less than

5 fiscal years from the fiscal year in which it is certified by the Oversight Board.

(c) DEVELOPMENT, REVIEW, APPROVAL, AND CERTIFICATION OF FISCAL PLANS.—

(1) TIMING REQUIREMENT.—The Governor may not submit to the Legislature a Territory Budget under section 202 for a fiscal year unless the Oversight Board has certified the Territory Fiscal Plan for that fiscal year in accordance with this subsection, unless the Oversight Board in its sole discretion waives this requirement.

(2) FISCAL PLAN DEVELOPED BY GOVERNOR.—The Governor shall submit to the Oversight Board any proposed Fiscal Plan required by the Oversight Board by the time specified in the notice delivered under subsection (a).

(3) REVIEW BY THE OVERSIGHT BOARD.—The Oversight Board shall review any proposed Fiscal Plan to determine whether it satisfies the requirements set forth in subsection (b) and, if the Oversight Board determines in its sole discretion that the proposed Fiscal Plan—

(A) satisfies such requirements, the Oversight Board shall approve the proposed Fiscal Plan; or

(B) does not satisfy such requirements, the Oversight Board shall provide to the Governor—

(i) a notice of violation that includes recommendations for revisions to the applicable Fiscal Plan; and

(ii) an opportunity to correct the violation in accordance with subsection (d)(1).

(d) REVISED FISCAL PLAN.—

(1) IN GENERAL.—If the Governor receives a notice of violation under subsection (c)(3), the Governor shall submit to the Oversight Board a revised proposed Fiscal Plan in accordance with subsection (b) by the time specified in the notice delivered under subsection (a). The Governor may submit as many revised Fiscal Plans to the Oversight Board as the schedule established in the notice delivered under subsection (a) permits.

(2) DEVELOPMENT BY OVERSIGHT BOARD.—If the Governor fails to submit to the Oversight Board a Fiscal Plan that the Oversight Board determines in its sole discretion satisfies the requirements set forth in subsection (b) by the time specified in the notice delivered under subsection (a), the Oversight Board shall develop and submit to the Governor and the Legislature a Fiscal Plan that satisfies the requirements set forth in subsection (b).

(e) APPROVAL AND CERTIFICATION.—

(1) APPROVAL OF FISCAL PLAN DEVELOPED BY GOVERNOR.—If the Oversight Board approves a Fiscal Plan under subsection (c)(3), it shall deliver a compliance certification for such Fiscal Plan to the Governor and the Legislature.

(2) DEEMED APPROVAL OF FISCAL PLAN DEVELOPED BY OVERSIGHT BOARD.—If the Oversight Board develops a Fiscal Plan under subsection (d)(2), such Fiscal Plan shall be deemed approved by the Governor, and the Oversight Board shall issue a compliance certification for such Fiscal Plan to the Governor and the Legislature.

(f) JOINT DEVELOPMENT OF FISCAL PLAN.—Notwithstanding any other provision of this section, if the Governor and the Oversight Board jointly develop a Fiscal Plan for the fiscal year that meets the requirements under this section, and that the Governor and the Oversight Board certify that the fiscal plan reflects a consensus between the Governor and the Oversight Board, then such Fiscal Plan shall serve as the Fiscal Plan for the territory or territorial instrumentality for that fiscal year.

SEC. 202. APPROVAL OF BUDGETS.

(a) REASONABLE SCHEDULE FOR DEVELOPMENT OF BUDGETS.—As soon as practicable after all of the members and the Chair have been appointed to the Oversight Board in the fiscal year in which the Oversight Board is established, and in each fiscal year thereafter during which the Oversight Board is in operation, the Oversight Board shall deliver a notice to the Governor and the Legislature providing a schedule for developing, submitting, approving, and certifying Budgets for a period of fiscal years as determined by the Oversight Board in its sole discretion but in any case a period of not less than one fiscal year following the fiscal year in which the notice is delivered. The notice may also set forth a schedule for revisions to Budgets that have already been certified, which revisions must be subject to subsequent approval and certification by the Oversight Board. The Oversight Board shall consult with the Governor and the Legislature in establishing a schedule, but the Oversight Board shall retain sole discretion to set or, by delivery of a subsequent notice to the Governor and the Legislature, change the dates of such schedule as it deems appropriate and reasonably feasible.

(b) REVENUE FORECAST.—The Oversight Board shall submit to the Governor and Legislature a forecast of revenues for the period covered by the Budgets by the time specified in the notice delivered under subsection (a), for use by the Governor in developing the Budget under subsection (c).

(c) BUDGETS DEVELOPED BY GOVERNOR.—

(1) GOVERNOR'S PROPOSED BUDGETS.—The Governor shall submit to the Oversight Board proposed Budgets by the time specified in the notice delivered under subsection (a). In consultation with the Governor in accordance with the process specified in the notice delivered under subsection (a), the Oversight Board shall determine in its sole discretion whether each proposed Budget is compliant with the applicable Fiscal Plan and—

(A) if a proposed Budget is a compliant budget, the Oversight Board shall—

(i) approve the Budget; and

(ii) if the Budget is a Territory Budget, submit the Territory Budget to the Legislature; or

(B) if the Oversight Board determines that the Budget is not a compliant budget, the Oversight Board shall provide to the Governor—

(i) a notice of violation that includes a description of any necessary corrective action; and

(ii) an opportunity to correct the violation in accordance with paragraph (2).

(2) GOVERNOR'S REVISIONS.—The Governor may correct any violations identified by the Oversight Board and submit a revised proposed Budget to the Oversight Board in accordance with paragraph (1). The Governor may submit as many revised Budgets to the Oversight Board as the schedule established in the notice delivered under subsection (a) permits. If the Governor fails to develop a Budget that the Oversight Board determines is a compliant budget by the time specified in the notice delivered under subsection (a), the Oversight Board shall develop and submit to the Governor, in the case of an Instrumentality Budget, and to the Governor and the Legislature, in the case of a Territory Budget, a revised compliant budget.

(d) BUDGET APPROVAL BY LEGISLATURE.—

(1) LEGISLATURE ADOPTED BUDGET.—The Legislature shall submit to the Oversight Board the Territory Budget adopted by the Legislature by the time specified in the notice delivered under subsection (a). The Oversight Board shall determine whether the adopted Territory Budget is a compliant budget and—

(A) if the adopted Territory Budget is a compliant budget, the Oversight Board shall issue a compliance certification for such compliant budget pursuant to subsection (e); and

(B) if the adopted Territory Budget is not a compliant budget, the Oversight Board shall provide to the Legislature—

(i) a notice of violation that includes a description of any necessary corrective action; and

(ii) an opportunity to correct the violation in accordance with paragraph (2).

(2) LEGISLATURE'S REVISIONS.—The Legislature may correct any violations identified by the Oversight Board and submit a revised Territory Budget to the Oversight Board in accordance with the process established under paragraph (1) and by the time specified in the notice delivered under subsection (a). The Legislature may submit as many revised adopted Territory Budgets to the Oversight Board as the schedule established in the notice delivered under subsection (a) permits. If the Legislature fails to adopt a Territory Budget that the Oversight Board determines is a compliant budget by the time specified in the notice delivered under subsection (a), the Oversight Board shall develop a revised Territory Budget that is a compliant budget and submit it to the Governor and the Legislature.

(e) CERTIFICATION OF BUDGETS.—

(1) CERTIFICATION OF DEVELOPED AND APPROVED TERRITORY BUDGETS.—If the Governor and the Legislature develop and approve a Territory Budget that is a compliant budget by the day before the first day of the fiscal year for which the Territory Budget is being developed and in accordance with the process established under subsections (c) and (d), the Oversight Board shall issue a compliance certification to the Governor and the Legislature for such Territory Budget.

(2) CERTIFICATION OF DEVELOPED INSTRUMENTALITY BUDGETS.—If the Governor develops an Instrumentality Budget that is a compliant budget by the day before the first day of the fiscal year for which the Instrumentality Budget is being developed and in accordance with the process established under subsection (c), the Oversight Board shall issue a compliance certification to the Governor for such Instrumentality Budget.

(3) DEEMED CERTIFICATION OF TERRITORY BUDGETS.—If the Governor and the Legislature fail to develop and approve a Territory Budget that is a compliant budget by the day before the first day of the fiscal year for which the Territory Budget is being developed, the Oversight Board shall submit a Budget to the Governor and the Legislature (including any revision to the Territory Budget made by the Oversight Board pursuant to subsection (d)(2)) and such Budget shall be—

(A) deemed to be approved by the Governor and the Legislature;

(B) the subject of a compliance certification issued by the Oversight Board to the Governor and the Legislature; and

(C) in full force and effect beginning on the first day of the applicable fiscal year.

(4) DEEMED CERTIFICATION OF INSTRUMENTALITY BUDGETS.—If the Governor fails to develop an Instrumentality Budget that is a compliant budget by the day before the first day of the fiscal year for which the Instrumentality Budget is being developed, the Oversight Board shall submit an Instrumentality Budget to the Governor (including any revision to the Instrumentality Budget made by the Oversight Board pursuant to subsection (c)(2)) and such Budget shall be—

(A) deemed to be approved by the Governor;

(B) the subject of a compliance certification issued by the Oversight Board to the Governor; and

(C) in full force and effect beginning on the first day of the applicable fiscal year.

(f) JOINT DEVELOPMENT OF BUDGETS.—Notwithstanding any other provision of this section, if, in the case of a Territory Budget, the Governor, the Legislature, and the Oversight Board, or in the case of an Instrumentality Budget, the Governor and the Oversight Board, jointly develop such Budget for the fiscal year that meets the requirements under this section, and that the relevant parties certify that such budget reflects a consensus among them, then such Budget shall serve as the Budget for the territory or territorial instrumentality for that fiscal year.

SEC. 203. EFFECT OF FINDING OF NONCOMPLIANCE WITH BUDGET.

(a) SUBMISSION OF REPORTS.—Not later than 15 days after the last day of each quarter of a fiscal year (beginning with the fiscal year determined by the Oversight Board), the Governor

shall submit to the Oversight Board a report, in such form as the Oversight Board may require, describing—

(1) the actual cash revenues, cash expenditures, and cash flows of the territorial government for the preceding quarter, as compared to the projected revenues, expenditures, and cash flows contained in the certified Budget for such preceding quarter; and

(2) any other information requested by the Oversight Board, which may include a balance sheet or a requirement that the Governor provide information for each covered territorial instrumentality separately.

(b) INITIAL ACTION BY OVERSIGHT BOARD.—

(1) IN GENERAL.—If the Oversight Board determines, based on reports submitted by the Governor under subsection (a), independent audits, or such other information as the Oversight Board may obtain, that the actual quarterly revenues, expenditures, or cash flows of the territorial government are not consistent with the projected revenues, expenditures, or cash flows set forth in the certified Budget for such quarter, the Oversight Board shall—

(A) require the territorial government to provide such additional information as the Oversight Board determines to be necessary to explain the inconsistency; and

(B) if the additional information provided under subparagraph (A) does not provide an explanation for the inconsistency that the Oversight Board finds reasonable and appropriate, advise the territorial government to correct the inconsistency by implementing remedial action.

(2) DEADLINES.—The Oversight Board shall establish the deadlines by which the territorial government shall meet the requirements of subparagraphs (A) and (B) of paragraph (1).

(c) CERTIFICATION.—

(1) INCONSISTENCY.—If the territorial government fails to provide additional information under subsection (b)(1)(A), or fails to correct an inconsistency under subsection (b)(1)(B), prior to the applicable deadline under subsection (b)(2), the Oversight Board shall certify to the President, the House of Representatives Committee on Natural Resources, the Senate Committee on Energy and Natural Resources, the Governor, and the Legislature that the territorial government is inconsistent with the applicable certified Budget, and shall describe the nature and amount of the inconsistency.

(2) CORRECTION.—If the Oversight Board determines that the territorial government has initiated such measures as the Oversight Board considers sufficient to correct an inconsistency certified under paragraph (1), the Oversight Board shall certify the correction to the President, the House of Representatives Committee on Natural Resources, the Senate Committee on Energy and Natural Resources, the Governor, and the Legislature.

(d) BUDGET REDUCTIONS BY OVERSIGHT BOARD.—If the Oversight Board determines that the Governor, in the case of any then-applicable certified Instrumentality Budgets, and the Governor and the Legislature, in the case of the then-applicable certified Territory Budget, have failed to correct an inconsistency identified by the Oversight Board under subsection (c), the Oversight Board shall—

(1) with respect to the territorial government, other than covered territorial instrumentalities, make appropriate reductions in nondebt expenditures to ensure that the actual quarterly revenues and expenditures for the territorial government are in compliance with the applicable certified Territory Budget or, in the case of the fiscal year in which the Oversight Board is established, the budget adopted by the Governor and the Legislature; and

(2) with respect to covered territorial instrumentalities at the sole discretion of the Oversight Board—

(A) make reductions in nondebt expenditures to ensure that the actual quarterly revenues and expenses for the covered territorial instrumentality are in compliance with the applicable certified Budget or, in the case of the fiscal year in which the Oversight Board is established, the budget adopted by the Governor and the Legislature or the covered territorial instrumentality, as applicable; or

(B)(i) institute automatic hiring freezes at the covered territorial instrumentality; and

(ii) prohibit the covered territorial instrumentality from entering into any contract or engaging in any financial or other transactions, unless the contract or transaction was previously approved by the Oversight Board.

(e) TERMINATION OF BUDGET REDUCTIONS.—The Oversight Board shall cancel the reductions, hiring freezes, or prohibition on contracts and financial transactions under subsection (d) if the Oversight Board determines that the territorial government or covered territorial instrumentality, as applicable, has initiated appropriate measures to reduce expenditures or increase revenues to ensure that the territorial government or covered territorial instrumentality is in compliance with the applicable certified Budget or, in the case of the fiscal year in which the Oversight Board is established, the budget adopted by the Governor and the Legislature.

SEC. 204. REVIEW OF ACTIVITIES TO ENSURE COMPLIANCE WITH FISCAL PLAN.

(a) SUBMISSION OF LEGISLATIVE ACTS TO OVERSIGHT BOARD.—

(1) SUBMISSION OF ACTS.—Except to the extent that the Oversight Board may provide otherwise in its bylaws, rules, and procedures, not later than 7 business days after a territorial government duly enacts any law during any fiscal year in which the Oversight Board is in operation, the Governor shall submit the law to the Oversight Board.

(2) COST ESTIMATE; CERTIFICATION OF COMPLIANCE OR NONCOMPLIANCE.—The Governor shall include with each law submitted to the Oversight Board under paragraph (1) the following:

(A) A formal estimate prepared by an appropriate entity of the territorial government with expertise in budgets and financial management of the impact, if any, that the law will have on expenditures and revenues.

(B) If the appropriate entity described in subparagraph (A) finds that the law is not significantly inconsistent with the Fiscal Plan for the fiscal year, it shall issue a certification of such finding.

(C) If the appropriate entity described in subparagraph (A) finds that the law is significantly inconsistent with the Fiscal Plan for the fiscal year, it shall issue a certification of such finding, together with the entity's reasons for such finding.

(3) NOTIFICATION.—The Oversight Board shall send a notification to the Governor and the Legislature if—

(A) the Governor submits a law to the Oversight Board under this subsection that is not accompanied by the estimate required under paragraph (2)(A);

(B) the Governor submits a law to the Oversight Board under this subsection that is not accompanied by either a certification described in paragraph (2)(B) or (2)(C); or

(C) the Governor submits a law to the Oversight Board under this subsection that is accompanied by a certification described in paragraph (2)(C) that the law is significantly inconsistent with the Fiscal Plan.

(4) OPPORTUNITY TO RESPOND TO NOTIFICATION.—

(A) FAILURE TO PROVIDE ESTIMATE OR CERTIFICATION.—After sending a notification to the Governor and the Legislature under paragraph (3)(A) or (3)(B) with respect to a law, the Oversight Board may direct the Governor to provide the missing estimate or certification (as the case may be), in accordance with such procedures as the Oversight Board may establish.

(B) SUBMISSION OF CERTIFICATION OF SIGNIFICANT INCONSISTENCY WITH FISCAL PLAN AND BUDGET.—In accordance with such procedures as the Oversight Board may establish, after sending a notification to the Governor and Legislature under paragraph (3)(C) that a law is significantly inconsistent with the Fiscal Plan, the Oversight Board shall direct the territorial government to—

(i) correct the law to eliminate the inconsistency; or

(ii) provide an explanation for the inconsistency that the Oversight Board finds reasonable and appropriate.

(5) FAILURE TO COMPLY.—If the territorial government fails to comply with a direction given by the Oversight Board under paragraph (4) with respect to a law, the Oversight Board may take such actions as it considers necessary, consistent with this Act, to ensure that the enactment or enforcement of the law will not adversely affect the territorial government's compliance with the Fiscal Plan, including preventing the enforcement or application of the law.

(6) PRELIMINARY REVIEW OF PROPOSED ACTS.—At the request of the Legislature, the Oversight Board may conduct a preliminary review of proposed legislation before the Legislature to determine whether the legislation as proposed would be consistent with the applicable Fiscal Plan under this subtitle, except that any such preliminary review shall not be binding on the Oversight Board in reviewing any law subsequently submitted under this subsection.

(b) EFFECT OF APPROVED FISCAL PLAN ON CONTRACTS, RULES, AND REGULATIONS.—

(1) TRANSPARENCY IN CONTRACTING.—The Oversight Board shall work with a covered territory's office of the comptroller or any functionally equivalent entity to promote compliance with the applicable law of any covered territory that requires agencies and instrumentalities of the territorial government to maintain a registry of all contracts executed, including amendments thereto, and to remit a copy to the office of the comptroller for inclusion in a comprehensive database available to the public. With respect to Puerto Rico, the term ''applicable law'' refers to 2 L.P.R.A. 97, as amended.

(2) AUTHORITY TO REVIEW CERTAIN CONTRACTS.—The Oversight Board may establish policies to require prior Oversight Board approval of certain contracts, including leases and contracts to a governmental entity or government-owned corporations rather than private enterprises that are proposed to be executed by the territorial government, to ensure such proposed contracts promote market competition and are not inconsistent with the approved Fiscal Plan.

(3) SENSE OF CONGRESS.—It is the sense of Congress that any policies established by the Oversight Board pursuant to paragraph (2) should be designed to make the government contracting process more effective, to increase the public's faith in this process, to make appropriate use of the Oversight Board's time and resources, to make the territorial government a facilitator and not a competitor to private enterprise, and to avoid creating any additional bureaucratic obstacles to efficient contracting.

(4) AUTHORITY TO REVIEW CERTAIN RULES, REGULATIONS, AND EXECUTIVE ORDERS.—The provisions of this paragraph shall apply with respect to a rule, regulation, or executive order proposed to be issued by the Governor (or the head of any department or agency of the territorial government) in the same manner as such provisions apply to a contract.

(5) FAILURE TO COMPLY.—If a contract, rule, regulation, or executive order fails to comply with policies established by the Oversight Board under this subsection, the Oversight Board may take such actions as it considers necessary to ensure that such contract, rule, executive order or regulation will not adversely affect the territorial government's compliance with the Fiscal Plan, including by preventing the execution or enforcement of the contract, rule, executive order or regulation.

(c) RESTRICTIONS ON BUDGETARY ADJUSTMENTS.—

(1) SUBMISSIONS OF REQUESTS TO OVERSIGHT BOARD.—If the Governor submits a request to the Legislature for the reprogramming of any amounts provided in a certified Budget, the Governor shall submit such request to the Oversight Board, which shall analyze whether the proposed reprogramming is significantly inconsistent with the Budget, and submit its analysis to the Legislature as soon as practicable after receiving the request.

(2) NO ACTION PERMITTED UNTIL ANALYSIS RECEIVED.—The Legislature shall not adopt a reprogramming, and no officer or employee of the territorial government may carry out any reprogramming, until the Oversight Board has provided the Legislature with an analysis that certifies such reprogramming will not be inconsistent with the Fiscal Plan and Budget.

(3) PROHIBITION ON ACTION UNTIL OVERSIGHT BOARD IS APPOINTED.—During the period after a territory becomes a covered territory and prior to the appointment of all members and the Chair of the Oversight Board, such covered territory shall not enact new laws that either permit the transfer of any funds or assets outside the ordinary course of business or that are inconsistent with the constitution or laws of the territory as of the date of enactment of this Act, provided that any executive or legislative action authorizing the movement of funds or assets during this time period may be subject to review and reversal by the Oversight Board upon appointment of the Oversight Board's full membership.

(d) IMPLEMENTATION OF FEDERAL PROGRAMS.—In taking actions under this Act, the Oversight Board shall not exercise applicable authorities to impede territorial actions taken to—

(1) comply with a court-issued consent decree or injunction, or an administrative order or settlement with a Federal agency, with respect to Federal programs;

(2) implement a federally authorized or federally delegated program; or

(3) implement territorial laws, which are consistent with a certified Fiscal Plan, that execute Federal requirements and standards.

SEC. 205. RECOMMENDATIONS ON FINANCIAL STABILITY AND MANAGEMENT RESPONSIBILITY.

(a) IN GENERAL.—The Oversight Board may at any time submit recommendations to the Governor or the Legislature on actions the territorial government may take to ensure compliance with the Fiscal Plan, or to otherwise promote the financial stability, economic growth, management responsibility, and service delivery efficiency of the territorial government, including recommendations relating to—

(1) the management of the territorial government's financial affairs, including economic forecasting and multiyear fiscal forecasting capabilities, information technology, placing controls on expenditures for personnel, reducing benefit costs, reforming procurement practices, and placing other controls on expenditures;

(2) the structural relationship of departments, agencies, and independent agencies within the territorial government;

(3) the modification of existing revenue structures, or the establishment of additional revenue structures;

(4) the establishment of alternatives for meeting obligations to pay for the pensions of territorial government employees;

(5) modifications or transfers of the types of services that are the responsibility of, and are delivered by the territorial government;

(6) modifications of the types of services that are delivered by entities other than the territorial government under alternative service delivery mechanisms;

(7) the effects of the territory's laws and court orders on the operations of the territorial government;

(8) the establishment of a personnel system for employees of the territorial government that is based upon employee performance standards;

(9) the improvement of personnel training and proficiency, the adjustment of staffing levels, and the improvement of training and performance of management and supervisory personnel; and

(10) the privatization and commercialization of entities within the territorial government.

(b) RESPONSE TO RECOMMENDATIONS BY THE TERRITORIAL GOVERNMENT.—

(1) IN GENERAL.—In the case of any recommendations submitted under subsection (a) that are within the authority of the territorial government to adopt, not later than 90 days after receiving the recommendations, the Governor or the Legislature (whichever has the authority to adopt the recommendation) shall submit a statement to the Oversight Board that provides notice as to whether the territorial government will adopt the recommendations.

(2) IMPLEMENTATION PLAN REQUIRED FOR ADOPTED RECOMMENDATIONS.—If the Governor or the Legislature (whichever is applicable) notifies the Oversight Board under paragraph (1) that the territorial government will adopt any of the recommendations submitted under subsection (a), the Governor or the Legislature (whichever is applicable) shall include in the statement a written plan to implement the recommendation that includes—

(A) specific performance measures to determine the extent to which the territorial government has adopted the recommendation; and

(B) a clear and specific timetable pursuant to which the territorial government will implement the recommendation.

(3) EXPLANATIONS REQUIRED FOR RECOMMENDATIONS NOT ADOPTED.—If the Governor or the Legislature (whichever is applicable) notifies the Oversight Board under paragraph (1) that the territorial government will not adopt any recommendation submitted under subsection (a) that the territorial government has authority to adopt, the Governor or the Legislature shall include in the statement explanations for the rejection of the recommendations, and the Governor or the Legislature shall submit such statement of explanations to the President and Congress.

SEC. 206. OVERSIGHT BOARD DUTIES RELATED TO RESTRUCTURING.

(a) REQUIREMENTS FOR RESTRUCTURING CERTIFICATION.—The Oversight Board, prior to issuing a restructuring certification regarding an entity (as such term is defined in section 101 of title 11, United States Code), shall determine, in its sole discretion, that—

(1) the entity has made good-faith efforts to reach a consensual restructuring with creditors;

(2) the entity has—

(A) adopted procedures necessary to deliver timely audited financial statements; and

(B) made public draft financial statements and other information sufficient for any interested person to make an informed decision with respect to a possible restructuring;

(3) the entity is either a covered territory that has adopted a Fiscal Plan certified by the Oversight Board, a covered territorial instrumentality that is subject to a Territory Fiscal Plan certified by the Oversight Board, or a covered territorial instrumentality that has adopted an Instrumentality Fiscal Plan certified by the Oversight Board; and

(4)(A) no order approving a Qualifying Modification under section 601 has been entered with respect to such entity; or

(B) if an order approving a Qualifying Modification has been entered with respect to such entity, the entity is unable to make its debt payments notwithstanding the approved Qualifying Modification, in which case, all claims affected by the Qualifying Modification shall be subject to a title III case.

(b) ISSUANCE OF RESTRUCTURING CERTIFICATION.—The issuance of a restructuring certification under this section requires a vote of no fewer than 5 members of the Oversight Board in the affirmative, which shall satisfy the requirement set forth in section 302(2) of this Act.

SEC. 207. OVERSIGHT BOARD AUTHORITY RELATED TO DEBT ISSUANCE.

For so long as the Oversight Board remains in operation, no territorial government may, without the prior approval of the Oversight Board, issue debt or guarantee, exchange, modify, repurchase, redeem, or enter into similar transactions with respect to its debt.

SEC. 208. REQUIRED REPORTS.

(a) ANNUAL REPORT.—Not later than 30 days after the last day of each fiscal year, the Oversight Board shall submit a report to the President, Congress, the Governor and the Legislature, describing—

(1) the progress made by the territorial government in meeting the objectives of this Act during the fiscal year;

(2) the assistance provided by the Oversight Board to the territorial government in meeting the purposes of this Act during the fiscal year;

(3) recommendations to the President and Congress on changes to this Act or other Federal laws, or other actions of the Federal Government, that would assist the territorial government in complying with any certified Fiscal Plan;

(4) the precise manner in which funds allocated to the Oversight Board under section 107 and, as applicable, section 104(e) have been spent by the Oversight Board during the fiscal year; and

(5) any other activities of the Oversight Board during the fiscal year.

(b) REPORT ON DISCRETIONARY TAX ABATEMENT AGREEMENTS.—Within six months of the establishment of the Oversight Board, the Governor shall submit a report to the Oversight Board documenting all existing discretionary tax abatement or similar tax relief agreements to which the territorial government, or any territorial instrumentality, is a party, provided that—

(1) nothing in this Act shall be interpreted to limit the power of the territorial government or any territorial instrumentality to execute or modify discretionary tax abatement or similar tax relief agreements, or to enforce compliance with the terms and conditions of any discretionary tax abatement or similar tax relief agreement, to which the territorial government or any territorial instrumentality is a party; and

(2) the members and staff of the Oversight Board shall not disclose the contents of the report described in this subsection, and shall otherwise comply with all applicable territorial and Federal laws and regulations regarding the handling of confidential taxpayer information.

(c) QUARTERLY REPORTS OF CASH FLOW.—The Oversight Board, when feasible, shall report on the amount of cash flow available for the payment of debt service on all notes, bonds, debentures, credit agreements, or other instruments for money borrowed whose enforcement is subject to a stay or moratorium hereunder, together with any variance from the amount set forth in the debt sustainability analysis of the Fiscal Plan under section 201(b)(1)(I).

SEC. 209. TERMINATION OF OVERSIGHT BOARD.

An Oversight Board shall terminate upon certification by the Oversight Board that—

(1) the applicable territorial government has adequate access to short-term and long-term credit markets at reasonable interest rates to meet the borrowing needs of the territorial government; and

(2) for at least 4 consecutive fiscal years—

(A) the territorial government has developed its Budgets in accordance with modified accrual accounting standards; and

(B) the expenditures made by the territorial government during each fiscal year did not exceed the revenues of the territorial government during that year, as determined in accordance with modified accrual accounting standards.

SEC. 210. NO FULL FAITH AND CREDIT OF THE UNITED STATES.

(a) IN GENERAL.—The full faith and credit of the United States is not pledged for the payment of any principal of or interest on any bond, note, or other obligation issued by a covered territory or covered territorial instrumentality. The United States is not responsible or liable for the payment of any principal of or interest on any bond, note, or other obligation issued by a covered territory or covered territorial instrumentality.

(b) SUBJECT TO APPROPRIATIONS.—Any claim to which the United States is determined to be liable under this Act shall be subject to appropriations.

(c) FUNDING.—No Federal funds shall be authorized by this Act for the payment of any liability of the territory or territorial instrumentality.

SEC. 211. ANALYSIS OF PENSIONS.

(a) DETERMINATION.—If the Oversight Board determines, in its sole discretion, that a pension system of the territorial government is materially underfunded, the Oversight Board shall conduct an analysis prepared by an independent actuary of such pension system to assist the Oversight Board in evaluating the fiscal and economic impact of the pension cash flows.

(b) PROVISIONS OF ANALYSIS.—An analysis conducted under subsection (a) shall include—

(1) an actuarial study of the pension liabilities and funding strategy that includes a forward looking projection of payments of at least 30 years of benefit payments and funding strategy to cover such payments;

(2) sources of funding to cover such payments;

(3) a review of the existing benefits and their sustainability; and

(4) a review of the system's legal structure and operational arrangements, and any other studies of the pension system the Oversight Board shall deem necessary.

(c) SUPPLEMENTARY INFORMATION.—In any case, the analysis conducted under subsection (a) shall include information regarding the fair market value and liabilities using an appropriate discount rate as determined by the Oversight Board.

SEC. 212. INTERVENTION IN LITIGATION.

(a) INTERVENTION.—The Oversight Board may intervene in any litigation filed against the territorial government.

(b) INJUNCTIVE RELIEF.—

(1) IN GENERAL.—If the Oversight Board intervenes in a litigation under subsection (a), the Oversight Board may seek injunctive relief, including a stay of litigation.

(2) NO INDEPENDENT BASIS FOR RELIEF.—This section does not create an independent basis on which injunctive relief, including a stay of litigation, may be granted.

TITLE III—ADJUSTMENTS OF DEBTS

SEC. 301. APPLICABILITY OF OTHER LAWS; DEFINITIONS.

(a) SECTIONS APPLICABLE TO CASES UNDER THIS TITLE.—Sections 101 (except as otherwise provided in this section), 102, 104, 105, 106, 107, 108, 112, 333, 344, 347(b), 349, 350(b), 351, 361, 362, 364(c), 364(d), 364(e), 364(f), 365, 366, 501, 502, 503, 504, 506, 507(a)(2), 509, 510, 524(a)(1), 524(a)(2), 544, 545, 546, 547, 548, 549(a), 549(c), 549(d), 550, 551, 552, 553, 555, 556, 557, 559, 560, 561, 562, 902 (except as otherwise provided in this section), 922, 923, 924, 925, 926, 927, 928, 942, 944, 945, 946, 1102, 1103, 1109, 1111(b), 1122, 1123(a)(1), 1123(a)(2), 1123(a)(3), 1123(a)(4), 1123(a)(5), 1123(b), 1123(d), 1124, 1125, 1126(a), 1126(b), 1126(c), 1126(e), 1126(f), 1126(g), 1127(d), 1128, 1129(a)(2), 1129(a)(3), 1129(a)(6), 1129(a)(8), 1129(a)(10), 1129(b)(1), 1129(b)(2)(A), 1129(b)(2)(B), 1142(b), 1143, 1144, 1145, and 1146(a) of title 11, United States Code, apply in a case under this title and section 930 of title 11, United States Code, applies in a case under this title; however, section 930 shall not apply in any case during the first 120 days after the date on which such case is commenced under this title.

(b) MEANINGS OF TERMS.—A term used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a), has the meaning given to the term for the purpose of the applicable section, unless the term is otherwise defined in this title.

(c) DEFINITIONS.—In this title:

(1) AFFILIATE.—The term ''affiliate'' means, in addition to the definition made applicable in a case under this title by subsection (a)—

(A) for a territory, any territorial instrumentality; and

(B) for a territorial instrumentality, the governing territory and any of the other territorial instrumentalities of the territory.

(2) DEBTOR.—The term ''debtor'' means the territory or covered territorial instrumentality concerning which a case under this title has been commenced.

(3) HOLDER OF A CLAIM OR INTEREST.—The term ''holder of a claim or interest'', when used in section 1126 of title 11, United States Code, made applicable in a case under this title by subsection (a)—

(A) shall exclude any Issuer or Authorized Instrumentality of the Territory Government Issuer (as defined under Title VI of this Act) or a corporation, trust or other legal entity that is controlled by the Issuer or an Authorized Territorial Instrumentality of the Territory Government Issuer, provided that the beneficiaries of such claims, to the extent they are not referenced in this subparagraph, shall not be excluded; and

(B) with reference to Insured Bonds, shall mean the monoline insurer insuring such Insured Bond to the extent such insurer is granted the right to vote Insured Bonds for purposes of directing remedies or consenting to proposed amendments or modifications as provided in the applicable documents pursuant to which such Insured Bond was issued and insured.

(4) INSURED BOND.—The term ''Insured Bond'' means a bond subject to a financial guarantee or similar insurance contract, policy and/or surety issued by a monoline insurer.

(5) PROPERTY OF THE ESTATE.—The term ''property of the estate'', when used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a), means property of the debtor.

(6) STATE.—The term ''State'' when used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a) means State or territory when used in reference to the relationship of a State to the municipality of the State or the territorial instrumentality of a territory, as applicable.

(7) TRUSTEE.—The term ''trustee'', when used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a), means the Oversight Board, except as provided in section 926 of title 11, United States Code.

(d) REFERENCE TO TITLE.—Solely for purposes of this title, a reference to ''this title'', ''this chapter'', or words of similar import in a section of title 11, United States Code, made applicable in a case under this title by subsection (a) or to ''this title'', ''title 11'', ''Chapter 9'', ''the Code'', or words of similar import in the Federal Rules of Bankruptcy Procedure made applicable in a case under this title shall be deemed to be a reference to this title.

(e) SUBSTANTIALLY SIMILAR.—In determining whether claims are ''substantially similar'' for the purpose of section 1122 of title 11, United States Code, made applicable in a case under this title by subsection (a), the Oversight Board shall consider whether such claims are secured and whether such claims have priority over other claims.

(f) OPERATIVE CLAUSES.—A section made applicable in a case under this title by subsection (a) that is operative if the business of the debtor is authorized to be operated is operative in a case under this title.

SEC. 302. WHO MAY BE A DEBTOR.

An entity may be a debtor under this title if—

(1) the entity is—

(A) a territory that has requested the establishment of an Oversight Board or has had an Oversight Board established for it by the United States Congress in accordance with section 101 of this Act; or

(B) a covered territorial instrumentality of a territory described in paragraph (1)(A);

(2) the Oversight Board has issued a certification under section 206(b) of this Act for such entity; and

(3) the entity desires to effect a plan to adjust its debts.

SEC. 303. RESERVATION OF TERRITORIAL POWER TO CONTROL TERRITORY AND TERRITORIAL INSTRUMENTALITIES.

Subject to the limitations set forth in titles I and II of this Act, this title does not limit or impair the power of a covered territory to control, by legislation or otherwise, the territory or any territorial instrumentality thereof in the exercise of the political or governmental powers of the territory or territorial instrumentality, including expenditures for such exercise, whether or not a case has been or can be commenced under this title, but—

(1) a territory law prescribing a method of composition of indebtedness or a moratorium law, but solely to the extent that it prohibits the payment of principal or interest by an entity not described in section 109(b)(2) of title 11, United States Code, may not bind any creditor of a covered territory or any covered territorial instrumentality thereof that does not consent to the composition or moratorium;

(2) a judgment entered under a law described in paragraph (1) may not bind a creditor that does not consent to the composition; and

(3) unlawful executive orders that alter, amend, or modify rights of holders of any debt of the territory or territorial instrumentality, or that divert funds from one territorial instrumentality to another or to the territory, shall be preempted by this Act.

SEC. 304. PETITION AND PROCEEDINGS RELATING TO PETITION.

(a) COMMENCEMENT OF CASE.—A voluntary case under this title is commenced by the filing with the district court of a petition by the Oversight Board pursuant to the determination under section 206 of this Act.

(b) OBJECTION TO PETITION.—After any objection to the petition, the court, after notice and a hearing, may dismiss the petition if the petition does not meet the requirements of this title; however, this subsection shall not apply in any case during the first 120 days after the date on which such case is commenced under this title.

(c) ORDER FOR RELIEF.—The commencement of a case under this title constitutes an order for relief.

(d) APPEAL.—The court may not, on account of an appeal from an order for relief, delay any proceeding under this title in the case in which the appeal is being taken, nor shall any court order a stay of such proceeding pending such appeal.

(e) VALIDITY OF DEBT.—The reversal on appeal of a finding of jurisdiction shall not affect the validity of any debt incurred that is authorized by the court under section 364(c) or 364(d) of title 11, United States Code.

(f) JOINT FILING OF PETITIONS AND PLANS PERMITTED.—The Oversight Board, on behalf of debtors under this title, may file petitions or submit or modify plans of adjustment jointly if the debtors are affiliates; provided, however, that nothing in this title shall be construed as authorizing substantive consolidation of the cases of affiliated debtors.

(g) JOINT ADMINISTRATION OF AFFILIATED CASES.—If the Oversight Board, on behalf of a debtor and one or more affiliates, has filed separate cases and the Oversight Board, on behalf of the debtor or one of the affiliates, files a motion to administer the cases jointly, the court may order a joint administration of the cases.

(h) PUBLIC SAFETY.—This Act may not be construed to permit the discharge of obligations

arising under Federal police or regulatory laws, including laws relating to the environment, public health or safety, or territorial laws implementing such Federal legal provisions. This includes compliance obligations, requirements under consent decrees or judicial orders, and obligations to pay associated administrative, civil, or other penalties.

(i) VOTING ON DEBT ADJUSTMENT PLANS NOT STAYED.—Notwithstanding any provision in this title to the contrary, including sections of title 11, United States Code, incorporated by reference, nothing in this section shall prevent the holder of a claim from voting on or consenting to a proposed modification of such claim under title VI of this Act.

SEC. 305. LIMITATION ON JURISDICTION AND POWERS OF COURT.

Subject to the limitations set forth in titles I and II of this Act, notwithstanding any power of the court, unless the Oversight Board consents or the plan so provides, the court may not, by any stay, order, or decree, in the case or otherwise, interfere with—

(1) any of the political or governmental powers of the debtor;

(2) any of the property or revenues of the debtor; or

(3) the use or enjoyment by the debtor of any income-producing property.

SEC. 306. JURISDICTION.

(a) FEDERAL SUBJECT MATTER JURISDICTION.—The district courts shall have—

(1) except as provided in paragraph (2), original and exclusive jurisdiction of all cases under this title; and

(2) except as provided in subsection (b), and notwithstanding any Act of Congress that confers exclusive jurisdiction on a court or courts other than the district courts, original but not exclusive jurisdiction of all civil proceedings arising under this title, or arising in or related to cases under this title.

(b) PROPERTY JURISDICTION.—The district court in which a case under this title is commenced or is pending shall have exclusive jurisdiction of all property, wherever located, of the debtor as of the commencement of the case.

(c) PERSONAL JURISDICTION.—The district court in which a case under this title is pending shall have personal jurisdiction over any person or entity.

(d) REMOVAL, REMAND, AND TRANSFER.—

(1) REMOVAL.—A party may remove any claim or cause of action in a civil action, other than a proceeding before the United States Tax Court or a civil action by a governmental unit to enforce the police or regulatory power of the governmental unit, to the district court for the district in which the civil action is pending, if the district court has jurisdiction of the claim or cause of action under this section.

(2) REMAND.—The district court to which the claim or cause of action is removed under paragraph (1) may remand the claim or cause of action on any equitable ground. An order entered under this subsection remanding a claim or cause of action, or a decision not to remand, is not reviewable by appeal or otherwise by the court of appeals under section 158(d), 1291 or 1292 of title 28, United States Code, or by the Supreme Court of the United States under section 1254 of title 28, United States Code.

(3) TRANSFER.—A district court shall transfer any civil proceeding arising under this title, or arising in or related to a case under this title, to the district court in which the case under this title is pending.

(e) APPEAL.—

(1) An appeal shall be taken in the same manner as appeals in civil proceedings generally are taken to the courts of appeals from the district court.

(2) The court of appeals for the circuit in which a case under this title has venue pursuant to section 307 of this title shall have jurisdiction of appeals from all final decisions, judgments, orders and decrees entered under this title by the district court.

(3) The court of appeals for the circuit in which a case under this title has venue pursuant to section 307 of this title shall have jurisdiction to hear appeals of interlocutory orders or decrees if—

(A) the district court on its own motion or on the request of a party to the order or decree certifies that—

(i) the order or decree involves a question of law as to which there is no controlling decision of the court of appeals for the circuit or of the Supreme Court of the United States, or involves a matter of public importance;

(ii) the order or decree involves a question of law requiring the resolution of conflicting decisions; or

(iii) an immediate appeal from the order or decree may materially advance the progress of the case or proceeding in which the appeal is taken; and

(B) the court of appeals authorizes the direct appeal of the order or decree.

(4) If the district court on its own motion or on the request of a party determines that a circumstance specified in clauses (i), (ii), or (iii) of paragraph (3)(A) exists, then the district court shall make the certification described in paragraph (3).

(5) The parties may supplement the certification with a short statement of the basis for the certification issued by the district court under paragraph (3)(A).

(6) Except as provided in section 304(d), an appeal of an interlocutory order or decree does not stay any proceeding of the district court from which the appeal is taken unless the district court, or the court of appeals in which the appeal is pending, issues a stay of such proceedings pending the appeal.

(7) Any request for a certification in respect to an interlocutory appeal of an order or decree shall be made not later than 60 days after the entry of the order or decree.

(f) REALLOCATION OF COURT STAFF.—Notwithstanding any law to the contrary, the clerk of the court in which a case is pending shall reallocate as many staff and assistants as the clerk deems necessary to ensure that the court has adequate resources to provide for proper case management.

SEC. 307. VENUE.

(a) IN GENERAL.—Venue shall be proper in—

(1) with respect to a territory, the district court for the territory or, for any territory that does not have a district court, the United States District Court for the District of Hawaii; and

(2) with respect to a covered territorial instrumentality, the district court for the territory in which the covered territorial instrumentality is located or, for any territory that does not have a district court, the United States District Court for the District of Hawaii.

(b) ALTERNATIVE VENUE.—If the Oversight Board so determines in its sole discretion, then venue shall be proper in the district court for the jurisdiction in which the Oversight Board maintains an office that is located outside the territory.

SEC. 308. SELECTION OF PRESIDING JUDGE.

(a) For cases in which the debtor is a territory, the Chief Justice of the United States shall designate a district court judge to sit by designation to conduct the case.

(b) For cases in which the debtor is not a territory, and no motion for joint administration of the debtor's case with the case of its affiliate territory has been filed or there is no case in which the affiliate territory is a debtor, the chief judge of the court of appeals for the circuit embracing the district in which the case is commenced shall designate a district court judge to conduct the case.

SEC. 309. ABSTENTION.

Nothing in this title prevents a district court in the interests of justice from abstaining from hearing a particular proceeding arising in or related to a case under this title.

SEC. 310. APPLICABLE RULES OF PROCEDURE.

The Federal Rules of Bankruptcy Procedure shall apply to a case under this title and to all civil proceedings arising in or related to cases under this title.

SEC. 311. LEASES.

A lease to a territory or territorial instrumentality shall not be treated as an executory contract or unexpired lease for the purposes of section 365 or 502(b)(6) of title 11, United States Code, solely by reason of the lease being subject to termination in the event the debtor fails to appropriate rent.

SEC. 312. FILING OF PLAN OF ADJUSTMENT.

(a) EXCLUSIVITY.—Only the Oversight Board, after the issuance of a certificate pursuant to section 104(j) of this Act, may file a plan of adjustment of the debts of the debtor.

(b) DEADLINE FOR FILING PLAN.—If the Oversight Board does not file a plan of adjustment with the petition, the Oversight Board shall file a plan of adjustment at the time set by the court.

SEC. 313. MODIFICATION OF PLAN.

The Oversight Board, after the issuance of a certification pursuant to section 104(j) of this Act, may modify the plan at any time before confirmation, but may not modify the plan so that the plan as modified fails to meet the requirements of this title. After the Oversight Board files a modification, the plan as modified becomes the plan.

SEC. 314. CONFIRMATION.

(a) OBJECTION.—A special tax payer may object to confirmation of a plan.

(b) CONFIRMATION.—The court shall confirm the plan if—

(1) the plan complies with the provisions of title 11 of the United States Code, made applicable to a case under this title by section 301 of this Act;

(2) the plan complies with the provisions of this title;

(3) the debtor is not prohibited by law from taking any action necessary to carry out the plan;

(4) except to the extent that the holder of a particular claim has agreed to a different treatment of such claim, the plan provides that on the effective date of the plan each holder of a claim of a kind specified in 507(a)(2) of title 11, United States Code, will receive on account of such claim cash equal to the allowed amount of such claim;

(5) any legislative, regulatory, or electoral approval necessary under applicable law in order to carry out any provision of the plan has been obtained, or such provision is expressly conditioned on such approval;

(6) the plan is feasible and in the best interests of creditors, which shall require the court to consider whether available remedies under the non-bankruptcy laws and constitution of the territory would result in a greater recovery for the creditors than is provided by such plan; and

(7) the plan is consistent with the applicable Fiscal Plan certified by the Oversight Board under title II.

(c) CONFIRMATION FOR DEBTORS WITH A SINGLE CLASS OF IMPAIRED CREDITORS.—If all of the requirements of section 314(b) of this title and section 1129(a) of title 11, United States Code, incorporated into this title by section 301 other than sections 1129(a)(8) and 1129(a)(10) are met with respect to a plan—

(1) with respect to which all claims are substantially similar under section 301(e) of this title;

(2) that includes only one class of impaired claims; and

(3) that was not accepted by such impaired class,

the court shall confirm the plan notwithstanding the requirements of such sections

1129(a)(8) and 1129(a)(10) of title 11, United States Code if the plan is fair and equitable with respect to such impaired class.

SEC. 315. ROLE AND CAPACITY OF OVERSIGHT BOARD.

(a) ACTIONS OF OVERSIGHT BOARD.—For the purposes of this title, the Oversight Board may take any action necessary on behalf of the debtor to prosecute the case of the debtor, including—

(1) filing a petition under section 304 of this Act;

(2) submitting or modifying a plan of adjustment under sections 312 and 313; or

(3) otherwise generally submitting filings in relation to the case with the court.

(b) REPRESENTATIVE OF DEBTOR.—The Oversight Board in a case under this title is the representative of the debtor.

SEC. 316. COMPENSATION OF PROFESSIONALS.

(a) After notice to the parties in interest and the United States Trustee and a hearing, the court may award to a professional person employed by the debtor (in the debtor's sole discretion), the Oversight Board (in the Oversight Board's sole discretion), a committee under section 1103 of title 11, United States Code, or a trustee appointed by the court under section 926 of title 11, United States Code—

(1) reasonable compensation for actual, necessary services rendered by the professional person, or attorney and by any paraprofessional person employed by any such person; and

(2) reimbursement for actual, necessary expenses.

(b) The court may, on its own motion or on the motion of the United States Trustee or any other party in interest, award compensation that is less than the amount of compensation that is requested.

(c) In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—

(1) the time spent on such services;

(2) the rates charged for such services;

(3) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this chapter;

(4) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed;

(5) with respect to a professional person, whether the person is board certified or otherwise has demonstrated skill and experience in the restructuring field; and

(6) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title or title 11, United States Code.

(d) The court shall not allow compensation for—

(1) unnecessary duplication of services; or

(2) services that were not—

(A) reasonably likely to benefit the debtor; or

(B) necessary to the administration of the case.

(e) The court shall reduce the amount of compensation awarded under this section by the amount of any interim compensation awarded under section 317 of this title, and, if the amount of such interim compensation exceeds the amount of compensation awarded under this section, may order the return of the excess to the debtor.

(f) Any compensation awarded for the preparation of a fee application shall be based on the level and skill reasonably required to prepare the application.

SEC. 317. INTERIM COMPENSATION.

A debtor's attorney, or any professional person employed by the debtor (in the debtor's sole discretion), the Oversight Board (in the Oversight Board's sole discretion), a committee under section 1103 of title 11, United States Code, or a trustee appointed by the court under section 926 of title 11, United States Code, may apply to the court not more than once every 120 days after an order for relief in a case under this title, or more often if the court permits, for such compensation for services rendered before the date of such an application or reimbursement for expenses incurred before such date as is provided under section 316 of this title.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. RULES OF CONSTRUCTION.

Nothing in this Act is intended, or may be construed—

(1) to limit the authority of Congress to exercise legislative authority over the territories pursuant to Article IV, section 3 of the Constitution of the United States;

(2) to authorize the application of section 104(f) of this Act (relating to issuance of subpoenas) to judicial officers or employees of territory courts;

(3) to alter, amend, or abrogate any provision of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (48 U.S.C. 1801 et seq.); or

(4) to alter, amend, or abrogate the treaties of cession regarding certain islands of American Samoa (48 U.S.C. 1661).

SEC. 402. RIGHT OF PUERTO RICO TO DETERMINE ITS FUTURE POLITICAL STATUS.

Nothing in this Act shall be interpreted to restrict Puerto Rico's right to determine its future political status, including by conducting the plebiscite as authorized by Public Law 113–76.

SEC. 403. FIRST MINIMUM WAGE IN PUERTO RICO.

Section 6(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)) is amended by striking paragraphs (2) through (4) and inserting the following:

''(2) In lieu of the rate prescribed by subsection (a)(1), the Governor of Puerto Rico, subject to the approval of the Financial Oversight and Management Board established pursuant to section 101 of the Puerto Rico Oversight, Management, and Economic Stability Act, may designate a time period not to exceed four years during which employers in Puerto Rico may pay employees who are initially employed after the date of enactment of such Act a wage which is not less than the wage described in paragraph (1). Notwithstanding the time period designated, such wage shall not continue in effect after such Board terminates in accordance with section 209 of such Act.

''(3) No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in paragraph (1) or (2).

''(4) Any employer who violates this subsection shall be considered to have violated section 15(a)(3).

''(5) This subsection shall only apply to an employee who has not attained the age of 20 years, except in the case of the wage applicable in Puerto Rico, 25 years, until such time as the Board described in paragraph (2) terminates in accordance with section 209 of the Act described in such paragraph.''.

SEC. 404. APPLICATION OF REGULATION TO PUERTO RICO.

(a) SPECIAL RULE.—The regulations proposed by the Secretary of Labor relating to exemptions regarding the rates of pay for executive, administrative, professional, outside sales, and computer employees, and published in a notice in the Federal Register on July 6, 2015, and any final regulations issued related to such notice, shall have no force or effect in the Commonwealth of Puerto Rico until—

(1) the Comptroller General of the United States completes the assessment and transmits the report required under subsection (b); and

(2) the Secretary of Labor, taking into account the assessment and report of the Comptroller General, provides a written determination to Congress that applying such rule to Puerto Rico would not have a negative impact on the economy of Puerto Rico.

(b) ASSESSMENT AND REPORT.—Not later than two years after the date of enactment of this Act, the Comptroller General shall examine the economic conditions in Puerto Rico and shall transmit a report to Congress assessing the impact of applying the regulations described in subsection (a) to Puerto Rico, taking into consideration regional, metropolitan, and non-metropolitan salary and cost-of-living differences.

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

(1) the Bureau of the Census should conduct a study to determine the feasibility of expanding data collection to include Puerto Rico and the other United States territories in the Current Population Survey, which is jointly administered by the Bureau of the Census and the Bureau of Labor Statistics, and which is the primary source of labor force statistics for the population of the United States; and

(2) if necessary, the Bureau of the Census should request the funding required to conduct this feasibility study as part of its budget submission to Congress for fiscal year 2018.

SEC. 405. AUTOMATIC STAY UPON ENACTMENT.

(a) DEFINITIONS.—In this section:

(1) LIABILITY.—The term ''Liability'' means a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness for borrowed money, including rights, entitlements, or obligations whether such rights, entitlements, or obligations arise from contract, statute, or any other source of law related to such a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness in physical or dematerialized form, of which—

(A) the issuer, obligor, or guarantor is the Government of Puerto Rico; and

(B) the date of issuance or incurrence precedes the date of enactment of this Act.

(2) LIABILITY CLAIM.—The term ''Liability Claim'' means, as it relates to a Liability—

(A) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or

(B) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

(b) IN GENERAL.—Except as provided in subsection (c) of this section, the establishment of an Oversight Board for Puerto Rico (i.e., the enactment of this Act) in accordance with section 101 operates with respect to a Liability as a stay, applicable to all entities (as such term is defined in section 101 of title 11, United States Code), of—

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Government of Puerto Rico that was or could have been commenced before the enactment of this Act, or to recover a Liability Claim against the Government of Puerto Rico that arose before the enactment of this Act;

(2) the enforcement, against the Government of Puerto Rico or against property of the Government of Puerto Rico, of a judgment obtained before the enactment of this Act;

(3) any act to obtain possession of property of the Government of Puerto Rico or of property from the Government of Puerto Rico or to exercise control over property of the Government of Puerto Rico;

(4) any act to create, perfect, or enforce any lien against property of the Government of Puerto Rico;

(5) any act to create, perfect, or enforce against property of the Government of Puerto Rico any lien to the extent that such lien secures a Liability Claim that arose before the enactment of this Act;

(6) any act to collect, assess, or recover a Liability Claim against the Government of Puerto Rico that arose before the enactment of this Act; and

(7) the setoff of any debt owing to the Government of Puerto Rico that arose before the enactment of this Act against any Liability Claim against the Government of Puerto Rico.

(c) STAY NOT OPERABLE.—The establishment of an Oversight Board for Puerto Rico in accordance with section 101 does not operate as a stay—

(1) solely under subsection (b)(1) of this section, of the continuation of, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Government of Puerto Rico that was commenced on or before December 18, 2015; or

(2) of the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's or organization's police and regulatory power, including the enforcement of a judgment other than a money judgment, obtained in an action or proceeding by the governmental unit to enforce such governmental unit's or organization's police or regulatory power.

(d) CONTINUATION OF STAY.—Except as provided in subsections (e), (f), and (g) the stay under subsection (b) continues until the earlier of—

(1) the later of—

(A) the later of—

(i) February 15, 2017; or

(ii) six months after the establishment of an Oversight Board for Puerto Rico as established by section 101(b);

(B) the date that is 75 days after the date in subparagraph (A) if the Oversight Board delivers a certification to the Governor that, in the Oversight Board's sole discretion, an additional 75 days are needed to seek to complete a voluntary process under title VI of this Act with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities; or

(C) the date that is 60 days after the date in subparagraph (A) if the district court to which an application has been submitted under subparagraph 601(m)(1)(D) of this Act determines, in the exercise of the court's equitable powers, that an additional 60 days are needed to complete a voluntary process under title VI of this Act with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities; or

(2) with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities, the date on which a case is filed by or on behalf of the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities, as applicable, under title III.

(e) JURISDICTION, RELIEF FROM STAY.—

(1) The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil actions arising under or related to this section.

(2) On motion of or action filed by a party in interest and after notice and a hearing, the United States District Court for the District of Puerto Rico, for cause shown, shall grant relief from the stay provided under subsection (b) of this section.

(f) TERMINATION OF STAY; HEARING.—Forty-five days after a request under subsection (e)(2) for relief from the stay of any act against property of the Government of Puerto Rico under subsection (b), such stay is terminated with respect to the party in interest making such request, unless the court, after notice and a hearing, orders such stay continued in effect pending the conclusion of, or as a result of, a final hearing and determination under subsection (e)(2). A hearing under this subsection may be a preliminary hearing, or may be consolidated with the final hearing under subsection (e)(2). The court shall order such stay continued in effect pending the conclusion of the final hearing under subsection (e)(2) if there is a reasonable likelihood that the party opposing relief from such stay will prevail at the conclusion of such final hearing. If the hearing under this subsection is a preliminary hearing, then such final hearing shall be concluded not later than thirty days after the conclusion of such preliminary hearing, unless the thirty-day period is extended with the consent of the parties in interest or for a specific time which the court finds is required by compelling circumstances.

(g) RELIEF TO PREVENT IRREPARABLE DAMAGE.—Upon request of a party in interest, the court, with or without a hearing, shall grant such relief from the stay provided under subsection (b) as is necessary to prevent irreparable damage to the interest of an entity in property, if such interest will suffer such damage before there is an opportunity for notice and a hearing under subsection (e) or (f).

(h) ACT IN VIOLATION OF STAY IS VOID.—Any order, judgment, or decree entered in violation of this section and any act taken in violation of this section is void, and shall have no force or effect, and any person found to violate this section may be liable for damages, costs, and attorneys' fees incurred in defending any action taken in violation of this section, and the Oversight Board or the Government of Puerto Rico may seek an order from the court enforcing the provisions of this section.

(i) GOVERNMENT OF PUERTO RICO.—For purposes of this section, the term ''Government of Puerto Rico'', in addition to the definition set forth in section 5(11) of this Act, shall include—

(1) the individuals, including elected and appointed officials, directors, officers of and employees acting in their official capacity on behalf of the Government of Puerto Rico; and

(2) the Oversight Board, including the directors and officers of and employees acting in their official capacity on behalf of the Oversight Board.

(j) NO DEFAULT UNDER EXISTING CONTRACTS.—

(1) Notwithstanding any contractual provision or applicable law to the contrary and so long as a stay under this section is in effect, the holder of a Liability Claim or any other claim (as such term is defined in section 101 of title 11, United States Code) may not exercise or continue to exercise any remedy under a contract or applicable law in respect to the Government of Puerto Rico or any of its property—

(A) that is conditioned upon the financial condition of, or the commencement of a restructuring, insolvency, bankruptcy, or other proceeding (or a similar or analogous process) by, the Government of Puerto Rico, including a default or an event of default thereunder; or

(B) with respect to Liability Claims—

(i) for the non-payment of principal or interest; or

(ii) for the breach of any condition or covenant.

(2) The term ''remedy'' as used in paragraph (1) shall be interpreted broadly, and shall include any right existing in law or contract, including any right to—

(A) setoff;

(B) apply or appropriate funds;

(C) seek the appointment of a custodian (as such term is defined in section 101(11) of title 11, United States Code);

(D) seek to raise rates; or

(E) exercise control over property of the Government of Puerto Rico.

(3) Notwithstanding any contractual provision or applicable law to the contrary and so long as a stay under this section is in effect, a contract to which the Government of Puerto Rico is a party may not be terminated or modified, and any right or obligation under such contract may not be terminated or modified, solely because of a provision in such contract is conditioned on—

(A) the insolvency or financial condition of the Government of Puerto Rico at any time prior to the enactment of this Act;

(B) the adoption of a resolution or establishment of an Oversight Board pursuant to section 101 of this Act; or

(C) a default under a separate contract that is due to, triggered by, or a result of the occurrence of the events or matters in paragraph (1)(B).

(4) Notwithstanding any contractual provision to the contrary and so long as a stay under this section is in effect, a counterparty to a contract with the Government of Puerto Rico for the provision of goods and services shall, unless the Government of Puerto Rico agrees to the contrary in writing, continue to perform all obligations under, and comply with the terms of, such contract, provided that the Government of Puerto Rico is not in default under such contract other than as a result of a condition specified in paragraph (3).

(k) EFFECT.—This section does not discharge an obligation of the Government of Puerto Rico or release, invalidate, or impair any security interest or lien securing such obligation. This section does not impair or affect the implementation of any restructuring support agreement executed by the Government of Puerto Rico to be implemented pursuant to Puerto Rico law specifically enacted for that purpose prior to the enactment of this Act or the obligation of the Government of Puerto Rico to proceed in good faith as set forth in any such agreement.

(l) PAYMENTS ON LIABILITIES.—Nothing in this section shall be construed to prohibit the Government of Puerto Rico from making any payment on any Liability when such payment becomes due during the term of the stay, and to the extent the Oversight Board, in its sole discretion, determines it is feasible, the Government of Puerto Rico shall make interest payments on outstanding indebtedness when such payments become due during the length of the stay.

(m) FINDINGS.—Congress finds the following:

(1) A combination of severe economic decline, and, at times, accumulated operating deficits, lack of financial transparency, management inefficiencies, and excessive borrowing has created a fiscal emergency in Puerto Rico.

(2) As a result of its fiscal emergency, the Government of Puerto Rico has been unable to provide its citizens with effective services.

(3) The current fiscal emergency has also affected the long-term economic stability of Puerto Rico by contributing to the accelerated outmigration of residents and businesses.

(4) A comprehensive approach to fiscal, management, and structural problems and adjustments that exempts no part of the Government of Puerto Rico is necessary, involving independent oversight and a Federal statutory authority for the Government of Puerto Rico to restructure debts in a fair and orderly process.

(5) Additionally, an immediate—but temporary—stay is essential to stabilize the region for the purposes of resolving this territorial crisis.

(A) The stay advances the best interests common to all stakeholders, including but not limited to a functioning independent Oversight Board created pursuant to this Act to determine whether to appear or intervene on behalf of the Government of Puerto Rico in any litigation that may have been commenced prior to the effectiveness or upon expiration of the stay.

(B) The stay is limited in nature and narrowly tailored to achieve the purposes of this Act, including to ensure all creditors have a fair opportunity to consensually renegotiate terms of repayment based on accurate financial information that is reviewed by an independent authority or, at a minimum, receive a recovery from the Government of Puerto Rico equal to their best

possible outcome absent the provisions of this Act.

(6) Finally, the ability of the Government of Puerto Rico to obtain funds from capital markets in the future will be severely diminished without congressional action to restore its financial accountability and stability.

(n) PURPOSES.—The purposes of this section are to—

(1) provide the Government of Puerto Rico with the resources and the tools it needs to address an immediate existing and imminent crisis;

(2) allow the Government of Puerto Rico a limited period of time during which it can focus its resources on negotiating a voluntary resolution with its creditors instead of defending numerous, costly creditor lawsuits;

(3) provide an oversight mechanism to assist the Government of Puerto Rico in reforming its fiscal governance and support the implementation of potential debt restructuring;

(4) make available a Federal restructuring authority, if necessary, to allow for an orderly adjustment of all of the Government of Puerto Rico's liabilities; and

(5) benefit the lives of 3.5 million American citizens living in Puerto Rico by encouraging the Government of Puerto Rico to resolve its longstanding fiscal governance issues and return to economic growth.

(o) VOTING ON VOLUNTARY AGREEMENTS NOT STAYED.—Notwithstanding any provision in this section to the contrary, nothing in this section shall prevent the holder of a Liability Claim from voting on or consenting to a proposed modification of such Liability Claim under title VI of this Act.

SEC. 406. PURCHASES BY TERRITORY GOVERNMENTS.

The text of section 302 of the Omnibus Insular Areas Act of 1992 (48 U.S.C. 1469e), is amended to read as follows: ''The Governments of the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands are authorized to make purchases through the General Services Administration.''.

SEC. 407. PROTECTION FROM INTER-DEBTOR TRANSFERS.

(a) PROTECTION OF CREDITORS.—While an Oversight Board for Puerto Rico is in existence, if any property of any territorial instrumentality of Puerto Rico is transferred in violation of applicable law under which any creditor has a valid pledge of, security interest in, or lien on such property, or which deprives any such territorial instrumentality of property in violation of applicable law assuring the transfer of such property to such territorial instrumentality for the benefit of its creditors, then the transferee shall be liable for the value of such property.

(b) ENFORCEABILITY.—A creditor may enforce rights under this section by bringing an action in the United States District Court for the District of Puerto Rico after the expiration or lifting of the stay of section 405, unless a stay under title III is in effect.

SEC. 408. GAO REPORT ON SMALL BUSINESS ADMINISTRATION PROGRAMS IN PUERTO RICO.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

''(t) GAO REPORT ON SMALL BUSINESS ADMINISTRATION PROGRAMS IN PUERTO RICO.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report on the application and utilization of contracting activities of the Administration (including contracting activities relating to HUBZone small business concerns) in Puerto Rico. The report shall also identify any provisions of Federal law that may create an obstacle to the efficient implementation of such contracting activities.''.

SEC. 409. CONGRESSIONAL TASK FORCE ON ECONOMIC GROWTH IN PUERTO RICO.

(a) ESTABLISHMENT.—There is established within the legislative branch a Congressional Task Force on Economic Growth in Puerto Rico (hereinafter referred to as the ''Task Force'').

(b) MEMBERSHIP.—The Task Force shall be composed of eight members as follows:

(1) One member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on Natural Resources of the House of Representatives.

(2) One member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on Ways and Means of the House of Representatives.

(3) One member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on Natural Resources of the House of Representatives.

(4) One member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on Ways and Means of the House of Representatives.

(5) One member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on Energy and Natural Resources of the Senate.

(6) One member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on Finance of the Senate.

(7) One member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on Energy and Natural Resources of the Senate.

(8) One member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on Finance of the Senate.

(c) DEADLINE FOR APPOINTMENT.—All appointments to the Task Force shall be made not later than 15 days after the date of enactment of this Act.

(d) CHAIR.—The Speaker shall designate one Member to serve as chair of the Task Force.

(e) VACANCIES.—Any vacancy in the Task Force shall be filled in the same manner as the original appointment.

(f) STATUS UPDATE.—Between September 1, 2016, and September 15, 2016, the Task Force shall provide a status update to the House and Senate that includes—

(1) information the Task Force has collected; and

(2) a discussion on matters the chairman of the Task Force deems urgent for consideration by Congress.

(g) REPORT.—Not later than December 31, 2016, the Task Force shall issue a report of its findings to the House and Senate regarding—

(1) impediments in current Federal law and programs to economic growth in Puerto Rico including equitable access to Federal health care programs;

(2) recommended changes to Federal law and programs that, if adopted, would serve to spur sustainable long-term economic growth, job creation and attract investment in Puerto Rico;

(3) the economic effect of Administrative Order No. 346 of the Department of Health of the Commonwealth of Puerto Rico (relating to natural products, natural supplements, and dietary supplements) or any successor or substantially similar order, rule, or guidance of the Commonwealth of Puerto Rico; and

(4) additional information the Task Force deems appropriate.

(h) CONSENSUS VIEWS.—To the greatest extent practicable, the report issued under subsection (f) shall reflect the shared views of all eight Members, except that the report may contain dissenting views.

(i) HEARINGS AND SESSIONS.—The Task Force may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Task Force considers appropriate. If the Task Force holds hearings, at least one such hearing must be held in Puerto Rico.

(j) STAKEHOLDER PARTICIPATION.—In carrying out its duties, the Task Force shall consult with the Puerto Rico Legislative Assembly, the Puerto Rico Department of Economic Development and Commerce, and the private sector of Puerto Rico.

(k) RESOURCES.—The Task Force shall carry out its duties by utilizing existing facilities, services, and staff of the House of Representatives and Senate, except that no additional funds are authorized to be appropriated to carry out this section.

(l) TERMINATION.—The Task Force shall terminate upon issuing the report required under subsection (f).

SEC. 410. REPORT.

The Comptroller General shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate describing—

(1) the conditions which led to the level of debt per capita and based upon overall economic activity;

(2) how actions of the territorial government improved or impaired the territory's financial conditions; and

(3) recommendations on non-fiscal actions, nor policies that would imperil America's homeland and national security, that could be taken by Congress or the Administration to avert future indebtedness of territories, States or local units of government while respecting sovereignty and constitutional parameters.

TITLE V—PUERTO RICO INFRASTRUCTURE REVITALIZATION

SEC. 501. DEFINITIONS.

In this title:

(1) ACT 76.—The term ''Act 76'' means Puerto Rico Act 76–2000 (3 L.P.R.A. 1931 et seq.), approved on May 5, 2000, as amended.

(2) CRITICAL PROJECT.—The term ''Critical Project'' means a project identified under the provisions of this title and intimately related to addressing an emergency whose approval, consideration, permitting, and implementation shall be expedited and streamlined according to the statutory process provided by Act 76, or otherwise adopted pursuant to this title.

(3) ENERGY COMMISSION OF PUERTO RICO.—The term ''Energy Commission of Puerto Rico'' means the Puerto Rico Energy Commission as established by Subtitle B of Puerto Rico Act 57–2014.

(4) ENERGY PROJECTS.—The term ''Energy Projects'' means those projects addressing the generation, distribution, or transmission of energy.

(5) EMERGENCY.—The term ''emergency'' means any event or grave problem of deterioration in the physical infrastructure for the rendering of essential services to the people, or that endangers the life, public health, or safety of the population or of a sensitive ecosystem, or as otherwise defined by section 1 of Act 76 (3 L.P.R.A. 1931). This shall include problems in the physical infrastructure for energy, water, sewer, solid waste, highways or roads, ports, telecommunications, and other similar infrastructure.

(6) ENVIRONMENTAL QUALITY BOARD.—The term ''Environmental Quality Board'' means the Puerto Rico Environmental Quality Board, a board within the executive branch of the Government of Puerto Rico as established by section 7 of Puerto Rico Act 416–2004 (12 L.P.R.A. 8002a).

(7) EXPEDITED PERMITTING PROCESS.—The term ''Expedited Permitting Process'' means a Puerto Rico Agency's alternate procedures, conditions, and terms mirroring those established under Act 76 (3 L.P.R.A. 1932) and pursuant to this title shall not apply to any Federal law, statute, or requirement.

(8) GOVERNOR.—The term ''Governor'' means the Governor of Puerto Rico.

(9) INTERAGENCY ENVIRONMENTAL SUBCOMMITTEE.—The term ''Interagency Environmental Subcommittee'' means the Interagency Subcommittee on Expedited Environmental Regulations as further described by section 504.

(10) LEGISLATURE.—The term ''Legislature'' means the Legislature of Puerto Rico.

(11) PLANNING BOARD.—The term ''Planning Board'' means the Puerto Rico Planning Board, a board within the executive branch of the Government of Puerto Rico established by Puerto Rico Act 75–1975 (23 L.P.R.A. 62 et seq.).

(12) PROJECT SPONSOR.—The term ''Project Sponsor'' means a Puerto Rico Agency or private party proposing the development of an existing, ongoing, or new infrastructure project or Energy Project.

(13) PUERTO RICO AGENCY OR AGENCIES.—The terms ''Puerto Rico Agency'' or ''Puerto Rico Agencies'' means any board, body, board of examiners, public corporation, commission, independent office, division, administration, bureau, department, authority, official, person, entity, municipality, or any instrumentality of Puerto Rico, or an administrative body authorized by law to perform duties of regulating, investigating, or that may issue a decision, or with the power to issue licenses, certificates, permits, concessions, accreditations, privileges, franchises, except the Senate and the House of Representatives of the Legislature and the judicial branch.

(14) PUERTO RICO ELECTRIC POWER AUTHORITY.—The term ''Puerto Rico Electric Power Authority'' means the Puerto Rico Electric Power Authority established by Puerto Rico Act 83–1941.

SEC. 502. POSITION OF REVITALIZATION COORDINATOR.

(a) ESTABLISHMENT.—There is established, under the Oversight Board, the position of the Revitalization Coordinator.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Revitalization Coordinator shall be appointed by the Governor as follows:

(A) Prior to the appointment of the Revitalization Coordinator and within 60 days of the appointment of the full membership of the Oversight Board, the Oversight Board shall submit to the Governor no less than three nominees for appointment.

(B) In consultation with the Oversight Board, not later than 10 days after receiving the nominations under subparagraph (A), the Governor shall appoint one of the nominees as the Revitalization Coordinator. Such appointment shall be effective immediately.

(C) If the Governor fails to select a Revitalization Coordinator, the Oversight Board shall, by majority vote, appoint a Revitalization Coordinator from the list of nominees provided under paragraph (A).

(2) QUALIFICATIONS.—In selecting nominees under paragraph (1)(A), the Oversight Board shall only nominate persons who—

(A) have substantial knowledge and expertise in the planning, predevelopment, financing, development, operations, engineering, or market participation of infrastructure projects, provided that stronger consideration may be given to candidates who have experience with Energy Projects and the laws and regulations of Puerto Rico that may be subject to an Expedited Permitting Process;

(B) does not currently provide, or in the preceding 3 calendar years provided, goods or services to the government of Puerto Rico (and, as applicable, is not the spouse, parent, child, or sibling of a person who provides or has provided goods and services to the government of Puerto Rico in the preceding 3 calendar years); and

(C) shall not be an officer, employee of, or former officer or employee of the government of Puerto Rico in the preceding 3 calendar years.

(3) COMPENSATION.—The Revitalization Coordinator shall be compensated at an annual rate determined by the Oversight Board sufficient in the judgment of the Oversight Board to obtain the services of a person with the skills and experience required to discharge the duties of the position, but such compensation shall not exceed the annual salary of the Executive Director.

(c) ASSIGNMENT OF PERSONNEL.—The Executive Director of the Oversight Board may assign Oversight Board personnel to assist the Revitalization Coordinator.

(d) REMOVAL.—

(1) IN GENERAL.—The Revitalization Coordinator may be removed for any reason, in the Oversight Board's discretion.

(2) TERMINATION OF POSITION.—Upon the termination of the Oversight Board pursuant to section 209 of this Act, the position of the Revitalization Coordinator shall terminate.

SEC. 503. CRITICAL PROJECTS.

(a) IDENTIFICATION OF PROJECTS.—

(1) PROJECT SUBMISSION.—Any Project Sponsor may submit, so long as the Oversight Board is in operation, any existing, ongoing, or proposed project to the Revitalization Coordinator. The Revitalization Coordinator shall require such submission to include—

(A) the impact the project will have on an emergency;

(B) the availability of immediate private capital or other funds, including loan guarantees, loans, or grants to implement, operate, or maintain the project;

(C) the cost of the project and amount of Puerto Rico government funds, if any, necessary to complete and maintain the project;

(D) the environmental and economic benefits provided by the project, including the number of jobs to be created that will be held by residents of Puerto Rico and the expected economic impact, including the impact on ratepayers, if applicable;

(E) the status of the project if it is existing or ongoing; and

(F) in addition to the requirements found in subparagraphs (A) through (E), the Revitalization Coordinator may require such submission to include any or all of the following criteria that assess how the project will—

(i) reduce reliance on oil for electric generation in Puerto Rico;

(ii) improve performance of energy infrastructure and overall energy efficiency;

(iii) expedite the diversification and conversion of fuel sources for electric generation from oil to natural gas and renewables in Puerto Rico as defined under applicable Puerto Rico laws;

(iv) promote the development and utilization of energy sources found on Puerto Rico;

(v) contribute to transitioning to privatized generation capacities in Puerto Rico;

(vi) support the Energy Commission of Puerto Rico in achievement of its goal of reducing energy costs and ensuring affordable energy rates for consumers and business; or

(vii) achieve in whole or in part the recommendations, if feasible, of the study in section 505(d) of this title to the extent such study is completed and not inconsistent with studies or plans otherwise required under Puerto Rico laws.

(2) IDENTIFICATION OF RELEVANT PUERTO RICO AGENCIES.—Within 20 days of receiving a project submission under paragraph (1), the Revitalization Coordinator shall, in consultation with the Governor, identify all Puerto Rico Agencies that will have a role in the permitting, approval, authorizing, or other activity related to the development of such project submission.

(3) EXPEDITED PERMITTING PROCESS.—

(A) SUBMISSION OF EXPEDITED PERMITTING PROCESS.—Not later than 20 days after receiving a project submission, each Puerto Rico Agency identified in paragraph (1) shall submit to the Revitalization Coordinator the Agency's Expedited Permitting Process.

(B) FAILURE TO PROVIDE EXPEDITED PERMITTING PROCESS.—If a Puerto Rico Agency fails to provide an Expedited Permitting Process within 20 days of receiving a project submission, the Revitalization Coordinator shall consult with the Governor to develop within 20 days an Expedited Permitting Process for the Agency.

(C) IMPLEMENTATION AND PRIORITIZATION.—The Revitalization Coordinator shall require Puerto Rico Agencies to implement the Expedited Permitting Process for Critical Projects. Critical Projects shall be prioritized to the maximum extent possible in each Puerto Rico Agency regardless of any agreements transferring or delegating permitting authority to any other Territorial Instrumentality or municipality.

(b) CRITICAL PROJECT REPORT.—

(1) IN GENERAL.—For each submitted project, the Revitalization Coordinator in consultation with the Governor and relevant Puerto Rico Agencies identified in subsection (a)(2) shall develop a Critical Project Report within 60 days of the project submission, which shall include:

(A) An assessment of how well the project meets the criteria in subsection (a)(1).

(B) A recommendation by the Governor whether the project should be considered a Critical Project. If the Governor fails to provide a recommendation during the development of the Critical Project Report, the failure shall constitute a concurrence with the Revitalization Coordinator's recommendation in subparagraph (E).

(C) In the case of a project that may affect the implementation of Land-Use Plans, as defined by Puerto Rico Act 550–2004, a determination by the Planning Board will be required within the 60-day timeframe. If the Planning Board determines such project will be inconsistent with relevant Land-Use Plans, then the project will be deemed ineligible for Critical Project designation.

(D) In the case of an Energy Project that will connect with the Puerto Rico Electric Power Authority's transmission or distribution facilities, a recommendation by the Energy Commission of Puerto Rico, if the Energy Commission determines such Energy Project will affect an approved Integrated Resource Plan, as defined under Puerto Rico Act 54–2014. If the Energy Commission determines the Energy Project will adversely affect an approved Integrated Resource Plan, then the Energy Commission shall provide the reasons for such determination and the Energy Project shall be ineligible for Critical Project designation, provided that such determination must be made during the 60-day timeframe for the development of the Critical Project Report.

(E) A recommendation by the Revitalization Coordinator whether the project should be considered a Critical Project.

(2) PUBLIC INVOLVEMENT.—Immediately following the completion of the Critical Project Report, the Revitalization Coordinator shall make such Critical Project Report public and allow a period of 30 days for the submission of comments by residents of Puerto Rico specifically on matters relating to the designation of a project as a Critical Project. The Revitalization Coordinator shall respond to the comments within 30 days of closing the coming period and make the responses publicly available.

(3) SUBMISSION TO OVERSIGHT BOARD.—Not later than 5 days after the Revitalization Coordinator has responded to the comments under paragraph (2), the Revitalization Coordinator shall submit the Critical Project Report to the Oversight Board.

(c) ACTION BY THE OVERSIGHT BOARD.—Not later than 30 days after receiving the Critical

Project Report, the Oversight Board, by majority vote, shall approve or disapprove the project as a Critical Project, if the Oversight Board—

(1) approves the project, the project shall be deemed a Critical Project; and

(2) disapproves the project, the Oversight Board shall submit to the Revitalization Coordinator in writing the reasons for disapproval.

SEC. 504. MISCELLANEOUS PROVISIONS.

(a) CREATION OF INTERAGENCY ENVIRONMENTAL SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date on which the Revitalization Coordinator is appointed, the Interagency Environmental Subcommittee shall be established and shall evaluate environmental documents required under Puerto Rico law for any Critical Project within the Expedited Permitting Process established by the Revitalization Coordinator under section 503(a)(3).

(2) COMPOSITION.—The Interagency Environmental Subcommittee shall consist of the Revitalization Coordinator, and a representative selected by the Governor in consultation with the Revitalization Coordinator representing each of the following agencies: The Environmental Quality Board, the Planning Board, the Puerto Rico Department of Natural and Environmental Resources, and any other Puerto Rico Agency determined to be relevant by the Revitalization Coordinator.

(b) LENGTH OF EXPEDITED PERMITTING PROCESS.—With respect to a Puerto Rico Agency's activities related only to a Critical Project, such Puerto Rico Agency shall operate as if the Governor has declared an emergency pursuant to section 2 of Act 76 (3 L.P.R.A. 1932). Section 12 of Act 76 (3 L.P.R.A. 1942) shall not be applicable to Critical Projects. Furthermore, any transactions, processes, projects, works, or programs essential to the completion of a Critical Project shall continue to be processed and completed under such Expedited Permitting Process regardless of the termination of the Oversight Board under section 209.

(c) EXPEDITED PERMITTING PROCESS COMPLIANCE.—

(1) WRITTEN NOTICE.—A Critical Project Sponsor may in writing notify the Oversight Board of the failure of a Puerto Rico Agency or the Revitalization Coordinator to adhere to the Expedited Permitting Process.

(2) FINDING OF FAILURE.—If the Oversight Board finds either the Puerto Rico Agency or Revitalization Coordinator has failed to adhere to the Expedited Permitting Process, the Oversight Board shall direct the offending party to comply with the Expedited Permitting Process. The Oversight Board may take such enforcement action as necessary as provided by section 104(l).

(d) REVIEW OF LEGISLATURE ACTS.—

(1) SUBMISSION OF ACTS TO OVERSIGHT BOARD.—Pursuant to section 204(a), the Governor shall submit to the Oversight Board any law duly enacted during any fiscal year in which the Oversight Board is in operation that may affect the Expedited Permitting Process.

(2) FINDING OF OVERSIGHT BOARD.—Upon receipt of a law under paragraph (1), the Oversight Board shall promptly review whether the law would adversely impact the Expedited Permitting Process and, upon such a finding, the Oversight Board may deem such law to be significantly inconsistent with the applicable Fiscal Plan.

(e) ESTABLISHMENT OF CERTAIN TERMS AND CONDITIONS.—No Puerto Rico Agency may include in any certificate, right-of-way, permit, lease, or other authorization issued for a Critical Project any term or condition that may be permitted, but is not required, by any applicable Puerto Rico law, if the Revitalization Coordinator determines the term or condition would prevent or impair the expeditious construction, operation, or expansion of the Critical Project. The Revitalization Coordinator may request a Puerto Rico Agency to include in any certificate, right-of-way, permit, lease, or other authorization, a term or condition that may be permitted in accordance with applicable laws if the Revitalization Coordinator determines such inclusion would support the expeditious construction, operation, or expansion of any Critical Project.

(f) DISCLOSURE.—All Critical Project reports, and justifications for approval or rejection of Critical Project status, shall be made publicly available online within 5 days of receipt or completion.

SEC. 505. FEDERAL AGENCY REQUIREMENTS.

(a) FEDERAL POINTS OF CONTACT.—At the request of the Revitalization Coordinator and within 30 days of receiving such a request, each Federal agency with jurisdiction over the permitting, or administrative or environmental review of private or public projects in Puerto Rico, shall name a Point of Contact who will serve as that agency's liaison with the Revitalization Coordinator.

(b) FEDERAL GRANTS AND LOANS.—For each Critical Project with a pending or potential Federal grant, loan, or loan guarantee application, the Revitalization Coordinator and the relevant Point of Contact shall cooperate with each other to ensure expeditious review of such application.

(c) EXPEDITED REVIEWS AND ACTIONS OF FEDERAL AGENCIES.—All reviews conducted and actions taken by any Federal agency relating to a Critical Project shall be expedited in a manner consistent with completion of the necessary reviews and approvals by the deadlines under the Expedited Permitting Process, but in no way shall the deadlines established through the Expedited Permitting Process be binding on any Federal agency.

(d) TRANSFER OF STUDY OF ELECTRIC RATES.—Section 9 of the Consolidated and Further Continuing Appropriations Act, 2015 (48 U.S.C. 1492a) is amended—

(1) in subsection (a)(5), by inserting '', except that, with respect to Puerto Rico, the term means, the Secretary of Energy'' after ''Secretary of the Interior''; and

(2) in subsection (b)—

(A) by inserting ''(except in the case of Puerto Rico, in which case not later than 270 days after the date of enactment of the Puerto Rico Oversight, Management, and Economic Stability Act)'' after ''of this Act''; and

(B) by inserting ''(except in the case of Puerto Rico)'' after ''Empowering Insular Communities activity''.

SEC. 506. JUDICIAL REVIEW.

(a) DEADLINE FOR FILING OF A CLAIM.—A claim arising under this title must be brought no later than 30 days after the date of the decision or action giving rise to the claim.

(b) EXPEDITED CONSIDERATION.—The District Court for the District of Puerto Rico shall set any action brought under this title for expedited consideration, taking into account the interest of enhancing Puerto Rico's infrastructure for electricity, water and sewer services, roads and bridges, ports, and solid waste management to achieve compliance with local and Federal environmental laws, regulations, and policies while ensuring the continuity of adequate services to the people of Puerto Rico and Puerto Rico's sustainable economic development.

SEC. 507. SAVINGS CLAUSE.

Nothing in this title is intended to change or alter any Federal legal requirements or laws.

TITLE VI—CREDITOR COLLECTIVE ACTION

SEC. 601. CREDITOR COLLECTIVE ACTION.

(a) DEFINITIONS.—In this title:

(1) ADMINISTRATIVE SUPERVISOR.—The term ''Administrative Supervisor'' means the Oversight Board established under section 101.

(2) AUTHORIZED TERRITORIAL INSTRUMENTALITY.—The term ''Authorized Territorial Instrumentality'' means a covered territorial instrumentality authorized in accordance with subsection (e).

(3) CALCULATION AGENT.—The term ''Calculation Agent'' means a calculation agent appointed in accordance with subsection (k).

(4) CAPITAL APPRECIATION BOND.—The term ''Capital Appreciation Bond'' means a Bond that does not pay interest on a current basis, but for which interest amounts are added to principal over time as specified in the relevant offering materials for such Bond, including that the accreted interest amount added to principal increases daily.

(5) CONVERTIBLE CAPITAL APPRECIATION BOND.—The term ''Convertible Capital Appreciation Bond'' means a Bond that does not pay interest on a current basis, but for which interest amounts are added to principal over time as specified in the relevant offering materials and which converts to a current pay bond on a future date.

(6) INFORMATION AGENT.—The term ''Information Agent'' means an information agent appointed in accordance with subsection (l).

(7) INSURED BOND.—The term ''Insured Bond'' means a bond subject to a financial guarantee or similar insurance contract, policy or surety issued by a monoline insurer.

(8) ISSUER.—The term ''Issuer'' means, as applicable, the Territory Government Issuer or an Authorized Territorial Instrumentality that has issued or guaranteed at least one Bond that is Outstanding.

(9) MODIFICATION.—The term ''Modification'' means any modification, amendment, supplement or waiver affecting one or more series of Bonds, including those effected by way of exchange, repurchase, conversion, or substitution.

(10) OUTSTANDING.—The term ''Outstanding,'' in the context of the principal amount of Bonds, shall be determined in accordance with subsection (b).

(11) OUTSTANDING PRINCIPAL.—The term ''Outstanding Principal'' means—

(A) for a Bond that is not a Capital Appreciation Bond or a Convertible Capital Appreciation Bond, the outstanding principal amount of such Bond; and

(B) for a Bond that is a Capital Appreciation Bond or a Convertible Capital Appreciation Bond, the current accreted value of such Capital Appreciation Bond or a Convertible Capital Appreciation Bond, as applicable.

(12) POOL.—The term ''Pool'' means a pool established in accordance with subsection (d).

(13) QUALIFYING MODIFICATION.—The term ''Qualifying Modification'' means a Modification proposed in accordance with subsection (g).

(14) SECURED POOL.—The term ''Secured Pool'' means a Pool established in accordance with subsection (d) consisting only of Bonds that are secured by a lien on property, provided that the inclusion of a Bond Claim in such Pool shall not in any way limit or prejudice the right of the Issuer, the Administrative Supervisor, or any creditor to recharacterize or challenge such Bond Claim, or any purported lien securing such Bond Claim, in any other manner in any subsequent proceeding in the event a proposed Qualifying Modification is not consummated.

(15) TERRITORY GOVERNMENT ISSUER.—The term ''Territory Government Issuer'' means the Government of Puerto Rico or such covered territory for which an Oversight Board has been established pursuant to section 101.

(b) OUTSTANDING BONDS.—In determining whether holders of the requisite principal amount of Outstanding Bonds have voted in favor of, or consented to, a proposed Qualifying Modification, a Bond will be deemed not to be outstanding, and may not be counted in a vote or consent solicitation for or against a proposed Qualifying Modification, if on the record date for the proposed Qualifying Modification—

(1) the Bond has previously been cancelled or delivered for cancellation or is held for reissuance but has not been reissued;

(2) the Bond has previously been called for redemption in accordance with its terms or previously become due and payable at maturity or otherwise and the Issuer has previously satisfied its obligation to make, or provide for, all payments due in respect of the Bond in accordance with its terms;

(3) the Bond has been substituted with a security of another series; or

(4) the Bond is held by the Issuer or by an Authorized Territorial Instrumentality of the Territory Government Issuer or by a corporation, trust or other legal entity that is controlled by the Issuer or an Authorized Territorial Instrumentality of the Territory Government Issuer, as applicable.

For purposes of this subsection, a corporation, trust or other legal entity is controlled by the Issuer or by an Authorized Territorial Instrumentality of the Territory Government Issuer if the Issuer or an Authorized Territorial Instrumentality of the Territory Government Issuer, as applicable, has the power, directly or indirectly, through the ownership of voting securities or other ownership interests, by contract or otherwise, to direct the management of or elect or appoint a majority of the board of directors or other persons performing similar functions in lieu of, or in addition to, the board of directors of that legal entity.

(c) CERTIFICATION OF DISENFRANCHISED BONDS.—Prior to any vote on, or consent solicitation for, a Qualifying Modification, the Issuer shall deliver to the Calculation Agent a certificate signed by an authorized representative of the Issuer specifying any Bonds that are deemed not to be Outstanding for the purpose of subsection (b) above.

(d) DETERMINATION OF POOLS FOR VOTING.—The Administrative Supervisor, in consultation with the Issuer, shall establish Pools in accordance with the following:

(1) Not less than one Pool shall be established for each Issuer.

(2) A Pool that contains one or more Bonds that are secured by a lien on property shall be a Secured Pool.

(3) The Administrative Supervisor shall establish Pools according to the following principles:

(A) For each Issuer that has issued multiple Bonds that are distinguished by specific provisions governing priority or security arrangements, including Bonds that have been issued as general obligations of the Territory Government Issuer to which the Territory Government Issuer pledged the full or good faith, credit, and taxing power of the Territory Government Issuer, separate Pools shall be established corresponding to the relative priority or security arrangements of each holder of Bonds against each Issuer, as applicable, provided, however, that the term ''priority'' as used in this section shall not be understood to mean differing payment or maturity dates.

(B) For each Issuer that has issued senior and subordinated Bonds, separate Pools shall be established for the senior and subordinated Bonds corresponding to the relative priority or security arrangements.

(C) For each Issuer that has issued multiple Bonds, for at least some of which a guarantee of repayment has been provided by the Territory Government Issuer, separate Pools shall be established for such guaranteed and non-guaranteed Bonds.

(D) Subject to the other requirements contained in this section, for each Issuer that has issued multiple Bonds, for at least some of which a dedicated revenue stream has been pledged for repayment, separate Pools for such Issuer shall be established as follows—

(i) for each dedicated revenue stream that has been pledged for repayment, not less than one Secured Pool for Bonds for which such revenue stream has been pledged, and separate Secured Pools shall be established for Bonds of different priority; and

(ii) not less than one Pool for all other Bonds issued by the Issuer for which a dedicated revenue stream has not been pledged for repayment.

(E) The Administrative Supervisor shall not place into separate Pools Bonds of the same Issuer that have identical rights in security or priority.

(4) Notwithstanding the preceding provisions of this subsection, a preexisting voluntary agreement may classify Insured Bonds and uninsured bonds in different Pools and provide different treatment thereof so long as the preexisting voluntary agreement has been agreed to by—

(A) holders of a majority in amount of all uninsured bonds outstanding in the modified Pool; and

(B) holders (including insurers with power to vote) of a majority in amount of all Insured Bonds.

(e) AUTHORIZATION OF TERRITORY INSTRUMENTALITIES.—A covered territorial instrumentality is an Authorized Territorial Instrumentality if it has been specifically authorized to be eligible to avail itself of the procedures under this section by the Administrative Supervisor.

(f) INFORMATION DELIVERY REQUIREMENT.—Before solicitation of acceptance or rejection of a Modification under subsection (h), the Issuer shall provide to the Calculation Agent, the Information Agent, and the Administrative Supervisor, the following information—

(1) a description of the Issuer's economic and financial circumstances which are, in the Issuer's opinion, relevant to the request for the proposed Qualifying Modification, a description of the Issuer's existing debts, a description of the impact of the proposed Qualifying Modification on the territory's or its territorial instrumentalities' public debt;

(2) if the Issuer is seeking Modifications affecting any other Pools of Bonds of the Territory Government Issuer or its Authorized Territorial Instrumentalities, a description of such other Modifications;

(3) if a Fiscal Plan with respect to such Issuer has been certified, the applicable Fiscal Plan certified in accordance with section 201; and

(4) such other information as may be required under applicable securities laws.

(g) QUALIFYING MODIFICATION.—A Modification is a Qualifying Modification if—

(1) the Issuer proposing the Modification has consulted with holders of Bonds in each Pool of such Issuer prior to soliciting a vote on such Modification;

(2) each exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification is offered the same amount of consideration per amount of principal, the same amount of consideration per amount of interest accrued but unpaid and the same amount of consideration per amount of past due interest, respectively, as that offered to each other exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification (or, where a menu of instruments or other consideration is offered, each exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification is offered the same amount of consideration per amount of principal, the same amount of consideration per amount of interest accrued but unpaid and the same amount of consideration per amount of past due interest, respectively, as that offered to each other exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification electing the same option under such menu of instruments);

(3) the Modification is certified by the Administrative Supervisor as being consistent with the requirements set forth in section 104(i)(1) and is in the best interests of the creditors and is feasible; or

(4) notwithstanding paragraphs (1) through (3), the Administrative Supervisor has issued a certification that—

(A) the requirements set forth in section 104(i)(2) have been satisfied; or

(B) the Modification is consistent with a restructuring support or similar agreement to be implemented pursuant to the law of the covered territory executed by the Issuer prior to the establishment of an Oversight Board for the relevant territory.

(h) SOLICITATION.—

(1) Upon receipt of a certification from the Administrative Supervisor under subsection (g), the Information Agent shall, if practical and except as provided in paragraph (2), submit to the holders of any Outstanding Bonds of the relevant Issuer, including holders of the right to vote such Outstanding Bonds, the information submitted by the relevant Issuer under subsection (f)(1) in order to solicit the vote of such holders to approve or reject the Qualifying Modification.

(2) If the Information Agent is unable to identify the address of holders of any Outstanding Bonds of the relevant Issuer, the Information Agent may solicit the vote or consent of such holders by—

(A) delivering the solicitation to the paying agent for any such Issuer or Depository Trust Corporation if it serves as the clearing system for any of the Issuer's Outstanding Bonds; or

(B) delivering or publishing the solicitation by whatever additional means the Information Agent, after consultation with the Issuer, deems necessary and appropriate in order to make a reasonable effort to inform holders of any Outstanding Bonds of the Issuer which may include, notice by mail, publication in electronic media, publication on a website of the Issuer, or publication in newspapers of national circulation in the United States and in a newspaper of general circulation in the territory.

(i) WHO MAY PROPOSE A MODIFICATION.—For each Issuer, a Modification may be proposed to the Administrative Supervisor by the Issuer or by one or more holders of the right to vote the Issuer's Outstanding Bonds. To the extent a Modification proposed by one or more holders of the right to vote Outstanding Bonds otherwise complies with the requirements of this title, the Administrative Supervisor may accept such Modification on behalf of the Issuer, in which case the Administrative Supervisor will instruct the Issuer to provide the information required in subsection (f).

(j) VOTING.—For each Issuer, any Qualifying Modification may be made with the affirmative vote of the holders of the right to vote at least two-thirds of the Outstanding Principal amount of the Outstanding Bonds in each Pool that have voted to approve or reject the Qualifying Modification, provided that holders of the right to vote not less than a majority of the aggregate Outstanding Principal amount of all the Outstanding Bonds in each Pool have voted to approve the Qualifying Modification. The holder of the right to vote the Outstanding Bonds that are Insured Bonds shall be the monoline insurer insuring such Insured Bond to the extent such insurer is granted the right to vote Insured Bonds for purposes of directing remedies or consenting to proposed amendments or modifications as provided in the applicable documents pursuant to which such Insured Bond was issued and insured.

(k) CALCULATION AGENT.—For the purpose of calculating the principal amount of the Bonds of any series eligible to participate in such a vote or consent solicitation and tabulating such votes or consents, the Territory Government Issuer may appoint a Calculation Agent for each Pool reasonably acceptable to the Administrative Supervisor.

(l) INFORMATION AGENT.—For the purpose of administering a vote of holders of Bonds, including the holders of the right to vote such Bonds, or seeking the consent of holder of

Bonds, including the holders of the right to vote such Bonds, to a written action under this section, the Territory Government Issuer may appoint an Information Agent for each Pool reasonably acceptable to the Administrative Supervisor.

(m) BINDING EFFECT.—

(1) A Qualifying Modification will be conclusive and binding on all holders of Bonds whether or not they have given such consent, and on all future holders of those Bonds whether or not notation of such Qualifying Modification is made upon the Bonds, if—

(A) the holders of the right to vote the Outstanding Bonds in every Pool of the Issuer pursuant to subsection (j) have consented to or approved the Qualifying Modification;

(B) the Administrative Supervisor certifies that—

(i) the voting requirements of this section have been satisfied;

(ii) the Qualifying Modification complies with the requirements set forth in section 104(i)(1); and

(iii) except for such conditions that have been identified in the Qualifying Modification as being non-waivable, any conditions on the effectiveness of the Qualifying Modification have been satisfied or, in the Administrative Supervisor's sole discretion, satisfaction of such conditions has been waived;

(C) with respect to a Bond Claim that is secured by a lien on property and with respect to which the holder of such Bond Claim has rejected or not consented to the Qualifying Modification, the holder of such Bond—

(i) retains the lien securing such Bond Claims; or

(ii) receives on account of such Bond Claim, through deferred cash payments, substitute collateral, or otherwise, at least the equivalent value of the lesser of the amount of the Bond Claim or of the collateral securing such Bond Claim; and

(D) the district court for the territory or, for any territory that does not have a district court, the United States District Court for the District of Hawaii, has, after reviewing an application submitted to it by the applicable Issuer for an order approving the Qualifying Modification, entered an order that the requirements of this section have been satisfied.

(2) Upon the entry of an order under paragraph (1)(D), the conclusive and binding Qualifying Modification shall be valid and binding on any person or entity asserting claims or other rights, including a beneficial interest (directly or indirectly, as principal, agent, counterpart, subrogee, insurer or otherwise) in respect of Bonds subject to the Qualifying Modification, any trustee, any collateral agent, any indenture trustee, any fiscal agent, and any bank that receives or holds funds related to such Bonds. All property of an Issuer for which an order has been entered under paragraph (1)(D) shall vest in the Issuer free and clear of all claims in respect of any Bonds of any other Issuer. Such Qualifying Modification will be full, final, complete, binding, and conclusive as to the territorial government Issuer, other territorial instrumentalities of the territorial government Issuer, and any creditors of such entities, and should not be subject to any collateral attack or other challenge by any such entities in any court or other forum. Other than as provided herein, the foregoing shall not prejudice the rights and claims of any party that insured the Bonds, including the right to assert claims under the Bonds as modified following any payment under the insurance policy, and no claim or right that may be asserted by any party in a capacity other than holder of a Bond affected by the Qualifying Modification shall be satisfied, released, discharged, or enjoined by this provision.

(n) JUDICIAL REVIEW.—

(1) The district court for the territory or, for any territory that does not have a district court, the United States District Court for the District of Hawaii shall have original and exclusive jurisdiction over civil actions arising under this section.

(2) Notwithstanding section 106(e), there shall be a cause of action to challenge unlawful application of this section.

(3) The district court shall nullify a Modification and any effects on the rights of the holders of Bonds resulting from such Modification if and only if the district court determines that such Modification is manifestly inconsistent with this section.

SEC. 602. APPLICABLE LAW.

In any judicial proceeding regarding this title, Federal, State, or territorial laws of the United States, as applicable, shall govern and be applied without regard or reference to any law of any international or foreign jurisdiction.

TITLE VII—SENSE OF CONGRESS REGARDING PERMANENT, PRO-GROWTH FISCAL REFORMS

SEC. 701. SENSE OF CONGRESS REGARDING PERMANENT, PRO-GROWTH FISCAL REFORMS.

It is the sense of the Congress that any durable solution for Puerto Rico's fiscal and economic crisis should include permanent, pro-growth fiscal reforms that feature, among other elements, a free flow of capital between possessions of the United States and the rest of the United States.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 114–610. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–610.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 14, strike ''If'' and insert ''(a) IN GENERAL.—Except as provided in subsection (b), if''.

Page 3, after line 20, insert the following:

(b) UNIFORMITY.—If a court holds invalid any provision of this Act or the application thereof on the ground that the provision fails to treat similarly situated territories uniformly, then the court shall, in granting a remedy, order that the provision of this Act or the application thereof be extended to any other similarly situated territory, provided that the legislature of that territory adopts a resolution signed by the territory's governor requesting the establishment and organization of a Financial Oversight and Management Board pursuant to section 101.

Page 9, strike lines 24 and 25.

Page 10 strike lines 1 through 7, and insert the following:

(1) PUERTO RICO.—A Financial Oversight and Management Board is hereby established for Puerto Rico.

Page 10, line 8, strike ''(3)'' and insert ''(2)''.

Page 12, line 22, strike ''must'' and insert ''shall''.

Page 14, line 6, insert '', non-overlapping'' after ''from a separate''.

Page 16, lines 15 through 16, strike ''September 30, 2016'' and insert ''September 1, 2016''.

Page 16, line 18, strike ''December 1, 2016'' and insert ''September 15, 2016''.

Page 19, line 4, strike ''subsection'' and insert ''Act''.

Page 20, line 5, insert ''and any professionals the Oversight Board determines necessary'' after ''voting members''.

Page 29, line 9, insert ''until an order approving the Qualifying Modification has been entered pursuant to section 601(m)(1)(D) of this Act'' after ''such agreement''.

Page 29, strike lines 10 through 18 and insert the following:

(3) PREEXISTING VOLUNTARY AGREEMENTS.—Any voluntary agreement that the territorial government or any territorial instrumentality has executed before May 18, 2016, with holders of a majority in amount of Bond Claims that are to be affected by such agreement to restructure such Bond Claims shall be deemed to be in conformance with the requirements of this subsection.

Page 32, line 11, strike ''the Government of Puerto Rico'' and insert ''a covered territory''.

Page 34, strike line 19 through page 35, line 3 and insert the following:

(b) FUNDING.—The Oversight Board shall use its powers with respect to the Territory Budget of the covered territory to ensure that sufficient funds are available to cover all expenses of the Oversight Board.

(1) PERMANENT FUNDING.—Within 30 days after the date of enactment of this Act, the territorial government shall designate a dedicated funding source, not subject to subsequent legislative appropriations, sufficient to support the annual expenses of the Oversight Board as determined in the Oversight Board's sole and exclusive discretion.

(2)(A) INITIAL FUNDING.—On the date of establishment of an Oversight Board in accordance with section 101(b) and on the 5th day of each month thereafter, the Governor of the covered territory shall transfer or cause to be transferred the greater of $2,000,000 or such amount as shall be determined by the Oversight Board pursuant to subsection (a) to a new account established by the territorial government, which shall be available to and subject to the exclusive control of the Oversight Board, without any legislative appropriations of the territorial government.

(B) TERMINATION.—The initial funding requirements under subparagraph (A) shall terminate upon the territorial government designating a dedicated funding source not subject to subsequent legislative appropriations under paragraph (1).

(3) REMISSION OF EXCESS FUNDS.—If the Oversight Board determines in its sole discretion that any funds transferred under this subsection exceed the amounts required for the Oversight Board's operations as established pursuant to subsection (a), any such excess funds shall be periodically remitted to the territorial government.

Page 35, line 15, strike ''or on'' and insert '', on''.

Page 35, line 15, insert '', or against'' after ''behalf of''.

Page 35, line 17 and 18, strike ''no conflict of interest exists'' and insert ''the representation complies with the applicable professional rules of conduct governing conflicts of interests''.

Page 60, line 7, insert ''(A)'' before ''During the period''.

Page 60, line 18, strike ''reversal'' and insert ''rescission''.

Page 60, line 19, insert at the end the following:

(B) Upon appointment of the Oversight Board's full membership, the Oversight

Board may review, and in its sole discretion, rescind, any law that—

(i) was enacted during the period between, with respect to Puerto Rico, May 4, 2016; or with respect to any other territory, 45 days prior to the establishment of the Oversight Board for such territory, and the date of appointment of all members and the Chair of the Oversight Board; and

(ii) alters pre-existing priorities of creditors in a manner outside the ordinary course of business or inconsistent with the territory's constitution or the laws of the territory as of, in the case of Puerto Rico, May 4, 2016, or with respect to any other territory, 45 days prior to the establishment of the Oversight Board for such territory;

but such rescission shall only be to the extent that the law alters such priorities.

Page 73, strike line 22, and insert ''be excluded, and that, for each excluded trust or other legal entity, the court shall, upon the request of any participant or beneficiary of such trust or entity, at any time after the commencement of the case, order the appointment of a separate committee of creditors pursuant to section 1102(a)(2) of title 11, United States Code; and''.

Page 75, line 2, insert at the end the following: ''The term 'trustee' as described in this paragraph does not mean the U.S. Trustee, an official of the United States Trustee Program, which is a component of the United States Department of Justice.''.

Page 75, line 8, insert '' 'Chapter 11,' '' after '' 'Chapter 9' ''.

Page 76, line 22, insert ''but'' after ''for such exercise,''.

Page 76, line 23, strike '', but''.

Page 84, line 23, insert ''(1)'' before ''If the Oversight Board''.

Page 85, after line 2, insert the following:

(2) With respect to paragraph (1), the Oversight Board may consider, among other things—

(A) the resources of the district court to adjudicate a case or proceeding; and

(B) the impact on witnesses who may be called in such a case or proceeding.

Page 88, line 7, strike ''IMPAIRED CREDITORS''and insert ''CLAIMS''.

Page 88, line 14, insert ''claims, which claims are'' after ''only one class of''.

Page 88, line 21, insert ''and does not discriminate unfairly'' after ''table''.

Page 94, line 10, insert ''(29 U.S.C. 215(a)(3))'' after ''section 15(a)(3)''.

Page 111, line 1, strike ''180 days'' and insert ''one year''.

Page 115, line 24, insert '', which should be analyzed,'' after ''level of debt''.

Page 116, lines 4 and 5, strike ''nor policies that would'' and insert ''or policies that would not''.

Page 116, line 8, strike ''States or local units of government''.

Page 121, lines 7 and 8, strike '', or in the preceding 3 calendar years provided,''.

Page 142, line 2, strike ''a preexisting voluntary agreement'' and insert ''solely with respect to a preexisting voluntary agreement as described in section 104(i)(3) of this Act, such voluntary agreement''.

Page 143, line 16, strike ''if—'' and insert ''if one of the following processes has occurred:''.

Page 143, line 17, strike ''the Issuer'' and insert ''CONSULTATION PROCESS.—(A) The Issuer''.

Page 143, line 20, strike ''(2)'' and insert ''(B)''.

Page 144, line 17, insert ''and'' after the semicolon.

Page 144, line 18, strike ''(3)'' and insert ''(C)''.

Page 144, line 21, strike ''; or'' and insert a period.

Page 144, lines 22 through 23, strike ''(4) notwithstanding paragraphs (1) through (3), the'' and insert the following:

(2) VOLUNTARY AGREEMENT PROCESS.—The

Page 145, line 2, insert ''and section 601(g)(1)(B)'' after ''104(i)(2)''.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this is the proverbial manager's amendment. It does have four significant elements that I think people ought to be aware of in this particular amendment.

Thanks to a lot of work from Mr. MACARTHUR and some others, we have an opt-in provision in this piece of legislation for the other territories. However, if a court finding removes the opt-in provision and finds it to be unconstitutional, it then does have a reverse severability clause that would reinstate the opt-in for other territories so there would not be a constitutional issue.

We do have a funding mechanism in this bill to make sure that the oversight board is up and running properly as we begin. It also has the ability for the oversight board to give them the authority to review and rescind any laws passed by the territory between May 4 and the date of its full appointment of membership if those actions alter the priorities of repayment and move things around in a controversial way.

Finally, and probably most important, the amendment also includes a moving up of the timetable for appointment to the board. This simply says the President will have the appointment of the board up and running by September 15 of this year, and no later than that.

This, I think, has some other technical amendments that truly are technical, but those are four substantive amendments in the manager's amendment that help make this what we intend it to be and get us up and running very quickly.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GRAVES OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–610.

Mr. GRAVES of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 61, line 4, strike ''or''.

Page 61, line 7, strike the period and insert ''; or''.

Page 61, after line 7, insert:

(4) preserve and maintain federally funded mass transportation assets.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Missouri (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I rise today in support of my amendment which ensures federally funded public transportation systems are considered an essential service as Puerto Rico works to address its debt crisis.

Mr. Chairman, public transportation services in Puerto Rico are provided by a fully automated rapid rail line known as Tren Urbano. The system serves 8.5 million customers each year, providing access to three universities, the main medical center in Puerto Rico, and major financial centers in its capital.

Construction of Tren Urbano was funded by the United States Government through a Federal Transit Administration grant. In fact, of the total $2.2 billion price tag, over $800 million came from Federal grants, and another $300 million came from a TIFIA loan. These are taxpayer investments we cannot let go to waste, and this amendment is simply a fiscally responsible way to make sure that that doesn't happen.

Failure to maintain Puerto Rico's mass transit system would cause Tren Urbano to fall into disrepair. We have seen just how disruptive those problems can be right here in our Nation's Capital. As the chairman of the House Subcommittee on Highways and Transit, I recently held a hearing on the safety and reliability of the Metro system here in D.C. Repairs to the Metro have added to congestion problems in this city, and it has caused an untold amount in lost worker productivity. We do not want to see the same problems in Puerto Rico. We want to make sure that that doesn't happen. We don't want to see those same problems, especially given the economic situation they are facing.

Over the last several years, the Government of Puerto Rico has struggled to pay for Tren Urbano's operations. At times, outstanding debt for operations has exceeded $20 million. Nevertheless, with the aid of FTA preventive maintenance grants, revenues from passenger fares, and funds from the Puerto Rican Highway and Transportation Authority, Tren Urbano has been able to continue serving the residents of Puerto Rico. It is critical we ensure Tren Urbano is treated as an essential service so that we can protect the hundreds of millions of taxpayer dollars that are already invested in the system.

Mr. Chairman, this doesn't prioritize anything. It doesn't put anything at the top of the list. It just simply says that it is going to be a part of this process, so we do not lose that investment.

Mr. CAPUANO. Will the gentleman yield?

Mr. GRAVES of Missouri. I yield to the gentleman from Massachusetts.

Mr. CAPUANO. Mr. Chairman, I thank the gentleman for yielding.

I want to step up and basically add my name to this and my support and say it is a good amendment. It should pass.

Mr. BISHOP of Utah. Will the gentleman yield?

Mr. GRAVES of Missouri. I yield to the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I also want to support this amendment. Everything is fine with me too.

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. JOLLY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–610.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 114, line 11, insert ‘‘, reduce child poverty,’’ before ‘‘and attract’’.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Florida (Mr. JOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. JOLLY. Mr. Chairman, section 409 of this very important legislation creates a congressional task force on economic growth in Puerto Rico. The intent of the task force is to study barriers to economic growth, report back to Congress on changes in Federal law that would spur long-term, sustainable economic growth, job creation, and also attract investment in Puerto Rico. However, in my opinion, the section could be improved by also studying the impact and recommended changes on child poverty on the island of Puerto Rico.

Nearly 60 percent of children under 18 live below the poverty level in Puerto Rico, and roughly 80 percent live in high poverty areas. That is in comparison to only 11 percent who live in high poverty areas here in the continental United States.

This very simple amendment would add to the requirements of the congressional task force that they report back on recommended changes to address and reduce child poverty in the territory.

This amendment has been endorsed by an organization of roughly 600 national and local religious bodies, including the U.S. Conference of Catholic Bishops, the United Methodist Church, the Presbyterian Church U.S.A., Catholic Charities, the Union for Reform Judaism.

Additionally, on Tuesday of this week, San Juan Archbishop Roberto Gonzalez Nieves called on Congress to specifically address child poverty in this bill.

Much of the debate has centered around balancing the interests and needs of bondholders and lenders with those of pensioners. I would ask that this body also consider the impact on the least among us. We are all called to serve each other.

This is an opportunity for this body to reflect not just the vision of our Founders, but the calling of our Creator in doing so. These children are American citizens. Their plight deserves our explicit attention.

I urge my colleagues to support this amendment.

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

Mr. GRIJALVA. Mr. Chairman, I ask unanimous consent to claim the time in opposition to this amendment, although I am not opposed to the amendment.

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

There was no objection.

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

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI), the commissioner from Puerto Rico.

Mr. PIERLUISI. Mr. Chairman, I thank Congressman GRIJALVA.

I rise to support this thoughtful amendment and to thank its authors, Congressman JOLLY and Congressman CURBELO, both from Florida.

Florida is home to over 1 million individuals of Puerto Rican birth or descent, and will soon pass New York as the State with the largest Puerto Rican population. Many of the Puerto Rican families in Florida are recent arrivals, having relocated from Puerto Rico to the Sunshine State in search of the equality and economic opportunity that they lack on the island.

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I also want to thank the organization Jubilee USA, which has been a constructive player in the debate over PROMESA.

This amendment requires the Congressional Task Force on Economic Growth in Puerto Rico, created by section 409 of the bill, to report on recommended changes to Federal policy that would reduce child poverty in Puerto Rico.

I do not want to prejudge the work of the task force, so I will simply say this: poverty in Puerto Rico, including child poverty, is far higher than in any State in the Nation, and it has been far higher for as long as statistics have been available. This demonstrates that the problem is structural in nature. It is rooted in the unequal treatment that Puerto Rico receives under key Federal antipoverty programs, which is only permissible because Puerto Rico is a territory rather than a State. To reduce poverty, we must end unequal treatment, and to end unequal treatment, Puerto Rico must discard its territory status in favor of statehood or nationhood.

Mr. JOLLY. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chair, I was not planning to speak, but when I heard Bishop Gonzalez' name mentioned, I had to say something because he was my parish priest at two different parishes in the Bronx. I know of his work, and if he wants this discussed, then it is something I should rise to and support. He always cared about child poverty in the Bronx when he was my parish priest. Now, as I tell him he is a big shot in Puerto Rico, he is still doing the right thing by God's work.

Mr. JOLLY. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, in closing, let me thank and commend the gentleman from Florida for this very good amendment. I think it dovetails with the rest of the legislation very well as the gentleman addresses some of the indices in Puerto Rico that require attention—the challenges around poverty that the Puerto Rican people are facing. It is not often in this Chamber that we talk about poverty. The gentleman is to be commended, and I support the amendment.

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

Mr. JOLLY. Mr. Chair, in closing, I urge my colleagues to support this very important amendment.

Do the right thing for the very least among us—those children on the island who are facing significant challenges of poverty—so that we, as a body, might respond better to the right policies that address their very real needs. I urge the passage of this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–610.

Mr. BYRNE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 115, line 20, strike ‘‘The’’ and insert ‘‘Not later than 18 months after the date of the enactment of this Act, the’’.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chair, I thank Chairman BISHOP for his leadership on this issue. This has not been an easy task, but he has provided great leadership, and I appreciate it.

I also thank Mr. GRAVES of Louisiana and Mr. POLIS for their amendment at the committee level, which requires a report from the Government Accountability Office that outlines how Puerto Rico reached this point of fiscal insolvency.

My amendment is very straightforward. It would simply set a deadline for the GAO to submit this report within 18 months of the enactment of this bill. Mr. GRAVES and Mr. POLIS are cosponsors of my amendment, and they agree that setting a deadline is important.

We must figure out how Puerto Rico got to this point in order to avoid another territory's finding itself in a similar position at some point down the road. I believe having this report and receiving it in a timely manner will, hopefully, go a long way towards preventing a similar situation in the future. This amendment is about accountability, and I urge its adoption.

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

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–610.

Mr. BYRNE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 116, after line 10, insert the following:

SEC. 411. REPORT ON TERRITORIAL DEBT.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and thereafter not less than once every two years, the Comptroller General of the United States shall submit to Congress a report on the public debt of each territory, including—

(1) the historical levels of each territory's public debt, current amount and composition of each territory's public debt, and future projections of each territory's public debt;

(2) 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;

(3) the drivers and composition of each territory's public debt;

(4) the effect of Federal laws, mandates, rules, and regulations on each territory's public debt; and

(5) the ability of each territory to repay it's public debt.

(b) MATERIALS.—The government of each territory shall make available to the Comptroller General of the United States all materials necessary to carry out this section.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chair, as we have heard over and over again today, this Congress has plenary authority over our territories. Over the course of the last century, this body has rightly delegated this power to provide for home rule for our territories. However, it is abundantly clear that this delegation of power has resulted in no oversight by the Federal Government over the debts that our territories are running up.

In this particular case, out of the blue, we have been told by the United States Treasury that it is our constitutional responsibility to do something to save a territory from years of its own fiscal irresponsibility. For years, the entire Federal Government was, essentially, asleep at the wheel as one of our territories ran up huge, unsustainable debts until the day arose when the territory could no longer pay.

Mr. Chair, I have absolutely no interest in interfering with the home rule of our territories. However, delegated authority can be abused. If we have a constitutional responsibility to intervene to prevent territorial insolvency, we certainly should exercise at least minimal oversight into the large debts that some of our territories are running up.

My amendment is simple. It requires a biennial report to Congress on the debt of each territory, the drivers of each territory's debt, the effect of Federal policy on each territory's debt, and the ability of each territory to repay its debt. This will help us provide that minimal oversight.

Unfortunately, Mr. Chair, the very agency that is coming to Congress and asking us to help Puerto Rico—the United States Treasury—has refused to provide this report to Congress, claiming it lacks resources. Let's be clear. The Department of the Treasury was appropriated $11.9 billion for this fiscal year, and they claim a lack of resources to put together a simple report on five tiny territories. That is astonishing. It is also irresponsible.

In response to the Department of the Treasury, I offered a compromise. I would take one Treasury report on territorial debt if the Treasury would simply agree to monitor and advise us of what is going on with these territorial governments and what we should do to prevent insolvency.

According to the Treasury, this was even worse. It would represent an unprecedented expansion into the finances and solvency of a U.S. subsovereign. Apparently, this administration doesn't like the Territories Clause of the Constitution unless it is being used at the very last minute to save Puerto Rico.

I don't blame Puerto Rico for this. I blame the United States Treasury for this. If the United States Treasury is unwilling to do its job, I have changed the text of my amendment to require the GAO to put together this biennial report, and I look forward to seeing its results.

Last night, Mr. Chair, in the Rules Committee meeting, we heard testimony from the representatives of two other territories, who told us that they are concerned that their territories are sliding in the same direction as Puerto Rico's while the Treasury Department sleeps. Since the Treasury Department won't take responsibility and do its job, we are going to do our job through the GAO.

I hope my colleagues will join me in doing something to fix this problem before another crisis is upon us. Perhaps, then, we can even get the Treasury and the rest of the Federal Government to wake up. If they don't, I will have a lot less sympathy the next time they come asking for our help.

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

Mr. GRIJALVA. Mr. Chair, I rise in opposition to this amendment.

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

Mr. GRIJALVA. Mr. Chair, this amendment requires the GAO to submit reports every 2 years to the Congress about the public debt and about the ability to pay that debt of all U.S. territories. While the debt crisis in Puerto Rico is, indeed, serious and real, there is no indication that any other territory faces a similar crisis.

The base bill already includes reporting requirements. Requiring more reporting to cover the territories is unwarranted as well as being a waste of the GAO's limited time to provide more important reports to Congress.

A number of States and localities on the mainland face much more precarious budget situations than do the other territories. We don't need any more focus on U.S. territories when there is no reason to believe such onerous reporting is really required or justified.

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

Mr. BYRNE. Mr. Chair, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chair, there is an old line from the play ''1776,'' when Stephen Hopkins says:

Mr. Chair, I have never seen, heard, or smelled an issue so dangerous it couldn't be talked about. Hell, yes. I am for debating anything.

This is one of those situations in which you have never seen, heard, or smelled anything that shouldn't be studied. The information could be vital, and it could be helpful. For that, I endorse and support this amendment.

Mr. GRIJALVA. Mr. Chair, I reserve the balance of my time.

Mr. BYRNE. Mr. Chair, I listened to the gentleman's comments, and I have to tell you, if there is enough in this bill for the reporting, why did the Treasury not say that to us? They didn't say that to us because they know there needs to be a report done. They just don't want to take the responsibility for doing it.

I think this amendment is definitely necessary for us to make sure we are doing our job in exercising our constitutional responsibility.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, I reserve the balance of my time.

Mr. BYRNE. Mr. Chair, I didn't know anything about this, and the vast majority of the Members didn't know anything about this problem before it was thrust upon us over the last several weeks.

The irresponsibility of the Treasury Department in not giving this information to us months ago when they knew it was happening or when they should have known it was happening underscores the need for this. I am putting it on the GAO in this particular amendment, but in the years to come, we need to expect the Treasury to do its job, because it has failed to do so in this circumstance.

I ask the House to adopt my amendment.

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

Mr. GRIJALVA. Mr. Chair, a recent report from the U.S. Public Interest Research Group Education Fund rated all 50 States on whether they made transparent budget and spending information available to the public. My own State of Arizona received a grade of a B, so we have some work to do there. The State of Alabama, however, received the grade of a D, placing it fourth from the bottom of all States.

From that, it seems clear, if our goal is budget and spending transparency, perhaps our focus should be on our States on the mainland and not on the territories, because that seems to be where there is a verifiable problem.

This amendment is unwarranted, and it does not need to be included in the legislation.

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

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–610.

Mr. DUFFY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 116, after line 10, insert the following:

SEC. 411. EXPANSION OF HUBZONES IN PUERTO RICO.

(a) IN GENERAL.—

(1) Section 3(p)(4)(A) of the Small Business Act (15 U.S.C. 632(p)(4)(A)) is amended to read as follows:

''(A) QUALIFIED CENSUS TRACT.—

''(i) IN GENERAL.—The term 'qualified census tract' has the meaning given that term in section 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986.

''(ii) EXCEPTION.—For any metropolitan statistical area in the Commonwealth of Puerto Rico, the term 'qualified census tract' has the meaning given that term in section 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986 as applied without regard to subclause (II) of such section, except that this clause shall only apply—

''(I) 10 years after the date that the Administrator implements this clause, or

''(II) the date on which the Financial Oversight and Management Board for the Commonwealth of Puerto Rico created by the Puerto Rico Oversight, Management, and Economic Stability Act ceases to exist,

whichever event occurs first.''.

(2) REGULATIONS.—The Administrator of the Small Business Administration shall issue regulations to implement the amendment made by paragraph (1) not later than 90 days after the date of the enactment of this Act.

(b) IMPROVING OVERSIGHT.—

(1) GUIDANCE.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Small Business Administration shall develop and implement criteria and guidance on using a risk-based approach to requesting and verifying information from entities applying to be designated or recertified as qualified HUBZone small business concerns (as defined in section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5))).

(2) ASSESSMENT.—Not later 1 year after the date on which the criteria and guidance described in paragraph (1) is implemented, the Comptroller General of the United States shall begin an assessment of such criteria and guidance. Not later than 6 months after beginning such an assessment, the Comptroller General shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that includes—

(A) an assessment of the criteria and guidance issued by the Administrator of the Small Business Administration in accordance with paragraph (1);

(B) an assessment of the implementation of the criteria and guidance issued by issued by the Administrator of the Small Business Administration in accordance with paragraph (1);

(C) an assessment as to whether these measures have successfully ensured that only qualified HUBZone small business concerns are participating in the HUBZone program under section 31 of the Small Business Act (15 U.S.C. 657a);

(D) an assessment as to whether the reforms made by the criteria and guidance implemented under paragraph (1) have resulted in job creation in the Commonwealth of Puerto Rico; and

(E) recommendations on how to improve controls in the HUBZone program.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. DUFFY. Mr. Chair, the Puerto Rico unemployment rate is double the national average. Nearly one in every two residents lives below the poverty line. Economic growth is in the negative. We have heard about that all day today. Now, PROMESA will stop the bleeding, but there isn't an easy solution to jump-start the economy. We have a down payment in a commission, but this is, I think, a real step in the direction of trying to kick-start economic growth.

My amendment, with my colleague from Puerto Rico (Mr. PIERLUISI), will provide modest assistance to Puerto Rico by removing an impediment to the Small Business Administration's HUBZone program that limits the number of businesses on the island that are eligible for the program.

This idea was brought to me by my friend Jaime Perello, the speaker of the Legislative Assembly of Puerto Rico, and it is a good one. What does it do? The HUBZone program is a small business, Federal contracting assistance program, whose primary objective is job creation and increasing capital investment in distressed communities.

□ 1730

Now, there is a 20 percent cap. So that 20 percent cap for this program might not affect Minneapolis or Chicago or Milwaukee because you don't even have 20 percent of the communities that are distressed.

However, in Puerto Rico you have far more than 20 percent of the communities that are distressed. You have 80 percent of them that are distressed. So by removing this cap, you have a larger part of the community that qualifies to access this program.

This is, I think, a very good solution and downpayment on economic growth and investment in Puerto Rico. Not only that, but there have been some noted problems with the program. GAO has made some recommendations. We have solidified those recommendations in this bill not just for Puerto Rico, but for the Nation as a whole to make sure there are better checks and balances in the HUBZone program.

I reserve the balance of my time.

Mr. CHABOT. Mr. Chair, I claim time in opposition.

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

Mr. CHABOT. Mr. Chairman, I rise reluctantly in opposition to the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The House Small Business Committee that I happen to chair has jurisdiction over the SBA's HUBZone program. Our committee has not yet had the opportunity to have oversight hearings on the program during this session, and I don't believe it would be prudent to adopt this amendment until the committee has had the opportunity to perform its due diligence.

In discussions with interested parties during the development of this legislation, I suggested language that would require the GAO to issue a report on Small Business Administration programs in Puerto Rico, including contract activities relating to HUBZone small businesses concerns. That language is contained in the underlying text. That report, coupled with committee oversight work, I believe, will ensure that what Congress ultimately does will, in fact, help Puerto Rico's small businesses.

I reserve the balance of my time.

Mr. DUFFY. Mr. Chair, I yield 2½ minutes to the gentleman from Puerto Rico (Mr. PIERLUISI).

Mr. PIERLUISI. Mr. Chairman, I want to begin by thanking Congressman DUFFY for his outstanding work on this bill and on this particular

amendment. I also want to thank Congressman DON YOUNG, a steadfast champion for fair treatment for Puerto Rico who is also a cosponsor of this amendment.

The primary purpose of this amendment is to increase small business activity and promote job creation in Puerto Rico.

The HUBZone program supports economically distressed communities throughout the Nation. If the poverty rate or median income in a census tract meets a certain threshold, it is designated as a qualified census tract. Small businesses located in a qualified census tract can compete for Federal contracts with preference, assuming they meet all other criteria established by law.

However, there is a statutory cap which prevents the combined population of the qualified census tracts within a metropolitan statistical area from exceeding 20 percent of the total population of that area. Although the cap applies nationwide, it has a uniquely negative impact in Puerto Rico. Small firms located in over 60 municipalities in Puerto Rico cannot take advantage of the HUBZone program solely because of the cap. No other U.S. State or territory comes anywhere close to being as adversely affected by the cap as Puerto Rico.

To promote economic development in Puerto Rico, which is absolutely essential if the territory is going to prosper, our amendment would remove the cap for Puerto Rico for 10 years or until the independent oversight board established by the legislation terminates, whichever occurs first. Based on the best available statistics, this amendment ensures that small firms located in over 80 percent of the census tracts in Puerto Rico may be eligible to compete with preference for Federal contracts, which should create additional employment opportunities on the island. The amendment will only extend the HUBZone programs to those census tracts in Puerto Rico that would have qualified for the program in the absence of the cap. So it does not constitute an unwarranted expansion of the HUBZone program.

I urge my colleagues to vote ''yes'' on this amendment.

Mr. DUFFY. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from Ohio has the right to close.

Mr. DUFFY. Mr. Chair, I appreciate the comments by Chairman CHABOT, and I would just note that I know his committee hasn't had oversight hearings on this issue. The GAO has done extensive studies, and the Small Business Administration has not implemented those recommendations. I think the most salient recommendations made by the GAO have been included in this bill and go a long way to improving the program, but if we are going to fix Puerto Rico, debt restructuring is imperative.

This oversight board is key, but we need economic growth. And I think this is the right downpayment to help kick-start some economic growth on the island, that the people in Puerto Rico know that we understand that. And we are taking one small step today to show that we are going to help them get from that 20 percent cap to allow 80 percent of the island to access this HUBZone program because we care about growth, we care about opportunity, and we care about jobs on the island.

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

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

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. SERRANO

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–610.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title IV, insert the following:

SEC. 411. DETERMINATION ON DEBT.

Nothing in this Act shall be interpreted to restrict—

(1) the ability of the Puerto Rico Commission for the Comprehensive Audit of the Public Credit to file its reports; or

(2) the review and consideration of the Puerto Rico Commission's findings by Puerto Rico's government or an Oversight Board for Puerto Rico established under section 101.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from New York (Mr. SERRANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SERRANO. Mr. Chairman, this amendment offered by Ms. VELÁZQUEZ and myself would help clarify that this legislation would not impact the work being done by the Puerto Rico Commission for the Comprehensive Audit of the Public Credit.

This entity, set up by Puerto Rico's Government, is in the process of examining the massive debt that has been accrued by the territory. In a preliminary report, the commission recently found that a small portion of the debt may have been illegally issued by the government of Puerto Rico, and they need to further examine the issue and its implications.

This amendment simply preserves the ability of this commission to continue their work and for either the government or the oversight board to review and consider any findings that the commission might have. The work being done by the commission could significantly assist both the oversight board and the Puerto Rican Government as the island tries to get back on its feet.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I claim time in opposition, even though I am not opposed to this particular amendment.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Chair, I want to make it very clear that this particular amendment does not override the authority of the oversight board. But because of that, I do support the amendment, and I urge its adoption.

I yield back the balance of my time.

Mr. SERRANO. Mr. Chair, I yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), my sister from Yabucoa, Puerto Rico.

Ms. VELÁZQUEZ. Mr. Chair, I represent New York's Seventh Congressional District.

I rise in strong support of the Serrano-Velázquez amendment. Throughout the course of this entire saga, it has become increasingly clear that Puerto Rico's debt is not fully understood. The island has issued 18 different classes of debt—from general obligation to COFINA, to GDB, to utility bonds. Various local and State laws are involved, and the result is a web of confusion.

To address this, the Puerto Rico Commission for the Comprehensive Audit of the Public Credit was created to examine all of the island's debt, something that is very much needed. The audit will not only inform the people of Puerto Rico, but also, in many ways, will assist the oversight board in carrying out its mission. Analyzing and assessing all of the island's $70 billion in debt is long overdue.

Recently, the commission released a preliminary report finding that a small, yet significant, amount of the debt may have violated the island's constitution. Such a finding is meaningful and could have ramifications for this legislation's implementation.

Our amendment ensures that the underlying bill will not prevent the commission from finishing its important work while also allowing the local government and the oversight board to consider these findings if they so chose.

In summary, this amendment would allow for much-needed sunlight to be shown on the island's financial situation.

I urge Members to support this amendment.

Mr. SERRANO. Mr. Chair, I urge everyone to vote for the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. TORRES

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114–610.

Mrs. TORRES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 403 (and redesignate succeeding sections and conform the table of contents accordingly).

The Acting CHAIR. Pursuant to House Resolution 770, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

Mr. Chairman, the bill, as it is currently written, allows the minimum wage for workers 25 years and under to be lowered to abysmal $4.25 for 4 years for as long as the oversight board is in place. It also fails to specify whether this reduction is limited to one 4-year period or if the request can be made over and over again, essentially keeping the lower wage indefinitely.

My amendment would strip this provision from the bill. In today's dollars, American workers haven't had a minimum wage this low since the 1940s. The young men and women of Puerto Rico are American citizens, and they don't deserve to be treated like second-class workers.

These aren't high school students with summer jobs. They are young people setting off on their careers, many of them struggling to pay off student loan debt and become self-sufficient. Lowering the wage only adds insult to injury and sends the wrong statement about whether we value Puerto Ricans as equal Americans.

The island is already experiencing a mass exodus of young people. Lowering wages will only make more young people want to leave, having a detrimental impact on Puerto Rico's current and future workforce, its tax base, and its ability to pay off its debt, ultimately digging them into a deeper hole.

If we want to help Puerto Rico overcome this current crisis, we need to make sure the island is a place where young people can see a future for themselves, start a family, and work to grow a business, not a place that devalues their work and their contributions.

The minimum wage provision in this bill is bad for these young workers and is bad for Puerto Rico.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I claim time in opposition.

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

Mr. ROE of Tennessee. Mr. Chair, I respectfully rise in opposition to the amendment by my colleague from California because this is exactly the kind of thinking that led Puerto Rico into the fiscal situation in which they now find themselves.

As we all know, one thing that would help address Puerto Rico's fiscal crisis is a stronger, more vibrant local economy. That is why this legislation includes a number of provisions aimed at helping local businesses expand and hire new workers. This amendment would strike an entire provision from the bill, a provision that is pro-growth and aimed at revitalizing local businesses and the Puerto Rican economy as a whole.

Section 403 is a provision that will make it easier for young workers to find jobs and start their careers. The legislation gives the Governor of Puerto Rico the authority, subject to the approval of the oversight board, to adjust the minimum wage for new workers under the age of 25. Current law already allows employers to offer what is known as a youth opportunity wage for up to 90 days. This legislation simply extends the time period in Puerto Rico to 4 years, an idea that was first recommended in 2012 by the Federal Reserve Bank of New York, which noted then that younger workers were ''in danger of becoming disconnected from the labor market.''

This recommended change will support economic growth and provide more job opportunities for the local workforce, particularly younger workers and workers with fewer skills. These are commonsense policies that will help address Puerto Rico's fiscal crisis by supporting a stronger, more prosperous local economy.

For these reasons, I urge my colleagues to oppose this amendment and support the underlying legislation.

I yield back the balance of my time.

Mrs. TORRES. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. GRAYSON).

□ 1745

Mr. GRAYSON. Mr. Chairman, we are talking about a minimum wage of $4.25 an hour. That is less than $700 per month. Tell me how anybody can survive anywhere on the island of Puerto Rico on less than $700 a month. It simply isn't possible. The cost of living in San Juan is no lower than it is in Orlando, or much of the mainland for that matter.

I don't know where you can even find a one-bedroom apartment for $700 a month that would be worth living in. I don't know how you can pay for lunch and dinner and breakfast for $700 a month. I don't know how you can find health coverage for $700 a month. I don't know how you can find transportation to get to that job for $700 a month. I just don't get it. Any one of these things would be enough to break the budget and put you into bankruptcy if you are only making $700 a month, and that is before you even have to pay taxes.

What we are doing is we are taking a Spanish-speaking population, 3.5 million of them, and we are condemning them to low wages to the point where 45-year-old men will lose their jobs to 20-year-old sons because the 20-year-old sons are forced to work for only $4.25.

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

Mrs. TORRES. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. GRAYSON. This is the lesson that we are teaching those young men and women who we are supposedly trying to help. The lesson is this: hop on an airplane from San Juan to my district in Orlando for $168, and you can get a 70 percent increase in your wages because that is what the difference is already under current law between what you are talking about, a $4.25 hourly wage and $7.25 that you can earn legally—it is actually more than that under State law—in Orlando. That is not teaching people how to work. It is teaching people to disrespect work.

Mrs. TORRES. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 1½ minutes remaining.

Mrs. TORRES. Mr. Chairman, someone living in Puerto Rico needs to make $9.25 an hour to afford a one-bedroom apartment. If the wage is lowered to $4.25, not even two earners could afford to live there.

Mr. Chairman, there is no question that Puerto Rico will need to make sacrifices, but it can't do so on the backs of its young workforce, American citizens. This provision does not fix Puerto Rico's problems, and in the long run, it makes them worse.

I urge my colleagues to support my amendment so that Puerto Rico's recovery doesn't come at the expense of young, hardworking Americans.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. TORRES).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Mrs. TORRES. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 225, not voting 13, as follows:

[Roll No. 287]

AYES—196

Adams	Castor (FL)	DeSaulnier
Aguilar	Castro (TX)	Deutch
Ashford	Chu, Judy	Dingell
Bass	Cicilline	Doggett
Beatty	Clark (MA)	Dold
Becerra	Clarke (NY)	Donovan
Bera	Cleaver	Doyle, Michael F.
Beyer	Clyburn	Duckworth
Bishop (GA)	Cohen	Edwards
Blumenauer	Connolly	Ellison
Bonamici	Conyers	Engel
Bost	Cooper	Eshoo
Boyle, Brendan F.	Costa	Esty
Brady (PA)	Costello (PA)	Fattah
Brown (FL)	Courtney	Fitzpatrick
Brownley (CA)	Crowley	Foster
Bustos	Cuellar	Frankel (FL)
Butterfield	Cummings	Fudge
Capps	Davis (CA)	Gabbard
Capuano	Davis, Danny	Gallego
Cárdenas	DeFazio	Garamendi
Carney	DeGette	Gibson
Carson (IN)	Delaney	Graham
Cartwright	DeLauro	Grayson
	DelBene	

Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—225

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—13

Barletta
Clay
Farr
Fincher
Franks (AZ)
Hardy
Herrera Beutler
Hinojosa
Lieu, Ted
Luetkemeyer
Payne
Sires
Takai

□ 1811

Messrs. AUSTIN SCOTT of Georgia, NUGENT, and Ms. GRANGER changed their vote from ''aye'' to ''no.''

Mr. NOLAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of the substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DOLD) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, and, pursuant to House Resolution 770, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on adoption of the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. BISHOP of Utah. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 297, noes 127, not voting 11, as follows:

[Roll No. 288]

AYES—297

Adams
Aguilar
Amodei
Barton
Bass
Beatty
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blumenauer
Bonamici
Bost
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Fitzpatrick
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Hahn
Hanna
Harper
Harris
Heck (WA)
Hensarling
Higgins
Hill
Himes
Honda
Hoyer
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaHood
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lipinski
Loebsack
Lofgren
Loudermilk
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
McSally
Meeks
Meng
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Pelosi
Perlmutter
Peters
Pingree
Pittenger
Pitts
Pocan
Polis
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Reichert
Ribble
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano

Sessions	Thompson (PA)	Walters, Mimi
Sewell (AL)	Thornberry	Watson Coleman
Sherman	Tipton	Webster (FL)
Shimkus	Titus	Welch
Simpson	Tonko	Wenstrup
Sinema	Trott	Westerman
Slaughter	Tsongas	Whitfield
Smith (NE)	Turner	Williams
Smith (NJ)	Upton	Wilson (FL)
Smith (WA)	Valadao	Wilson (SC)
Stefanik	Van Hollen	Womack
Stewart	Veasey	Woodall
Stivers	Velázquez	Yarmuth
Stutzman	Visclosky	Young (AK)
Swalwell (CA)	Wagner	Young (IA)
Takano	Walden	Young (IN)
Thompson (CA)	Walker	Zinke
Thompson (MS)	Walorski	

NOES—127

Abraham	Gosar	Norcross
Aderholt	Gowdy	Olson
Allen	Guinta	Palazzo
Amash	Gutiérrez	Palmer
Ashford	Hartzler	Pearce
Babin	Hastings	Perry
Barr	Heck (NV)	Peterson
Becerra	Hice, Jody B.	Poe (TX)
Bilirakis	Holding	Poliquin
Black	Hudson	Pompeo
Blackburn	Huelskamp	Ratcliffe
Blum	Hultgren	Reed
Boustany	Issa	Renacci
Boyle, Brendan F.	Jenkins (WV)	Richmond
	Johnson, Sam	Rigell
Brady (PA)	Jones	Rogers (AL)
Brat	Jordan	Rohrabacher
Bridenstine	Joyce	Rooney (FL)
Brooks (AL)	Kelly (MS)	Rouzer
Buck	Kelly (PA)	Rush
Burgess	King (IA)	Ryan (OH)
Carter (TX)	Knight	Sanford
Clawson (FL)	Lamborn	Schakowsky
Cook	Lance	Shuster
Crawford	LoBiondo	Smith (MO)
Davidson	Long	Smith (TX)
Davis, Danny	Lynch	Speier
Davis, Rodney	Marino	Tiberi
DeSantis	Massie	Torres
DesJarlais	McClintock	Vargas
Duncan (SC)	McMorris Rodgers	Vela
Ellmers (NC)		Walberg
Emmer (MN)	Meadows	Walz
Farenthold	Meehan	Wasserman Schultz
Fattah	Messer	
Fleischmann	Mica	Waters, Maxine
Fleming	Miller (FL)	Weber (TX)
Flores	Miller (MI)	Westmoreland
Forbes	Mooney (WV)	Wittman
Franks (AZ)	Mullin	Yoder
Fudge	Mulvaney	Yoho
Gibson	Neugebauer	Zeldin
Gohmert	Newhouse	
Goodlatte	Nolan	

NOT VOTING—11

Barletta	Herrera Beutler	Payne
Farr	Hinojosa	Sires
Fincher	Lieu, Ted	Takai
Hardy	Luetkemeyer	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1820

Mr. ASHFORD changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HARDY. Mr. Speaker, on rollcall No. 283—I would have voted "yes." Rollcall No. 284—I would have voted "yes." Rollcall No. 285—I would have voted "yes." Rollcall No. 286—I would have voted "yes." Rollcall No. 287—I would have voted "no." Rollcall No. 288—I would have voted "no."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 5278, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN THE ENROLLMENT OF S. 2328

Mr. BISHOP of Utah. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 135

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill S. 2328, the Secretary of the Senate shall make the following correction: Amend the long title so as to read ''An Act to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2016.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a grand jury subpoena for documents, issued by the United States District Court for the Middle District of Florida.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

WILL PLASTER,
Chief Administrative Officer.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. GRAVES of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5325, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 771 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5325.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1828

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Georgia (Mr. GRAVES) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself such time as I may consume.

The overarching goal of the bill we are considering here today is to ensure that we continue to preserve the beauty, enhance the security, and improve the institutions of the United States Capitol complex. I am glad to report that we have accomplished our mission, and we have done it in a way that respects taxpayers. By making tough choices, this bill demonstrates the great work that Congress can do even during a time of lean budgets.

The American people will be proud to know that this bill continues to use a zero-based budgeting approach. That means each legislative branch agency was required to justify its budget from scratch. This practice curbs wasteful

spending and safeguards taxpayer dollars.

Another part of our effort to respect taxpayers was the orderly shutdown of the Open World Leadership Center, which is outdated, and a multimillion-dollar-a-year program that no longer will exist.

Additionally, we continue the freeze on Members' pay. Now, this was a simple decision for me. If our constituents aren't getting a raise in this economy, then we shouldn't either.

Now, it is also worth noting that the Capitol Dome Restoration project is on time and it is under budget. In fact, my office has had a little fun with this, posting pictures each day on social media of the progress of the scaffolding coming off the dome, using the hashtag ''Free the Dome.''

We also have a family-themed bill this year. We have worked with Members on both sides of the aisle to make certain that baby-changing stations are available throughout all the House office buildings and in the Capitol. Visiting the Capitol with a new baby can be difficult enough. Young mothers and fathers traveling with their children in tow should have the appropriate facilities available to them, and now they will.

□ 1830

Additionally, with so many mothers-to-be working for the House of Representatives through their pregnancies, the committee wants to ensure that these working moms have access to convenient parking.

Of course, we have also carried on the new tradition of sledding on Capitol Hill. Again this winter, children and adults alike living in the area can sled on the west front of the Capitol—something that, unfortunately, was banned before we changed it last year.

Simply put, this bill makes the Capitol more inviting and accessible to young families.

I would, of course, like to thank the ranking member for her role throughout the process of writing this bill and all the members of our committee for their hard work and their valuable contributions. In seeing this bill through the committee process, a good bill was made even better. Together, we have received and worked through more than 200 submissions from Republicans and Democrats, appropriators and non-appropriators, many of which we have included in this legislation.

We continued conversations with Members of both the majority and the minority up to and through full committee markup, and saw an amendment process that incorporated proposals from both sides of the aisle, including additional resources to better serve our constituents, increased savings dedicated to the Historic Buildings Revitalization Trust Fund, and support for efforts to enhance the security of the Capitol campus.

I would also like to thank all of the staff on both sides of the aisle who have worked on the bill this year. In particular, I am appreciative of the hard work Liz Dawson, Tim Monahan and Shalanda Young, and, of course, Jenny Panone who really stepped up to the plate after we lost our good friend, Chuck Turner.

As a longtime professional staff member of this subcommittee, Chuck has been missed this appropriations season. The appropriations family just isn't the same without him, and I want to express my continued sympathies to his family, his friends, and those he worked so closely with all these years.

I would also like to thank Jason Murphy and John Donnelly in my personal office, as well Sarah Arkin and Rosalyn Kumar from Ranking Member WASSERMAN SCHULTZ's office.

Finally, I would like to note the important contributions that Congressman SAM FARR and Congressman SCOTT RIGELL both have made to our subcommittee. Their hard work and dedication has been extremely valuable, and they will be dearly missed by our subcommittee and by this body.

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

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - LEGISLATIVE BRANCH					
HOUSE OF REPRESENTATIVES					
Payment to Widows and Heirs of Deceased Members of Congress (Public Law 114-53, Sec. 143) 1/	174	---	---	-174	---
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker	6,645	6,645	6,645	---	---
Office of the Majority Floor Leader	2,180	2,180	2,180	---	---
Office of the Minority Floor Leader	7,114	7,114	7,114	---	---
Office of the Majority Whip	1,887	1,887	1,887	---	---
Office of the Minority Whip	1,460	1,460	1,460	---	---
Republican Conference	1,505	1,505	1,505	---	---
Democratic Caucus	1,487	1,487	1,487	---	---
Subtotal, House Leadership Offices	22,278	22,278	22,278	---	---
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses	554,318	554,318	562,632	+8,314	+8,314
Committee Employees					
Standing Committees, Special and Select	123,903	127,053	127,053	+3,150	---
Committee on Appropriations (including studies and investigations)	23,271	23,271	23,271	---	---
Subtotal, Committee employees	147,174	150,324	150,324	+3,150	---
Salaries, Officers and Employees					
Office of the Clerk	24,981	26,411	26,268	+1,287	-143
Office of the Sergeant at Arms	14,827	15,571	15,505	+678	-66
Office of the Chief Administrative Officer	117,165	117,165	117,165	---	---
Office of the Inspector General	4,742	4,987	4,963	+221	-24
Office of General Counsel	1,413	1,451	1,444	+31	-7
Office of the Parliamentarian	1,975	2,010	1,999	+24	-11
Office of the Law Revision Counsel of the House	3,120	3,182	3,167	+47	-15
Office of the Legislative Counsel of the House	8,353	8,979	8,979	+626	---
Office of Interparliamentary Affairs	814	814	814	---	---
Other authorized employees	1,142	1,188	1,183	+41	-5
Subtotal, Salaries, officers and employees	178,532	181,756	181,487	+2,955	-269
Allowances and Expenses					
Supplies, materials, administrative costs and Federal tort claims	3,625	3,625	3,625	---	---
Official mail for committees, leadership offices, and administrative offices of the House	190	190	190	---	---
Government contributions	251,629	251,630	245,334	-6,295	-6,296
Business Continuity and Disaster Recovery	16,217	16,217	16,217	---	---
Transition activities	2,084	2,084	2,084	---	---
Wounded Warrior program	2,500	2,500	2,500	---	---
Office of Congressional Ethics	1,467	1,667	1,658	+191	-9
Miscellaneous items	720	720	720	---	---
Subtotal, Allowances and expenses	278,432	278,633	272,328	-6,104	-6,305
Total, House of Representatives (discretionary)	1,180,734	1,187,309	1,189,049	+8,315	+1,740
Total, House of Representatives (mandatory)	174	---	---	-174	---

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
JOINT ITEMS					
Joint Economic Committee	4,203	4,203	4,203	---	---
Joint Congressional Committee on Inaugural Ceremonies of 2017	1,250	---	---	-1,250	---
Joint Committee on Taxation	10,095	11,540	10,095	---	-1,445
Office of the Attending Physician					
Medical supplies, equipment, expenses, and allowances	3,784	3,838	3,838	+54	---
Office of Congressional Accessibility Services	1,400	1,429	1,429	+29	---
Total, Joint items	20,732	21,010	19,565	-1,167	-1,445
CAPITOL POLICE					
Salaries	309,000	333,128	325,300	+16,300	-7,828
General expenses	66,000	76,460	66,000	---	-10,460
Total, Capitol Police	375,000	409,588	391,300	+16,300	-18,288
OFFICE OF COMPLIANCE					
Salaries and expenses	3,959	4,315	3,959	---	-356
CONGRESSIONAL BUDGET OFFICE					
Salaries and expenses	46,500	47,637	46,500	---	-1,137
ARCHITECT OF THE CAPITOL (AOC)					
Capital Construction and Operations	91,589	103,650	88,542	-3,047	-15,108
Capitol building	46,737	44,010	33,005	-13,732	-11,005
Capitol grounds	11,880	13,083	12,826	+946	-257
House of Representatives buildings:					
House office buildings	174,962	189,528	187,481	+12,519	-2,047
House Historic Buildings Revitalization Trust Fund	10,000	10,000	17,000	+7,000	+7,000
Capitol Power Plant	103,722	114,765	113,480	+9,758	-1,285
Offsetting collections	-9,000	-9,000	-9,000	---	---
Subtotal, Capitol Power Plant	94,722	105,765	104,480	+9,758	-1,285
Library buildings and grounds	40,689	65,959	47,080	+6,391	-18,879
Capitol police buildings, grounds and security	25,434	37,513	26,697	+1,263	-10,816
Botanic Garden	12,113	15,081	14,067	+1,954	-1,014
Capitol Visitor Center	20,557	21,306	20,557	---	-749
Total, Architect of the Capitol	528,683	805,895	551,735	+23,052	-54,160
LIBRARY OF CONGRESS					
Salaries and expenses	425,971	479,235	449,971	+24,000	-29,264
Authority to spend receipts	-6,350	-6,350	-6,350	---	---
Subtotal, Salaries and expenses	419,621	472,885	443,621	+24,000	-29,264
Copyright Office, Salaries and expenses	58,875	74,026	68,827	+9,952	-5,199
Authority to spend receipts	-35,777	-39,548	-37,198	-1,421	+2,350
Prior year unobligated balances	---	-6,147	-4,531	-4,531	+1,616
Subtotal, Copyright Office	23,098	28,331	27,098	+4,000	-1,233
Congressional Research Service, Salaries and expenses	106,945	114,408	107,945	+1,000	-6,463
Books for the blind and physically handicapped, Salaries and expenses	50,248	51,591	50,248	---	-1,343
Total, Library of Congress	599,912	667,215	628,912	+29,000	-38,303

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
GOVERNMENT PUBLISHING OFFICE					
Congressional publishing	79,736	79,736	79,736	---	---
Public Information Programs of the Superintendent of Documents, Salaries and expenses	30,500	29,500	29,500	-1,000	---
Government Publishing Office Business Operations Revolving Fund	8,832	7,832	7,832	+1,000	---
Total, Government Publishing Office	117,068	117,068	117,068	---	---
GOVERNMENT ACCOUNTABILITY OFFICE					
Salaries and expenses	556,450	591,175	556,450	---	-34,725
Offsetting collections	-25,450	-23,350	-23,350	+2,100	---
Total, Government Accountability Office	531,000	567,825	533,100	+2,100	-34,725
OPEN WORLD LEADERSHIP CENTER TRUST FUND					
Payment to the Open World Leadership Center (OWLC) Trust Fund	5,600	5,800	1,000	-4,600	-4,800
JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT					
Stennis Center for Public Service	430	430	430	---	---
GENERAL PROVISIONS					
AOC Working Capital Fund (CBO estimate)	---	1,000	---	---	-1,000
Scorekeeping adjustment (CBO estimate) 2/	-1,000	---	-1,000	---	-1,000
Grand total	3,408,792	3,635,092	3,481,618	+72,826	-153,474
Discretionary	(3,408,618)	(3,635,092)	(3,481,618)	(+73,000)	(-153,474)
Mandatory 1/	(174)	---	---	(-174)	---

1/ FY2016 funds provided in Continuing Appropriations Act, 2016 (Public Law 114-53)
2/ FY2016 is Sec. 9 of Consolidated Appropriations Act, 2016 (Public Law 114-113)

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAPITULATION					
House of Representatives (discretionary)	1,180,734	1,187,309	1,189,049	+8,315	+1,740
House of Representatives (mandatory) 1/	174	---	---	-174	---
Joint Items	20,732	21,010	19,565	-1,167	-1,445
Capitol Police	375,000	409,588	391,300	+16,300	-18,288
Office of Compliance	3,959	4,315	3,959	---	-356
Congressional Budget Office	46,500	47,637	46,500	---	-1,137
Architect of the Capitol	528,683	605,895	551,735	+23,052	-54,160
Library of Congress	599,912	667,215	628,912	+29,000	-38,303
Government Publishing Office	117,068	117,068	117,068	---	---
Government Accountability Office	531,000	567,825	533,100	+2,100	-34,725
Open World Leadership Center	5,600	5,600	1,000	-4,600	-4,600
Stennis Center for Public Service	430	430	430	---	---
General Provisions 2/	-1,000	1,000	-1,000	---	-2,000
Prior year outlays	---	---	---	---	---
Grand total	3,408,792	3,635,092	3,481,618	+72,826	-153,474
Discretionary	(3,408,618)	(3,635,092)	(3,481,618)	(+73,000)	(-153,474)
Mandatory 1/	(174)	---	---	(-174)	---

1/ FY2016 funds provided in Continuing Appropriations Act, 2016 (Public Law 114-53)
2/ FY2016 is Sec. 9 of Consolidated Appropriations Act, 2016 (Public Law 114-113)

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Legislative Branch Appropriations bill is a total of $3.481 billion—$72 million above the fiscal year 2016 enacted bill.

I thank our full committee chairman, Mr. ROGERS of Kentucky, for understanding the challenges posed by years of cuts and providing an allocation to begin rebuilding the capacity of Congress to do the people's work.

Chairman GRAVES funded critical investments with the additional allocation. He knows that if we were only discussing funding today, I would be with him in protecting the good work of the subcommittee.

Specifically, I am pleased with the critical investments in the Copyright Modernization Project and the Historic Buildings Revitalization Trust Fund.

The bill provides the Copyright Modernization Project with a 17 percent increase. This critical funding will enable the Copyright Office to hire the necessary staff to begin to make technological advancements to improve the way they do business. It is unacceptable in the year 2016 that copyright users have to make certain requests via paper in the 21st century. That is inefficient and a drag on commerce that is dependent on the copyright system.

There is also report language included that makes it clear that the Library of Congress shall continue to defer to the Register of Copyrights on all copyright-related issues. While the Copyright Office is within the Library of Congress, it has unique functions that make it necessary to have a strong leader that can answer to Congress and the copyright community when issues arise. The Register of Copyrights should have the freedom to make decisions and be responsive to the copyright community.

I am also happy to see increased funding for the Historic Buildings Revitalization Trust Fund. This is the same fund that we used to save for the downpayment on the Cannon Building Restoration.

This bill provides $17 million for the fund, which is $7 million above fiscal year 2016 funding. I thank the chairman for working with me to sustain this important program.

We started the trust fund after the construction of the Capitol Visitor Center. That project was over budget by fourfold, and its management was, frankly, an embarrassment. It was an example of ballooning government projects that pull resources away from other worthy initiatives.

The trust fund was created to avoid the pitfalls of the CVC project by creating a reserve of funds that can be used for future large-scale projects. We must put on our forward-thinking caps and look 10 to 20 years down the road so that we save appropriately for large-scale projects. This long-term thinking will ensure that our smallest appropriations bill—the Legislative Branch Appropriations bill—does not have to absorb such large projects to the detriment of other worthy programs.

While there are many positives in this bill, Mr. Chairman, there are also issues that must be addressed as we move through the process. One particularly troublesome issue is that the report accompanying this bill includes language seeking to influence the Library of Congress' process to change its subject headings related to immigration.

The Library of Congress decided in March of this year to begin using the terms ''noncitizens'' and ''unauthorized immigration'' for cataloging purposes. They did so after being petitioned by Dartmouth College in 2014—a petition they turned down initially—and then again by the American Library Association earlier this year.

In January of this year, the American Library Association adopted a resolution calling on the Library of Congress to change the heading ''illegal aliens'' to ''undocumented immigrants.''

Now, these are search terms. The Library of Congress uses subject headings to help researchers be able to find topics based on what they are appropriately to be called. The Library did not adopt the term ''undocumented immigrants'' but chose to begin to use the two phrases ''noncitizens'' and ''unauthorized immigration.'' These new subject headings are still in the process of being considered, as the public will have 60 days to comment on them.

The fact that this project is ongoing makes the inclusion of report language even more problematic.

How can the Library of Congress be expected to go through a fair and open comment period with this language included in the report accompanying the appropriations bill?

My side of the aisle could have certainly pushed to have the Library of Congress reconsider its decision after the Dartmouth petition was turned down in 2014 because many Democrats and Republicans believe that the term ''illegal alien'' labels a group of people based on a misconception that an immigrant's presence in our Nation is a criminal violation, but we allowed the process to work because the Library of Congress is in the business of language and nomenclature and should be free to make these decisions without political interference. Congress should not be setting ourselves up as the word police.

Let's be clear: this puts the Library of Congress front and center on one of our Nation's most contentious and emotional political issues. Over the years, as ranking member, this is certainly not the first time I find myself in disagreement with the chairman on a particular issue. However, I have been able to work closely with the chairman of this subcommittee to move the bill and the process forward.

And though I have been committed as always to resolving our policy differences, the politicization of the Library of Congress in order to perpetuate a misconception about immigrants in our country is simply an issue on which my principles will not allow me to bend an inch.

This language is not necessary, it is not appropriate, and it jeopardizes the work of our Nation's oldest Federal cultural institution and the research arm of this body.

The Library of Congress makes thousands of changes to its subject headings every year. At one time, ''Negro'' was a subject heading, but when it became pejorative, they changed it to ''Afro American,'' and eventually the term used today, ''African American.''

The chairman and other Republican members emphasize that they are the Library of Congress—emphasis on Congress—and we should dictate to them what terms they use in their subject headings.

Well, I ran for Congress, not word police. We should leave search terms for researchers to the experts and not politicize this bill that simply funds the legislative branch.

I am also concerned that under this bill, the Capitol Police budget increases by $325.3 million. This would increase funding for the Capitol Police by 5 percent, above the 8 percent increase they received in the current fiscal year.

We value and respect the officers on staff, but I think many Members will join me in raising a skeptical eye when they realize this bill would add 72 new officers and bring the total number of officers to close to 1,900.

Just as mayors and city councils across the country have to balance law enforcement with other city services like repairing aging infrastructure, so must Congress. In the near future, the congressional leadership and committees of jurisdiction will need to have a serious discussion about the appropriate size of the Capitol Police. The officers I speak to don't complain about not having enough officers, but, rather, about decisions on how the officers they do have are deployed by police leadership. It is fiscally irresponsible to grow the police at this rate.

Also, as Member and committee budgets have been cut, Congress has had to rely on support agencies to fill the gaps in staff expertise. One of those agencies, Mr. Chairman, is the Congressional Research Service, or CRS.

CRS was funded in the bill at $107.9 million, $1 million above the fiscal year 2016 enacted level. At the level included in the bill, CRS remains $4.6 million below the fiscal year 2010 levels. According to CRS, recent funding levels have led to a loss of 13 percent of its purchasing power since 2010.

The $1 million increase provided by this bill will not cover mandatory pay for CRS' current staff. CRS' budget request sought to rebuild the agency. They asked for two defense policy staff,

five health policy staff, three education policy staff, two budget and appropriation staff, four technology policy staff, and two data management and analysis staff. None of those staffs will be funded under the bill before us, therefore, denying Congress of an unbiased analysis of these critical policy areas.

Before concluding, Mr. Chairman, I also want to join the chairman in acknowledging the loss of our beloved Chuck Turner. I had the privilege of working with Chuck when I was the chairman of this committee, and he has served both sides of the aisle with integrity, commitment, and love of this institution. His loss was tremendous for the entire appropriations family, and he will be greatly missed on both sides of the aisle.

I also want to issue a big thanks to Liz Dawson, the majority clerk and her staff, Jenny Panone and Tim Monahan. Many thanks as well to Jason Murphy with Chairman GRAVES' personal office. Thank you to my team, Shalanda Young on the committee's minority staff who has worked tirelessly on those issues. Last, but certainly not least, thank you to my personal staff, Rosalyn Kumar and Sarah Arkin.

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

Mr. GRAVES of Georgia. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full Committee on Appropriations.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to support the Legislative Branch Appropriations bill that is before us. This is the third of the 12 bills to make it to the floor. We have passed eight of the bills through the full committee, and 10 of them through the subcommittees. But this bill provides the important funding that Congress needs to do our work on behalf of the American people.

From maintaining the hallowed halls of this very building, to providing services for our constituents, to funding the agencies that keep us informed and in check, the $3.48 billion in this bill supports the largest and freest democracy the world has ever known.

In total, our funding is increased slightly—$73 million above current levels. That increase is directed to essential health and safety improvements to aging or damaged facilities as well as to the Capitol Police to protect Members, staff, and our visitors.

At the same time, this bill keeps the belt tight, continuing our trajectory of trimming funding for the House of Representatives by 13.2 percent since 2011 and extending the pay freeze for Members of Congress. The funds provided for House operations will allow Members of Congress to continue serving the American people to the fullest extent and representing their voices in Washington, D.C.

For the thousands and thousands of people who enter this Capitol complex each day—be it visitors, staff, or Members themselves—safety is of the utmost importance.

As we have seen recently, the brave men and women of the Capitol Police force must remain vigilant and well-equipped to secure the Capitol complex. The bill funds the Capitol Police at $391.3 million—that is $16.3 million above current levels—to enhance security and maintain public access to this complex.

To ensure the safety of the buildings in the Capitol complex, which, as we know, has historic but aging facilities, the legislation provides $551 million for the Architect of the Capitol. That includes ongoing rehab projects as well as deferred maintenance.

In addition, the bill provides funding for the congressional support agencies that we rely on each day to do our jobs. That includes $533 million for the Government Accountability Office, which provides Congress with accurate reporting on how tax dollars are spent, and $629 million for the Library of Congress.

□ 1845

Mr. Chairman, this is a good bill that targets funds to critical operations while keeping a close eye on every tax dollar spent.

I want to thank Chairman GRAVES for his hard work to ensure that every dollar in this bill helps make the people's House run efficiently and productively. I also want to thank Ranking Member WASSERMAN SCHULTZ, and all of the subcommittee members and staff for their efforts that brought this bill to the floor. Finally, I do want to specify a thanks to our staff for their knowledge and expertise and passion for this place throughout this process.

As we continue our important work on the 2017 appropriations bills, I am proud to support good bills like this one, bills that fulfill their mission in a responsible, targeted way.

I urge all Members to support this bill as well.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, first of all, I want to acknowledge the presence of Chairman GRAVES' lovely daughter, because it is always nice as a parent to have your children with you while you are doing your work. So welcome to the House of Representatives.

I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY), our ranking member of the full Appropriations Committee.

Mrs. LOWEY. Mr. Chairman, I thank Ranking Member WASSERMAN SCHULTZ. And I thank Chairman GRAVES and Chairman ROGERS. It is a pleasure for me to work here with all of them.

However, in the fiscal year 2017 Legislative Branch Appropriations bill, the House majority has put its political interests first with a process that limits amendments based on a fear of another embarrassing failure, like the Energy and Water Appropriations bill, which the House rejected 2 weeks ago.

The legislative branch bill contains a number of important services that allow the public to safely visit the U.S. Capitol and for Members to respond to the needs of their constituents. The bill would provide modest increases for the first time in years, including more funding for the Library of Congress, Capitol Police, Architect of the Capitol, and the Members' Representational Allowance.

These increases are badly needed. The legislative branch bill has remained essentially flat for several years, despite the steadily growing needs of this institution, including staff shortages, enhanced security, repairs to aging buildings and infrastructure, and preservation at the Library of Congress, among others.

Unfortunately, rather than focus on these institutions' value to the public, House Republicans went out of their way to include provisions that ignore these issues, and instead push a partisan agenda that wastes taxpayer dollars.

First of all, House Republicans inserted language meant to appease the most extreme members of their conference by directing the Library of Congress to use the term ''illegal alien'' in its subject headings for searches rather than the Library's preferred ''noncitizens'' or ''unauthorized immigration.'' This unnecessary interference into the routine work of the Library of Congress politicizes a change meant to help provide the most up-to-date, thorough information.

The inclusion of such language is sadly nothing new for the subcommittee. In the past few years, the majority has spent close to $7 million on a partisan, political Benghazi investigation; $2.3 million defending the Defense of Marriage Act; and is now engaging in shameful, unprecedented attacks on biomedical researchers and women's health.

Frankly, I am outraged at how the majority on the Select Investigative Panel is conducting its business. The majority's witch hunt of researchers, including scientists, physicians, and even graduate students, will have real consequences that harm medical advances, and are nothing more than a political charade and waste of taxpayer money. Their request for information and subpoenas without any assertion of wrongdoing are an abuse of authority, a violation of House oversight practices, and a page out of the McCarthy-era bullying tactics that are a stain on our legislative process. The panel should be disbanded immediately.

It is unacceptable that we cannot move appropriation bills forward in a bipartisan manner because Republicans would rather play partisan politics with taxpayer dollars than deal with the pressing challenges facing this institution and this country.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Before I recognize my friend from Illinois, I have the deepest respect for

the ranking member of the full committee, Mrs. LOWEY. I know that she represents what she believes very well and eloquently.

But I must point out for clarification, for the RECORD, really what the report language says. I think that is important. I think words are important. I listened very intently to what was shared a minute ago that this committee is directing the Library of Congress to use certain words. She even used certain terms that she said we are prescribing them to use, such as ''illegal alien'' or ''illegal immigrant.'' In fact, this is what the committee passed in subcommittee and full committee.

It says:

''To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title 8, United States Code.''

Now, I read it several times and I saw it in committee, but nowhere in there do I see any specific terms used. It just says can you be consistent with U.S. Code.

I will point out that we are Congress, and they are the Library of Congress. We write laws, and it is important that the Library of Congress reference and refer to the laws that we have written.

I will also note that the gentlewoman is also a Member of Congress and has the full ability—and since the subcommittee meeting when we had this first discussion, I have yet to see the bill she has introduced to change any terminology in the U.S. Code. I have not seen it. I don't know, Mr. Chairman, if you have seen it. I have not seen it, and I look forward to seeing it.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. GRAVES of Georgia. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I thank the gentleman.

Will the gentleman point out to the House of Representatives what is referenced in the U.S. Code to which the report refers?

Mr. GRAVES of Georgia. Title 8 of the U.S. Code has a lot of terminology in there.

Ms. WASSERMAN SCHULTZ. What is the term that is referenced in that section?

Mr. GRAVES of Georgia. There is not one single term that is used in that Code. In fact, there are multiple terms. I would ask, and maybe encourage, the gentlewoman to read that.

Ms. WASSERMAN SCHULTZ. I have, and it refers specifically to the term ''illegal alien.'' That is how it is referenced in the United States Code.

Mr. GRAVES of Georgia. In addition to other terms.

Reclaiming my time, Mr. Chairman, I just want to make sure that the committee understands that the report language just directs the Library of Congress to be consistent with the laws of this land when they have subject headings. That is not too much to ask.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), my good friend.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I really would like to thank Chairman GRAVES for his leadership on this issue.

I think the debate this evening shows us what part of the problem is when we try and follow our Forefathers' constitutional appropriations process to spend money wisely that the taxpayers send to Washington, D.C., to spend it wisely on their behalf.

It is tertiary issues that bog down the debate, instead of talking about doing what is right for the upwards of 5 million families that tour our Capitol Grounds each and every year. It becomes a political debate, rather than a debate on how to effectively use taxpayer dollars to ensure that one of the most popular destinations for families, hardworking families, to spend their money to vacation right here in the Capitol, to make sure we spend that wisely so that they have better facilities. That is exactly what this bill does, Mr. Chairman.

I want to, again, thank all of those who served on this subcommittee from both sides of the aisle, because we have to get back to the vision that our Forefathers have put forth on how we should spend money in this House, and how we regain the power of the purse.

As I said, upwards of 5 million families from across the Nation come see their government at work each year. I am pleased this bill contains report language that will make it easier for families with infants and small children to visit the Capitol, House and Senate office buildings by implementing additional changing stations and other family-friendly improvements throughout this Capitol Hill complex.

Mr. Chairman, I say this as the father of twin boys. Trust me, changing stations when they were younger were very, very important. We should make it as easy as possible for families with young children to visit and explore Capitol Hill and our complexes. Minor improvements and changes along these lines can make a huge difference in improving the experience for visitors.

I look forward to working with the Architect of the Capitol in my capacity as a member of the Committee on House Administration to complete these important changes. I will continue to look for ways to work in a bipartisan manner to make our Capitol family-friendly.

Mr. Chairman, I urge passage of this bill.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

I will point out that title 8 of the U.S. Code specifically references the term ''illegal aliens.'' The purpose of referencing it that way in this legislation is specifically so that the majority can require the Library of Congress to continue to use the term ''illegal alien'' in their subject heading. We are being a little too cute by half here, and we are simply not going to let the majority get away with it.

I will also point out that Congressman JOAQUIN CASTRO is the sponsor of legislation that would do exactly what the chairman just suggested. He has legislation that would change the term ''illegal alien'' in title 8 of the U.S. Code.

Instead of dealing with a political issue in the midst of an unrelated appropriations bill, we should allow the legislative process to work under regular order and have that bill move through the process.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I want to follow up on that just for a moment.

I am glad to hear there is legislation to address their concerns. I think that is the appropriate way. What better way to make that legislation more applicable than to identify here in this report language that whatever is referenced in title 8 could be used. I think that is the right way to go forward.

But to suggest that asking the Library of Congress to use terms that are consistent with the laws of this land that this body has voted on, that the Senate has voted on, and that the President of the United States has signed into law is, in some way, pejorative; words that have been used by the Supreme Court just in recent weeks are pejorative, inflammatory, and dehumanizing, I would suggest to the minority that even some of the most liberal justices have used the term ''illegal alien'' or ''illegal immigrant'' just in the last couple of weeks and they are not racist, they are not using negative terms, they are not dehumanizing any individual, they are using U.S. law terminology.

I can understand the disagreement with the terms, I can respect that, but that is the law. I have yet to see or hear what their proper terminology would be for somebody who does not abide by the laws of the land and what that would be.

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

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

I will point out that it is not a criminal act to be in the United States as an immigrant. The suggestion in the 21st century that the term ''illegal alien'' is an appropriate one is similar to suggesting that we continue to use the term ''Negro.''

We evolve in this country, and it is understandable that someone who was not a member of a group of immigrants wouldn't understand that that term could feel pejorative. So we, as a responsible body, should evolve as society evolves.

To continue to insist that the Library of Congress by law use a pejorative term that they have been petitioned to change by the American Library Association so that researchers can search for the appropriate term

when they are doing research is truly unbelievable. To be so committed to racist and bigoted terms that really have no place in the Legislative Branch Appropriations bill is outrageous.

That is why this language should have been deleted. I think it is truly unfortunate that the majority did not have at least the courage to allow my amendment and Congressman CASTRO's amendment to be made in order so that we could have a proper debate on this subject on the floor of the House of Representatives.

□ 1900

I will point out and remind the chairman that my amendment that would have done just that only was defeated in the Appropriations Committee by one vote. So this is not a slam dunk when it comes to your side of the aisle either. It would have been nice to give your colleagues an opportunity to have had that discussion.

I reserve the balance of my time.

The CHAIR. Members are reminded to direct their remarks to the Chair.

Mr. GRAVES of Georgia. Mr. Chair, I yield myself such time as I may consume.

If I heard the ranking member correctly, she said that somebody who is undocumented in this country, who is not from this country, is not here illegally. I thought I heard that, and I hope I heard that incorrectly.

I will point out that the Immigration and Nationality Act, section 237(a)(1)(b) reads, in fact—and this is law that was voted on by this body and that was signed into law by the President of the United States, who was elected by the people—that aliens who are present in the U.S. in violation of immigration code are breaking the law and are deportable. That is U.S. law. That is not the majority's opinion; that is not a party's opinion; that is not an individual's opinion. That is the law of this land. Now, you can disagree with those laws, and you can disagree with the terminology, but that is the law.

That is the law, in fact, to the point that, in Arizona v. United States, in 2012, Justice Sotomayor asked:

So how—where do they get the records that show that this person is an illegal alien that is not authorized to be here?

Was she being racist? pejorative? demeaning? dehumanizing? I don't think so. I don't agree with all of her decisions, but I don't believe that that was her intent when she broached that question there.

I will point out this provision—maybe I should read it again. I will read it again for the ranking member.

To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title VIII of the United States Code.

That is all it says. It is right here. There is nothing so demeaning about that. This provision, in fact, was created in consultation, Mr. Chair, with the Library of Congress. Imagine that. In working with the Library of Congress, we were able to come up with that language. Existing subject headings, including the term ''illegal alien,'' have been used for years and have been enshrined in law for 100 years. This is nothing new. Supreme Court Justices, as I have pointed out, have used it time and time and time again.

Now, if the Library of Congress adopted the practice of responding to every instance in which there is a perceived offensive phrase, it would impact their ability to prioritize the quality of service they provide to patrons every day. We are, actually, helping the Library here. We are not telling them what words to use. We are just saying, hey, be consistent with U.S. law. That keeps it pretty simple, I believe.

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

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield myself such time as I may consume.

Before we passed the Civil Rights Act and the Voting Rights Act in the 1960s and when we had the Jim Crow laws, which were an unfortunate stain on our history, there were plenty of people who said that the laws that were in place were doing a favor to Negroes, which is the way they were referred to at the time. For the chairman to suggest that we are doing the Library of Congress a favor by requiring them to continue to use a term that they have been petitioned to stop using, ''illegal alien,'' is insensitive, inappropriate, outdated, and political.

This is the Legislative Branch Appropriations bill. We are supposed to be discussing how to fund the functions of the legislative branch, and we have just spent an extraordinary amount of time debating the immigration debate that has been raging in this country for far too long.

I guess I shouldn't be surprised that the majority believes that we should continue to label people as ''illegal.'' People aren't illegal. Acts that are committed are illegal, but people are not illegal, Mr. Chair. That is, simply, why the American Library Association, the umbrella policy organization for libraries across this country, has petitioned the Library of Congress to change the use of the term ''illegal alien.''

What the majority is doing here, as I said, is setting Congress up as the word police. Where are we going to stop? There are thousands of subject headings that they change at the Library of Congress every year. I can't imagine how many pages this bill will be when we start referencing and spending time arguing over what they call each of those. It is inappropriate; it is unacceptable; it is a complete waste of time. It injects politics into a bill that usually and, most often, doesn't have it.

It is unfortunate that the funding of the Planned Parenthood select committee and that the funding of the Benghazi Select Committee have continued to politicize a bill that should, simply, be an effort for us to make sure that we can sustain the most significant beacon of democracy that the world has ever seen.

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

Mr. GRAVES of Georgia. Mr. Chair, I yield myself such time as I may consume.

It is remarkable that we are actually spending so much time on this; but we must point out to the constituency who is watching that we have had 7½ years of an executive who wants to ignore our laws. We have had 7½ years of overreach by the executive branch, of its totally ignoring the laws that have been passed by this body, and just poking us in the eye, saying, I don't care about the legislative branch. I don't care about that legislative body. I don't care about the laws of the land. In fact, I will ignore them, and I will instruct my agencies to do something different.

Yet, I hear it again from the minority that they want to ignore the words, the terms, the identifications, the definitions of the very laws of this land. What message does that send to the youth of our country? What message does that send to law-abiding citizens in our country, that there is a party in Washington, D.C., that, for whatever reason, wants to pick and choose which laws they want to uphold and defend, or which laws or words or terms or definitions in the laws that they will acknowledge or not acknowledge?

We are a Nation of laws. Whether we agree with the laws or we don't, whether we agree with the terminology or we don't, we have all been elected by 700,000-plus constituency districts in which we can change those laws if we choose. This is the opportunity to do it for the minority party if they like. In fact, throughout our laws, these terms are used. Whether they are agreeable terms or not by the minority, those are the words that are in our laws.

I think we can all agree that the term ''illegal alien'' does not mean the human being is illegal. This is not an effort to demean anyone. We don't even identify what terms the Library must use. We just say, Hey, please be consistent with U.S. Code. That is it. The simple fact is that immigrants, if they have entered this country illegally, are, in fact, illegal immigrants. According to U.S. Code, U.S. laws, they have committed a crime. It is not the job of this committee's to create an alternate reality whatsoever. The laws are the laws.

Thankfully, the Supreme Court sees it the same way. We have Justice Sotomayor as using the term ''illegal alien'' a half a dozen times and the published opinion written by Justice Kennedy, and he joined the Court's more liberal block as well, using it a number of times. It is very consistent.

I recall it was, maybe, a year or two that the ranking member, on a different occasion, disagreed with me on another term. It was ''ObamaCare.'' We were having a debate about policies, Mr. Chair, and I used the term ''ObamaCare.'' She found it offensive, pejorative maybe, very negative, demeaning, used in a negative light. I believe she tried to strike my words during that time. So, if anybody is trying to be word police in this body, maybe it is the ranking member, who has a history of it.

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

PARLIAMENTARY INQUIRY

Ms. WASSERMAN SCHULTZ. Mr. Chair, I have a parliamentary inquiry.

The CHAIR. The gentlewoman will state her parliamentary inquiry.

Ms. WASSERMAN SCHULTZ. Is it not appropriate for the ranking member and the chairman, when we are debating, to go through the Chair when we are having that debate?

The CHAIR. Members are reminded to direct their remarks to the Chair.

Ms. WASSERMAN SCHULTZ. I would ask that you remind the chairman to do so, please.

The CHAIR. Members have been reminded to direct their remarks to the Chair.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield myself such time as I may consume.

I would point out that the gentleman from Georgia is absolutely correct. I did raise that concern, and I thought it was appropriate to raise the concern that the way the majority meant the term ''ObamaCare,'' as applied at the time, was intended to be pejorative. Then President Obama embraced the term; so we evolved because President Obama decided that he liked that his name would be associated with making sure that 20 million people who now have health insurance but who didn't before would be associated with his name.

That is all that the American Library Association and the Library of Congress are asking with regard to the people who are labeled as ''illegal aliens.'' The gentleman from Georgia, it would be understood, is not someone who is labeled that way, so, perhaps, it is understandable that he would not understand why that was offensive. The American Library Association and the Library of Congress have recognized that the evolution beyond using a term that has been determined to be pejorative is essential. That is called progress. That is called tolerance.

Unfortunately, the Legislative Branch Appropriations bill, through the reference to title VIII in the United States Code, requires, in this bill, the Library of Congress to continue to use the term ''illegal alien.'' It is inappropriate, unfortunate, and it should be deleted. We should have had an opportunity to debate an amendment to have allowed that to happen.

The majority chooses to hide the fact. I mean, I wish they would have just owned up to it. Mr. Chair, they should have just put it right up in the bill. I don't know why they didn't. If they think it is the right thing to do, they should have just put that term right in the bill and spelled out that they expect the Library of Congress to continue to use it. Hiding behind title VIII of the U.S. Code shows that they don't have, necessarily, the courage of their convictions to stand up for that term. Why? Because there are a whole lot of people in this country who think it is offensive, including me and the Members of my party.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chair, I yield myself such time as I may consume.

I am sorry this is taking so long tonight to reach the admission by the ranking member that this term does not exist in this bill. I mean, she just said it: Why didn't they just be more explicit? Why didn't he just use the term? In fact, they are hiding behind U.S. Code. That is what I just heard from the ranking member.

As Americans, we don't hide behind the U.S. Code. The U.S. Code is our defense; it is our shield. The laws of this land are what protect us from one from another; so to suggest that one is hiding behind it when, in fact, we are defended by it is really amazing to hear tonight.

I am pleased to hear, though, that the ranking member has acknowledged that nowhere in this legislation do we direct the Library of Congress to use any term other than what is found in and is consistent with the U.S. Code.

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

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield myself such time as I may consume.

What I suggested was that, because the majority realizes that the term ''illegal alien'' is not something that is appropriate to continue to use as a subject heading, if they had spelled it straight out in the bill rather than hiding what their true intention was behind the reference to the U.S. Code, they probably would have had to have answered a little bit more closely to the fact that they were making this effort.

Now we have been able to at least have this discussion, and I am intentionally using most of my time to be able to shine a spotlight on the fact that the majority wishes to continue to label people as ''illegal,'' wishes to continue to politicize the legislative branch appropriations bill to inject the immigration debate into the funding of the legislative branch, and to set themselves up as the word police with regard to subject headings.

This is what we need our colleagues to wrap their minds around, Mr. Chair—requiring the Library to continue to use an offensive term in their subject headings so that researchers can't use the term that the American Library Association has deemed more appropriate and not offensive. Instead, they insist on continuing to use an offensive term.

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That is unacceptable. It is inappropriate. We are going to continue to insist, and I will not be able to support this legislation as a result of the insistence of the majority on labeling an entire group of people ''illegal'' and politicizing this bill when the Library of Congress should be allowed to let the process work that works for thousands of other changes to their subject headings.

I will also point out, Mr. Chairman, that we do embrace evolution of terminology here. Just in May, a few weeks ago, we finally deleted the last vestiges of the terms ''Oriental'' and ''Negro'' from the United States Code. So we do have a process by which we take legislation like that that has been introduced by Congressman JOAQUIN CASTRO, and we allow it to move through the process. That is the appropriate way that we deal with discussion about changes in terminology in the code. We don't do it in the legislative branch bill. And that is exactly what the majority is doing by insisting that the Library of Congress continue to use that offensive term ''illegal alien.''

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I recognize this has been an exciting and tantalizing debate this evening.

Whenever the gentlewoman from Florida is ready to close, I will be ready as well.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentlewoman from Florida has 7 minutes remaining.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself the balance of my time to close.

I think it is unfortunate that myself and my colleagues on our side of the aisle don't feel that we can lend our support to this legislation for a variety of reasons. First, there has been an overwhelming injection of politics into what should be an otherwise solid piece of legislation in which we have done a lot of good work to make sure that the functions of the legislative branch are able to make sure that we can exercise our roles and responsibilities as Members of the legislative branch.

Unfortunately, due to the funding of the select committee on Planned Parenthood, which continues the witch hunt into an organization that simply exists to provide millions of women access to quality health care, in which there has been absolutely no evidence whatsoever that there was any wrongdoing, the majority continues to insist on funding the witch hunt that is designed to prevent women from getting access to quality, affordable health care.

It also continues funding for the Select Committee on Benghazi, an investigation in which the majority has actually admitted that they found absolutely no wrongdoing. Yet they have not disbanded the committee, and they continue to provide funding for it in this bill.

Lastly, as we have been able to spend a few minutes debating here on the floor, this bill tragically sets the legislative branch up as the word police and Members of Congress as the watchful sentries over the uses of the terms and subject headings at the Library of Congress. I am glad that we are really carefully protecting the card catalog in the Library of Congress to make sure that we can continue to use offensive terms when researchers look them up in the Library of Congress, like ''illegal alien.''

This bill makes sure that, instead of evolving, instead of moving forward, instead of letting professionals who work in libraries decide what terms should be used in their subject headings, Congress is going to establish ourselves as the word police, politicize something where we should not inject politics, and label people as ''illegal.''

Again, I will reiterate that there should have been an opportunity for us to debate this issue separately. I am glad we have had an opportunity to discuss it here and to expose the majority for wanting to continue a bigoted, offensive term as the subject heading in the Library of Congress.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself the balance of my time to close.

We have heard a lot tonight about why the minority is opposed to this bill. They are opposed to this bill because of what is not in it. Do you notice that? It is because of what is not in it.

They have yet to talk about the great things, the good things, and what this bill really is about. In fact, they are going to oppose this bill, as they did last year, just because of things that don't exist, that are absent.

I will point out, and I want to remind the chairman and the committee, that this is really a good piece of legislation. It is very family friendly, which is one of our major focuses. We have thousands and thousands of visitors each year that come and visit this place, this Capitol Building, this historic beacon of hope for our country and for the world. Visitors come and visit our offices and tour the facilities, and we want it to be family friendly, safe and secure, and a welcoming environment. That is what this bill achieves.

It does that by providing something that is unique, something that I was very passionate about in my days in the State of Georgia, and that is doing zero-based budgeting, something very unique. It is not done in all the other appropriations bills, but it is done in this one, where every agency starts from zero and justifies each expense forward. That is what our constituents expect.

It even does it by eliminating the Open World Center, zeroing out, winding down, and eliminating a program that was well-intended back in the 1980s when it was first founded. But it is time to wind it down, move on, and use those dollars for something else, changing priorities. That is what this committee was focused on.

It continues the Member pay freeze. As I stated earlier, when our constituents aren't getting a raise in this economy, the Obama economy, then I don't believe we should be getting a raise either. It eliminates that. It freezes that.

We do this by also cutting the House budget by 13.2 percent since Republicans took the majority. That is something we don't share enough of. The House has taken the necessary steps to lead by example in cutting our budgets by 13.2 percent since taking the majority in 2010. I can't say the same about the Senate. I can't say the same about the executive branch, nor the judicial. But we can say that about our side, because we are leading by example.

Then it has a strong focus on constituent services. We were able to provide additional resources for all Members, Republican and Democrat alike, from all corners of this country and from all the territories to make sure that they have the resources necessary to meet the needs of their constituents, because that is really one of our number one priorities back in our districts and from our offices here is to provide the services to our constituency.

We have heard a lot tonight about the Library of Congress. Look, the Library of Congress has a great history, a great heritage, and provides a tremendous service. It has a history of providing law services to this body and to the Senate over the years as well as constituencies that come and do research. It does a great job.

All we have done in this bill is say, as you do your subject headings, just make sure it is consistent with U.S. Code, be consistent with the laws of this land. That way, those who are searching topics are searching topics that are consistent with what is being debated in the Supreme Court, what is being debated in other courts throughout the country because they are using the laws of this land as they try various cases. So why not just use terminology that is consistent with the Code that this body and that the Senate and that a President has signed into law at some point.

Mr. Chair, I want to commend to this body and to the committee the Legislative Branch Appropriations bill. It is a good bill to be supported and to be proud of and to know that you are going to be able to take care of your constituents better. And we have got a great family-friendly, safe, and secure environment for them to come and visit.

I yield back the balance of my time.

The Acting CHAIR (Mr. BYRNE). All time for general debate has expired.

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

The text of the bill is as follows:

H.R. 5325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,189,050,766, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $22,278,891, including: Office of the Speaker, $6,645,417, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,180,048, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,114,471, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,886,632, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,459,639, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,505,426; Democratic Caucus, $1,487,258: *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2017 until January 2, 2018.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $562,632,498.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $127,053,373: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2018, except that $3,150,200 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,271,004, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2018.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $181,487,000, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than $25,000 for official representation and reception expenses, of which not more than $20,000 is for the Family Room and not more than $2,000 is for the Office of the Chaplain, $26,268,000; for

salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $15,505,000, of which $5,618,902 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $117,165,000, of which $2,120,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,963,000; for salaries and expenses of the Office of the General Counsel, $1,444,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $1,999,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,167,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,979,000; for salaries and expenses of the Office of Interparliamentary Affairs, $814,000; and for other authorized employees, $1,183,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $272,328,000, including: supplies, materials, administrative costs and Federal tort claims, $3,625,000; official mail for committees, leadership offices, and administrative offices of the House, $190,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $245,334,000, to remain available until March 31, 2018; Business Continuity and Disaster Recovery, $16,217,000, of which $5,000,000 shall remain available until expended; transition activities for new Members and staff $2,084,000, to remain available until expended; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,658,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $720,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2017. Any amount remaining after all payments are made under such allowances for fiscal year 2017 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 108. None of the funds made available by this Act may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

ADJUSTMENTS TO COMPENSATION

SEC. 109. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2017.

OVERSEAS TRAVEL TO ACCOMPANY MEMBERS OF HOUSE LEADERSHIP

SEC. 110. (a) TRAVEL AUTHORIZED.—

(1) IN GENERAL.—A member of the Capitol Police may travel outside of the United States for official duty if—

(A) that travel is with, or in preparation for, travel of a Member of the House of Representatives who holds a position in a House Leadership Office, including travel of the Member as part of a congressional delegation; and

(B) the Sergeant at Arms of the House of Representatives gives prior approval to the travel of the member of the Capitol Police.

(2) DEFINITIONS.—In this subsection—

(A) the term ''House Leadership office'' means an office of the House of Representatives for which the appropriation for salaries and expenses of the office for the year involved is provided under the heading ''House Leadership Offices'' in the act making appropriations for the Legislative Branch for the fiscal year involved;

(B) the term ''Member of the House of Representatives'' includes a Delegate or Resident Commissioner to the Congress; and

(C) the term ''United States'' means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

(b) REIMBURSEMENT FROM SERGEANT AT ARMS.—

(1) IN GENERAL.—From amounts made available for salaries and expenses of the Office of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms of the House of Representatives shall reimburse the Capitol Police for the overtime pay, travel, and related expenses of any member of the Capitol Police who travels under the authority of this section.

(2) USE OF AMOUNTS RECEIVED.—Any amounts received by the Capitol Police for reimbursements under paragraph (1) shall be credited to the accounts established for the general expenses or salaries of the Capitol Police, and shall be available to carry out the purposes of such accounts during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,095,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of $2,175 per month to the Attending Physician;

(2) an allowance of $1,300 per month to the Senior Medical Officer;

(3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) $2,780,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,838,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,429,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $325,300,000 of which

overtime shall not exceed $35,305,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $66,000,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2017 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION

AUTHORITY TO DISPOSE OF FORFEITED AND ABANDONED PROPERTY AND TO ACCEPT SURPLUS OR OBSOLETE PROPERTY OFFERED BY OTHER FEDERAL AGENCIES

SEC. 1001. (a) Section 1003(a) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1906(a)) is amended by striking ''surplus or obsolete property of the Capitol Police'' and inserting the following: ''surplus or obsolete property of the Capitol Police, and property which is in the possession of the Capitol Police because it has been disposed, forfeited, voluntarily abandoned, or unclaimed,''.

(b) Upon notifying the Committees of Appropriations of the House of Representatives and Senate, the United States Capitol Police may accept surplus or obsolete property offered by another Federal department, agency, or office.

(c) This section and the amendment made by this section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,959,000, of which $450,000 shall remain available until September 30, 2018: *Provided*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $46,500,000.

ADMINISTRATIVE PROVISION

ESTABLISHMENT OF SENIOR LEVEL POSITIONS

SEC. 1101. (a) Notwithstanding the fourth sentence of section 201(b) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 601(b)), the Director of the Congressional Budget Office may establish and fix the compensation of senior level positions in the Congressional Budget Office to meet critical scientific, technical, professional, or executive needs of the Office.

(b) LIMITATION ON COMPENSATION.—The annual rate of pay for any position established under this section may not exceed the annual rate of pay for level II of the Executive Schedule.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

ARCHITECT OF THE CAPITOL

CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $88,542,234, of which $5,268,000 shall remain available until September 30, 2021.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $33,005,499, of which $9,005,499 shall remain available until September 30, 2021.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $12,826,000, of which $2,946,000 shall remain available until September 30, 2021.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $187,481,000, of which $61,404,000 shall remain available until September 30, 2021, and of which $62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $17,000,000, to remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $104,480,000, of which $27,339,000 shall remain available until September 30, 2021: *Provided*, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2017.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $47,080,000, of which $22,137,000 shall remain available until September 30, 2021.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computing Facility, and Architect of the Capitol security operations, $26,697,000, of which $9,164,000 shall remain available until September 30, 2021.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $14,067,000; of which $4,054,000 shall remain available until September 30, 2021: *Provided*, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $20,557,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1201. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

SCRIMS

SEC. 1202. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

WORKING CAPITAL FUND

SEC. 1203. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a working capital fund (hereafter in this section referred to as the ''Fund'') for the Architect of the Capitol.

(b) AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall be available to the Architect of the Capitol for such common agency services, activities, and equipment, such as construction, capital repairs, renovations, rehabilitation, maintenance of real property, and similar agency expenses, on a reimbursable basis within the Architect of the Capitol as the Architect determines to be appropriate, efficient, and economical.

(c) CONTENTS.—The capital of the Fund consists of—

(1) amounts appropriated to the Fund;

(2) the reasonable value of stocks of supplies, equipment, and other assets and inventories on order that the Architect transfers

to the fund, less related liabilities and unpaid obligations;

(3) receipts from the sale or exchange of property held in the Fund;

(4) all miscellaneous receipts compensating the Architect of the Capitol for loss or damage to any Government property under the Architect's jurisdiction or care, including but not limited to the United States Botanic Garden;

(5) reimbursements pursuant to subsection (d); and

(6) amounts transferred to the Fund pursuant to subsection (e).

(d) REIMBURSEMENT.—The Fund shall be reimbursed from available accounts of the Architect of the Capitol for supplies, materials, services, and related expenses, at rates which will approximate the full cost of operations, including—

(1) accrual of employee leave and benefits;

(2) depreciation of plant, property, and equipment; and

(3) overhead.

(e) TRANSFERS FROM OTHER ACCOUNTS.—The Architect is authorized to transfer amounts from other available Architect of the Capitol accounts to the Fund in this and each succeeding fiscal year as the Architect determines to be appropriate, efficient, and economical, subject to the approval of the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, or both (as the case may be), in accordance with section 306 of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 1862).

(f) CONTINUING AVAILABILITY OF FUNDS.—Amounts in the Fund are available without regard to fiscal year limitation.

(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

AUTHORITY FOR A HOUSE OFFICE BUILDINGS SHUTTLE

SEC. 1204. (a) The proviso in the item relating to ''Capitol Grounds'' in title VI of the Legislative Branch Appropriations Act, 1977 (90 Stat. 1453; 2 U.S.C. 2163) is amended by striking ''appropriated under this heading'' and inserting ''appropriated for any available account of the Architect of the Capitol''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

USE OF EXPIRED FUNDS FOR UNEMPLOYMENT COMPENSATION PAYMENTS

SEC. 1205. (a) Available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol for reimbursing the Secretary of Labor for any amounts paid with respect to unemployment compensation payments for former employees of the Architect of the Capitol, not withstanding any other provision of law, without regard to the fiscal year for which the obligation to make such payments is incurred.

(b) This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

FLAG OFFICE REVOLVING FUND

SEC. 1206. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund to be known as the ''Flag Office Revolving Fund'' (in this section referred to as the ''Fund'') for services provided by the Flag Office of the Architect of the Capitol (in this section referred to as the ''Flag Office'').

(b) DEPOSIT OF FEES.—The Architect of the Capitol shall deposit any fees charged for services described in subsection (a) into the Fund.

(c) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

(1) Amounts deposited by the Architect of the Capitol under subsection (b).

(2) Any other amounts received by the Architect of the Capitol which are attributable to services provided by the Flag Office.

(3) Such other amounts as may be appropriated under law.

(d) USE OF AMOUNTS IN FUND.—Amounts in the Fund shall be available for disbursement by the Architect of the Capitol, without fiscal year limitation, for expenses in connection with the services provided by the Flag Office, including—

(1) supplies, inventories, equipment, and other expenses; and

(2) the reimbursement of any applicable appropriations account for amounts used from such appropriations account to pay the salaries of employees of the Flag Office.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $449,971,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2017, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2017 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: *Provided further*, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $8,444,000 shall remain available until expended for the digital collections and educational curricula program*:* *Provided further*, That of the total amount appropriated, $1,300,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System: *Provided further*, That of the total amount appropriated, $4,039,000 shall remain available until September 30, 2019 to complete the first of three phases of the shelving replacement in the Law Library's collection storage areas: *Provided further*, That of the total amount appropriated, $24,000,000 shall remain available until September 30, 2019 to migrate the Library's Primary Computing Facility (PCF) in the James Madison Building to an alternate PCF.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $68,827,000, of which not more than $31,269,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2017 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,929,000 shall be derived from collections during fiscal year 2017 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $37,198,000: Provided further, That $4,531,000 shall be derived from prior year unobligated balances: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $107,945,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,248,000: *Provided*, That of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1301. (a) IN GENERAL.—For fiscal year 2017, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $188,188,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

LIBRARY OF CONGRESS NATIONAL COLLECTION STEWARDSHIP FUND

SEC. 1302. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States, as an account for the Librarian of Congress, the ''Library of Congress National Collection Stewardship Fund'' (hereafter in this section referred to as the ''Fund'').

(b) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

(1) Such amounts as may be transferred by the Librarian from available amounts appropriated for any fiscal year for the Library of Congress under the heading ''Salaries and Expenses''.

(2) Such amounts as may be appropriated to the Fund under law.

(c) USE OF AMOUNTS.—Amounts in the Fund may be used by the Librarian as follows:

(1) The Librarian may use amounts directly for the purpose of preparing collection materials of the Library of Congress for long-term storage.

(2) The Librarian may transfer amounts to the Architect of the Capitol for the purpose of designing, constructing, altering, upgrading, and equipping collections preservation and storage facilities for the Library of Congress, or for the purpose of acquiring real property by lease for the preservation and storage of Library of Congress collections in accordance with section 1102 of the Legislative Branch Appropriations Act, 2009 (2 U.S.C. 1823a).

(d) CONTINUING AVAILABILITY OF FUNDS.—Any amounts in the Fund shall remain available until expended.

(e) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the Librarian shall submit a joint report on the Fund to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate.

(f) INITIAL 5–YEAR PLAN.—Not later than 6 months after the date of the enactment of this Act, the Librarian shall submit to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate a report providing a plan for expenditures from the Fund for the first 5 fiscal years of the Fund's operation.

(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

FILM PRESERVATION PROGRAMS

SEC. 1303. (a) NATIONAL FILM PRESERVATION BOARD.—

(1) REAUTHORIZATION.—Section 112 of the National Film Preservation Act of 1996 (2 U.S.C. 179v) is amended by striking ''through fiscal year 2016'' and inserting ''through fiscal year 2026''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of the National Film Preservation Act of 1996.

(b) NATIONAL FILM PRESERVATION FOUNDATION.—Section 151711(a)(1)(C) of title 36, United States Code, is amended by striking ''through 2016'' and inserting ''through 2026''.

SOUND RECORDING PRESERVATION PROGRAMS

SEC. 1304. (a) NATIONAL RECORDING PRESERVATION BOARD.—Section 133 of the National Recording Preservation Act of 2000 (2 U.S.C. 1743) is amended by striking ''through fiscal year 2016'' and inserting ''through fiscal year 2026''.

(b) NATIONAL RECORDING PRESERVATION FOUNDATION.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 152411(a) of title 36, United States Code, is amended by striking ''through fiscal year 2016'' and inserting ''through fiscal year 2026''.

(2) NUMBER OF MEMBERS OF BOARD OF DIRECTORS.—Section 152403(b)(2)(A) of such title is amended by striking ''nine directors'' and inserting ''12 directors''.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $79,736,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,500,000: *Provided*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2015 and 2016 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, $7,832,000, to remain available until expended, for information technology development and facilities repair: *Provided*, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: *Provided further*, That not more than $7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: *Provided further*, That the Business Operations Revolving Fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the Business Operations Revolving Fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the Business Operations Revolving Fund may provide information in any format: *Provided further*, That the Business Operations Revolving Fund and the funds provided under the heading ''Public Information Programs of the Superintendent of Documents'' may not be used for contracted security services at Government Publishing Office's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $533,100,000: *Provided*, That, in addition, $23,350,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal

participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $1,000,000.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2017 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LIMITATION ON TRANSFERS

SEC. 206. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 207. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

COMPUTER NETWORK ACTIVITY

SEC. 208. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity to carry out criminal or Congressional investigations, prosecution, or adjudication activities.

SPENDING REDUCTION ACCOUNT

SEC. 209. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974, excluding Senate items, exceeds the amount of proposed new budget authority is $0.

This Act may be cited as the ''Legislative Branch Appropriations Act, 2017''.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 114–611. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now order to consider amendment No. 1 printed in House Report 114–611.

AMENDMENT NO. 2 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–611.

Mr. ELLISON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 22, after the first dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, we can raise living standards for working families across this country if we use Federal dollars to create good jobs.

My amendment would reprogram funds to create an office of good jobs within the Office of the Chief Administrative Officer. This office would help ensure that the House's procurement and contracting decisions encourage the creation of decently paid jobs, support collective bargaining rights, and encourage responsible employment practices. Our amendment does nothing to alter existing procurement, debarment, or contracting processes.

Right now, the U.S. Government is America's leading low-wage job creator, funding over 2 million poverty jobs through contracts, loans, and grants in corporate America. That is more than the total number of low-wage workers employed by Walmart and McDonald's combined.

Mr. Chairman, at this point, the Federal Government is leading the race to the bottom through its processes and its failure to capitalize on the procurement process. U.S. contract workers earn so little that nearly 40 percent use public assistance programs like food stamps and Section 8 to feed their families.

In other words, Mr. Chairman, because these jobs are paid so low that are funded by the Federal contracts, Uncle Sam has to subsidize these people, working people, because they are not getting paid enough by the Federal contractors that employ them.

To add insult to injury, many of these low-wage U.S. contract workers are driven deeper into poverty because their employers steal their wages and break other Federal labor laws. Treating the people who work with us here at the Capitol with dignity and respect is absolutely essential.

It is intended that the appropriation for the Office of the Chief Administrative Officer be used to establish an Office of Good Jobs aimed at ensuring that the Chief Administrative Officer's procurement decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices. The office's structure shall be substantially similar to the Centers for Faith-Based and Neighborhood Partnerships located within the Department of Education, Department of Housing and Urban Development, Department of Homeland Security, Department of Health and Human Services, Department of Labor, Department of Agriculture, Department of Commerce, Department of Veterans Affairs, Department of State, Small Business Administration, Environmental Protection Agency, Corporation for National and Community Service, and U.S. Agency for International Development.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chair, I rise in opposition to the amendment.

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

Mr. GRAVES of Georgia. Mr. Chair, I know Mr. ELLISON is well-intended in

his amendment. In fact, his amendment was offered during the House debate on the Energy and Water Appropriations bill just recently, and it was rejected by an overwhelming majority on a bipartisan basis. In fact, the vote was 174–245. I know his intentions are well-meaning, and he speaks well of the topic, but this amendment is no more appropriate in this context than it was previously. It ignores the fact that Congress operates an entirely different procurement system than other Federal agencies.

The House has an established procurement process that is in place to ensure that all procurements are executed in a fair and a competitive manner. The function of this amendment would only add additional time to an already sound procurement process.

I oppose the amendment.

I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chair, I support my colleague's amendment.

The aim of this amendment is to create an office of good jobs for the House within the Office of the Chief Administrative Officer. This office would help ensure that the House makes contracting and employment decisions, encouraging the creation of decently paid jobs, implementation of fair labor practices, and responsible employment practices.

As the legislative branch, we ought to be setting an example for the Nation when it comes to contracting decisions. Members of Congress who are committed to creating good-paying jobs and supporting workers have a chance with this amendment to see those values reflected right where we work.

This office will help guide the legislative branch in making responsible contracting and employment decisions and do right by the countless men and women who help us perform the people's business each and every day.

I urge my colleagues to support the amendment by voting ''yes.''

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 2 minutes remaining.

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

Mr. GRAVES of Georgia. Mr. Chairman, I think this is a great example to show the openness of this process. In fact, this amendment was offered recently with the Energy and Water Appropriations bill and is applicable to be offered even here today. While I rise in opposition to the gentleman's amendment, I think it is just a good example of bipartisanship and this open process, of an orderly structured process to get our job done here.

However, this amendment doesn't achieve what we would hope it would, and that is why I have to rise in opposition.

I mean, it is clear that vendors that do business with the House are already reviewed against the GSA's excluding parties list, which includes businesses that are then precluded from doing business with the Federal Government for and, among other things, violating employees' legal employment rights.

□ 1930

As written, this amendment fails to do really much of anything. It has no legislative effect. It fails to define what the office should examine, where in the House of Representatives organizational structure the office would reside, and what recourse, if any, a Member would have if he or she disagreed with a finding of the office.

Again, with that, I have to oppose the gentleman's amendment.

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

Mr. ELLISON. Mr. Chairman, it is long past time, given this economy that we have, for the Congress of the United States to prioritize good jobs. The fact is that, if we have an agency, an office of good jobs making sure that everyone who we do business with is making sure that workers are paid fairly, that they get every penny that they earn, and that we are making sure that we prioritize good employers over the bad ones, this is exactly what we should be doing. We live in a time of 40 years of wage stagnation, and the Federal Government is deeply implicated in this wage stagnation. The Federal Government, the U.S. Congress should do something about it.

Mr. Chairman, let me tell you about a friend of mine named Vee. Vee has been a catering worker here at the House of Representatives for 27 years. She is 67 years old. She says she has next to nothing for retirement. She jokes that she will be working until half an hour before her funeral. In Vee's own words: We aren't looking for a handout; we are looking for a hand up.

No one who works for decades should be left without a secure retirement. Retirement insecurity isn't the only trouble she and her colleagues face. Some of them don't get healthcare benefits from their employer. Of the 50 catering workers serving Members and visitors to the Hill, only about half have access to year-round health care.

We need to make it clear to current and future contractors that we want them to put taxpayers' dollars in their contracts to use, taking care of Americans who are working for them. This will help raise living standards for all workers.

Let me tell you this, Mr. Chairman, when we see the Federal Government and we see State governments make good jobs the issue, the private sector falls in line. We have seen the Gap, even Walmart, talking about raising issues. Why? Because President Obama signed an executive order to say that anyone who works for a Federal contractor has to get paid at least $10.10 an hour. That kind of leadership is what makes the Federal Government not the leader in the race to the bottom but the leader in the race to the top.

Vote ''yes'' on my amendment.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I am grateful for the gentleman's time tonight and taking time on this late evening to express his passion and zeal for workers all across this country. However, with that, because of his amendment and, as I mentioned, the impact that it, in effect, really wouldn't have, I would have to oppose the gentleman's amendment.

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

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–611.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 6, after the dollar amount, insert ''(reduced by $100,000) (increased by $100,000)''.

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, there is a bike share revolution that is spreading across America. Over 70 systems are now operating in 104 cities, including, next month, my hometown of Portland, Oregon. Atlanta's system opened today. This is an opportunity to provide the bicycle in a more convenient form, where people can rent by the half hour, by the hour, by the day.

We find that research shows that the bike share is safer than regular bicycles. There have been no fatalities recorded in more than 35 million trips around the country so far. It is cheaper. It is a healthier form of transit. Low-cost memberships are available for low-income populations, for example, in Washington, D.C., and Philadelphia and Chicago.

The Nation's Capital is a model for bike share. Launched in 2010, there are now over 350 stations around the D.C. area. Daily ridership is over 9,000. Bike share members report annual savings

of $700 to $800 a year due to riding the bike share.

My amendment suggests that it is time for the Architect of the Capitol to have the Capitol Grounds included in this process, requiring a feasibility study on the installation and operation of bike share stations on the Capitol Grounds.

Right now, the nearest station to House Office Buildings is at the bottom of Capitol Hill, between the busy Independence Avenue and freeway on-ramps. It is not convenient to our staff. It is not convenient to the millions of visitors that come to Capitol Hill every year. Thinking for a moment about the problems we have got now with the Metro maintenance, every person that takes a bike share is one more person who is not on the road ahead of you or crowded into overcrowded facilities.

I respectfully suggest that this amendment be adopted, that we have $100,000 within the Architect of the Capitol's budget to undertake this feasibility study to improve the quality of life, the health, and mobility in and around this vital area of our Nation's Capital. It is unfortunate that this intense area of activity is underserved. This amendment would help remedy that.

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

Mr. GRAVES of Georgia. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

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

There was no objection.

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

Mr. GRAVES of Georgia. Mr. Chairman, I don't claim the time in opposition to speak against it. In fact, I am supportive of the gentleman's amendment, and I appreciate him bringing this forward. As a cyclist myself, I can tell you, I understand the importance of making sure, on a campus such as this or in a town such as this or an area such as this, that there is plenty of availability, and the bike share facilities and locations are certainly around here, but we understand that there are some absences or vacancies in spaces near to this campus.

Saying all that, I do respect the Sergeant at Arms and the Capitol Police and some of their concerns that they have expressed, and I would hope that, as the Architect moves forward with a study such as this, that they would take those considerations into effect as well as they put their study together.

I thank the gentleman for his amendment.

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

Mr. BLUMENAUER. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise in strong support of the Blumenauer amendment to request a feasibility study on the installation and operation of Capital Bikeshare stations on the Capitol Grounds. I would like to thank Mr. BLUMENAUER for his bike-partisan leadership over the years and for his work on this issue specifically. His passion for cycling is known to and appreciated by so many of us.

Mr. Chairman, Capital Bikeshare opened in 2010 in the District of Columbia and in Arlington, Virginia, which I am proud to represent. Since then, the system has grown steadily to include more than 350 stations. It has changed the way many people in this region travel. The U.S. Capitol receives millions of visitors every year, and millions more visit our offices to talk about their issues and concerns. These people are friends, families, and constituents. There are also guests of the United States from all over the world. Capital Bikeshare has been successful precisely because many of these visitors want to see our city up close, from the seat of a bicycle.

Expanding this very successful program to the Capitol Grounds is a great way to give tourists, local commuters, and our staffs an excellent transportation alternative, not to mention the benefits the bicycle has on the environment, individual health, and traffic congestion.

This need is especially great right now as the D.C.'s Metrorail system undergoes extensive, prolonged maintenance. This puts a real strain on all the other modes of transportation in the city.

Capital Bikeshare is beloved by D.C. residents and visitors alike, and we should be setting a strong example by supporting the program and welcoming stations in the place where we work, right here on the Capitol Grounds.

Mr. Chair, I thank Mr. BLUMENAUER for his leadership and urge my colleagues to support the amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–611.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 6, after the dollar amount, insert ''(reduced by $500,000)''.

Page 17, line 11, after the dollar amount, insert ''(increased by $250,000)''.

Page 17, line 23, after the first dollar amount, insert ''(increased by $250,000)''.

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Speaker, I am delighted to be here presenting this amendment. My cosponsor of this amendment, JAIME HERRERA BEUTLER, is unable to be here, but it is relevant. She had a baby 2 weeks ago—this is not her first child—and she is a breastfeeding mother.

This amendment is about creating the potential for the House Office Buildings and this Capitol to come into compliance with the General Services Administration guidelines for having breastfeeding stations available for women who need them. There are 7,000 women who work here. There are thousands of women who visit on a regular basis, and we don't have the stations that the women who visit the Capitol, work in the Capitol, work in the House Office Buildings, or visit need to be here in order to take care of their infant children.

It is just amazing to me. JAIME HERRERA BEUTLER is someone we all admire. She can't be here—she wishes she was—but she is a big advocate of this. What this amendment would do is not cost new money, but it would allow a shift in money, $500,000, from the capital construction and operations account to the Capitol Building and House Office Building accounts, appropriating $250,000 each.

The fact is, why wouldn't we want to be in compliance with the GSA requirements as to the access to the breastfeeding stations for mothers who work and visit here?

Mr. Chair, my hope is that there will be broad bipartisan support to do something that I think all of us know needs to be done.

Mr. GRAVES of Georgia. Will the gentleman yield?

Mr. WELCH. I yield to the gentleman from Georgia.

Mr. GRAVES of Georgia. Mr. Chairman, I want to thank the gentleman for his thoughtful amendment. We are prepared to accept it, support it.

Mr. WELCH. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the committee.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I join the chairman in supporting the gentleman's amendment. This amendment would add approximately 30 lactation rooms to the Capitol complex. Working mothers rely on these rooms—and I can speak from experience—to ensure that they can continue to work while breastfeeding their children.

This amendment rightfully recognizes that Congress must lead by example to ensure that women can be both moms and leaders in their field. In fact, my own office right now is serving as a lactation room, and that is because one of my wonderful staff is a nursing mom.

While I am happy to do that, it is our responsibility to maintain an environment where all of our employees feel comfortable, including working mothers. Our staff deserves to feel welcome

and secure when they are ready to return to work. We should be doing everything we can to encourage working moms to return to the workplace, and it must start here on Capitol Hill.

As we all know, the offices in which we work are inadequate for moms to pump. Our staff is many to an office with open-air cubicles. Having lactation rooms is mandatory, essential, if we want to keep talented women in the workplace.

I want to thank the gentleman for offering this amendment. I urge its support and appreciate the chairman's support.

Mr. WELCH. Mr. Chairman, I want to thank Chairman GRAVES. I appreciate his support of this amendment. I also want to thank the ranking member for her support. I also thank my cosponsors, Congresswoman MATSUI and Congresswoman FRANKEL, but I especially want to thank and congratulate Congresswoman HERRERA BEUTLER.

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

Ms. MATSUI. Mr. Chair, I want to thank Congressman WELCH for his leadership on this common sense amendment.

Working mothers are driving our economy forward. Two out of every three women are the sole or equal breadwinner in their households. Many of these women are juggling the responsibilities of caring for their children and supporting their family.

Having workplaces that accommodate the needs of our hard working American mothers makes our economy stronger. Businesses across the country have made important improvements in their work place standards for women. And the Federal government has too. In fact, the General Services Administration now requires that federal buildings have lactation stations for breastfeeding mothers.

But here in the U.S. Capitol we are not living up to these standards—at the expense of the thousands of women who work in the Capitol and the millions of women who pass through these grounds every day. We need to make working mothers' ability to contribute to our economy easier, not harder.

This amendment simply brings the House of Representatives into compliance with existing laws already on the books and would not require any new funding. It is a common sense step forward for working mothers.

Our Capitol is a symbol of our democracy and should set the highest example for the American people. I urge my colleagues to support this amendment which makes our Capitol more welcoming to all.

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

The amendment was agreed to.

□ 1945

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–611.

AMENDMENT NO. 6 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–611.

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Each amount made available by this Act is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to—

(1) accounts under the heading ''Capitol Police'';

(2) ''Architect of the Capitol—Capitol Police Buildings, Grounds and Security''; or

(3) the amount provided for salaries and expenses of the Office of the Sergeant at Arms under the heading ''House of Representatives—Salaries, Officers and Employees''.

The Acting CHAIR. Pursuant to House Resolution 771, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I want to begin by thanking the committee for the hard work that they have put into this bill and for the way the House has approved reducing our budget over the last several years. If every department of the Federal Government were to be as active as we were in reducing our spending, our budget would be in better shape.

This bill provides a net total of $3.482 billion in fiscal year 2017 base discretionary budget authority. That is $153 million below the President's budget request, $73 million above the enacted 2016 level, and $140 million above the level proposed by the Appropriations Committee for fiscal year 2016.

However, I think there is more work that needs to be done. And thus, as I do for most of our appropriations bills, I am here with my 1 percent across-the-board spending reduction amendment.

It would reduce discretionary budget authority by $31 million and outlays by $28 million. It exempts the Capitol Police, the Architect of the Capitol, Capitol Police Buildings, Grounds and Security, and the Sergeant at Arms.

I am certainly aware that there is opposition to doing the penny-on-a-dollar cut. I have heard many times that cuts like this are damaging and we shouldn't do them, but I think that cutting an extra penny on every dollar not only goes to putting us on a better track, it helps to preserve our Nation's sovereignty for future generations.

When we have $19.2 trillion in debt, our constituents are saying: What are you going to do about this?

Well, here is an action that we can take: making a penny-on-a-dollar cut and saving ourselves some more money—$31 million—that will help to send the right message that, again, we are going to cut a little bit more, just as the families in our districts are doing.

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

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I strongly oppose this amendment, as it takes a meat-ax approach to cutting this bill by $31 million with an across-the-board cut of 1 percent.

The amendment exempts the Capitol Police and its buildings, as well as the Sergeant at Arms. It does not exempt our staff, including the offerer's own staff because it would cut the Members' Representational Allowance. It would also cut the Congressional Research Service, the Government Accountability Office, the Congressional Budget Office, committees of Congress, and the Office of Compliance.

The Legislative Branch bill, Mr. Chairman, has been flat for 3 years. And this bill finally provides a modest overall increase of 2.1 percent, but because we have not kept up with inflation, each year we are buying less and less for our dollar. The Congressional Research Service, for example, is still below FY 2010 levels and reports it has lost 13 percent of its purchasing power.

We can't continue to do more with less. There is a reason the perception of Congress is damaged. We are damaging our ability to write and analyze legislation and have serious debates because we take the politically expedient route, like the across-the-board cuts, because they play well during town halls. But if we bothered to explain the brain drain within the halls of Congress and the need to boost funding for staff to do oversight, I have the belief that our constituents would understand that.

If Members want a strong legislative branch to ensure oversight of the executive, this amendment should be defeated.

The cut to the MRA is one of the most egregious that would result from this amendment. I happen to think my staff contributes to the well-being of my constituents and are worth every penny we can afford to pay them after years of cuts to the MRA. The MRA is $97 million less than it was in fiscal year 2010. This amendment would cut $5.6 million more.

Mr. Chairman, you get the government you pay for, and I fear that this amendment would do nothing more than hurt the service we are able to provide to our constituents.

I urge defeat of the amendment.

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

Mrs. BLACKBURN. Mr. Chairman, I will have to say that people do like across-the-board cuts. Indeed, many governors, Republican and Democrat alike, use these. From coast-to-coast, they have used these. And our constituents like them.

Take a look at the December 2012 POLITICO-George Washington University Battleground Tracking Poll. It shows 75 percent approve of them. January 2013, The Hill, 6-in-10 approve. Look at what happened in Oklahoma in December: a 3 percent across-the-board cut. In March, they did a 4 percent across-the-board cut.

Why is it that our governors do these?

They work. Department heads like to be able to go in there and find a way to cut a little bit more in that budget and still meet the needs that the people have said they want to see their government meet.

We have $19.3 trillion in debt. We are working to get the cost of government down, but we have to do a little bit more. This is a way to engage rank-and-file Federal employees and to say to them: It is time for us to get our fiscal house in order.

A penny on the dollar is what our constituents are doing. We should do likewise. It is what our States are doing, because they can't crank the printing press. They can't go borrow money. They can't have more of our debt that is owned by China and Japan and OPEC and the entities that own our debt. They have to have balanced budget amendments. When I was in the Tennessee State Senate, we didn't go home until we had the budget in balance.

So I would encourage support of this amendment. It is a penny out of a dollar. It is another $31 million in savings.

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

Ms. WASSERMAN SCHULTZ. Mr. Chairman, as I said, this bill has already taken hit after hit. We are far below the levels that we were at in 2010. We have employees who deserve to be assured that we have enough respect for their professionalism that we are going to adequately fund their ability to do their jobs, which is to represent our constituents.

This amendment takes, as I said, a meat-ax approach rather than what the chairman and I worked together to do, which is to develop the substantive portions of this bill related to the funding of the legislative branch in a precisionlike way.

It doesn't make sense. I have never heard of polling that actually asks generic questions of constituents on whether they like or dislike across-the-board cuts. I am not sure what the purpose of electing Members of Congress is if we are going to just make indiscriminate, across-the-board decisions rather than use our brains and build consensus around the decisions that we make.

That is the type of approach that this amendment would take, and it is inappropriate. We need to make sure that we are adequately funding the legislative branch functions so that we can represent our constituents effectively.

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

Mrs. BLACKBURN. Mr. Chairman, the American people think they have taken hit after hit. And they have taken it right in the wallet. They are sick and tired of this. They feel like this economy has taken a meat-ax approach to their well-being. What they want to see is leadership that will work to get our spending habits under control here in Washington.

This is a great opportunity to lead by example and to say: A penny on the dollar, we are going to do it for the children and for future generations.

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

Ms. WASSERMAN SCHULTZ. Mr. Chairman, the American people are appreciative and understand that we have been through 75 straight months of private sector job growth, that we have added 20 million people who didn't have health insurance before and who are now able to go to the doctor when they are sick, that we have cut the deficit by nearly three-quarters, and that we have made progress. And we need to continue to build on that progress and help more Americans have an opportunity to reach the middle class.

All of those things were accomplished through funding the legislative branch. And we need to appropriately fund it, adequately fund it, so we can effectively represent our constituents.

I urge defeat of this ill-advised amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I demand a recorded vote.

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

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–611.

PARLIAMENTARY INQUIRY

Mr. GRAVES of Georgia. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. GRAVES of Georgia. Could the Chair inform the committee of what the intentions are tonight, about how many amendments we would move forward and how many for tomorrow?

The Acting CHAIR. The Chair has just announced that amendment No. 7 is now in order.

Mr. GRAVES of Georgia. Mr. Chair, I have an additional parliamentary inquiry.

The Acting CHAIR. The Chair would be prepared to entertain a motion to rise.

Mr. GRAVES of Georgia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. AMODEI) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

CELEBRATING PRIDE MONTH

The SPEAKER pro tempore (Mr. BYRNE). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, I am thrilled to be here on the floor of the House this evening with my Congressional Progressive Caucus and LGBT Equality Caucus as we join millions of Americans around the country in celebrating Pride Month.

Pride Month offers an opportunity to celebrate the incredible achievements of the LGBT community and the progress we have made toward a society that accepts LGBT Americans as equals. It is a chance to honor the trailblazers and leaders that have contributed so much to the lives of LGBT individuals worldwide. And it gives us the space to remind one another that we are all humans, deserving of dignity, acceptance, and equal treatment.

The LGBT community, along with allies like myself, have fought to see the end of discriminatory laws and policies. We have applauded as society itself opens its arms. And we have watched as more and more LGBT ''firsts'' make their mark in public service, Hollywood, and every corner of our world.

□ 2000

From the Stonewall riots that set the stage for the pride celebrations that we have today, to the end of ''Don't Ask, Don't Tell'' in our Armed Forces, to the landmark Supreme Court decision in Obergefell v. Hodges, to the recent confirmation of the very first gay man to serve as Secretary of the Army, we have made clear, forward progress.

But even as we celebrate the countless achievements of the past few years, we must also acknowledge the continuing uphill battle for LGBT equality. This year has seen a deeply painful wave of laws passed by State legislatures and aimed at legalizing blatant discrimination against the LGBT communities.

There have been recent upticks in transgender violence and, just last week, a disgraceful move by a few Members on the other side of the aisle

to prevent the passage of an amendment that sought to prevent discrimination. That reminded us that we still have quite a bit of work to do.

That is why my colleagues and I support legislation like the Student Non-Discrimination Act, or the Safe Schools Improvement Act, or the Equality Act. That is why I remain committed to making sure that we eliminate every form of discrimination in our society.

Who you are and who you love shouldn't affect which jobs you are eligible for, who serves you in a restaurant, how much you make at work, or anything else about your life.

In a Nation founded upon the principles of personal freedom and individual rights, the word ''equality'' carries great weight. It should mean equal treatment, respect, and access, regardless of race, gender, education, income, sexual orientation, with no exceptions. And as a LGBT ally, I am determined to make that vision a reality.

Mr. Speaker, I thank you for the opportunity to present these few words on behalf of a community that has suffered so many discrimination attempts, so much disharmony, so many harmful experiences. Yet, this is a community of healthy, helpful, brilliant and introductory individuals.

We must make sure that this society, our society, our House, this great America, stands firm for the equal opportunity of all people; that it should have nothing to do with who we love or what our gender identity is. It should be what do we have to offer to make our society a better and healthy one.

Mr. Speaker, I yield to my colleague from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentlewoman for yielding the time. I would like to thank the leadership for allowing the time. And, Mr. Speaker, I also want to thank my staff and the many members of the LGBT Caucus for helping us to produce H. Res. 772. This is the original LGBTQ Pride Month resolution, and I am very proud that persons have signed onto this resolution, so I want to thank all of the cosponsors, original cosponsors of the resolution.

I am grateful that the President of the United States has recognized Pride Month. President Obama has taken quantum leaps forward in helping us to realize this notion that all persons are created equal and endowed by their Creator with certain inalienable rights, and among them, life, liberty, and the pursuit of happiness. This is what Pride Month is really all about, these inalienable rights.

I am proud to align myself and proud to call myself an ally of the LGBT community. I am an ally of this community for many reasons. I would like to just share a few.

I have suffered invidious discrimination. I know what it is like to be decided as one who should stand in a different line. I know what it is like to be required to drink from the Colored water fountain. I know what it is like to be required to sit in a different area in a theater. I know what it is like to have to ride in a certain place on a bus.

I have felt the sting of invidious discrimination, and my history dictates that I stand against invidious discrimination in any form against whomever. My history requires that I be where I am when it comes to helping others who are being discriminated against.

So I am proud to have this resolution that we have presented, and I am proud to have presented it because there is still great work to be done. We still have 28 States that allow someone to be fired for being gay, lesbian, or bisexual. No one should be fired because of who you happen to be. Your performance should determine your position in a place of work.

Unfortunately, in our country, we still have people who will look at someone and conclude that that person should not work in a certain position.

Dr. King reminded us that it was the content of character that determines the worth of a people, not what they look like, not what you think they may have as a preference in life, the content of character.

People should be judged upon their merits. They should ascend on merits, and they should fail on demerits, not what they look like or what you think their preferences are.

Twenty-eight States still allow people to be fired based upon what someone thinks about their sexuality, or if they should happen to announce their sexuality. Thirty States still allow someone to be fired for being trans.

How people behave, as long as they are obeying the law, should not be a means by which you can fire them. People have every right to be themselves.

To all of those who are heterosexual, as am I, we should think about what it would be like for us to have to pretend to be something other than that we are. People ought not to have to pretend or hide their sexuality.

I was very proud to see ''Don't Ask, Don't Tell'' fall because people ought to be able to ask and to tell who they are and what their preferences are. This ought not be something that we ought to, somehow, impose upon people as a shame. People should be proud of what God has made them to be, and they ought to be able to share that with the world. All persons created equal, endowed by their Creator, with certain inalienable rights; that includes people who happen to be a part of the LGBTQ community.

We still have 28 States that don't include the protections for sexuality under housing discrimination laws; people just evicted because someone concludes something about their sexuality. You ought not be evicted because of discrimination related to your sexuality.

There was a time in this country when females could not vote, a time when they couldn't own land, a time when they had to have a husband to acquire certain status in this country. But we have gone beyond that.

We should get beyond this notion that people should not have fair and equality with reference to housing in the greatest country in the world. And I still say it is the greatest country in the world. I understand we have these problems, but I believe that people ought to receive housing based upon behavior, not based upon what you think of them.

We still have, in this country, 30 States that lack housing protections for being trans. Again, what people think of you should not determine where you will be housed.

I am proud that President Obama, as I indicated earlier, has helped us move forward in this area and in many other areas, because it was on his watch that the Supreme Court of the United States required that all States recognize same-sex marriages, and that they issue licenses to same-sex couples. This was a Supreme Court, but it was a Supreme Court that this President had an impact on.

I am proud that, under this President, we have had the downing of DOMA, the notion that you can discriminate against same-sex couples with their benefits. This President has helped us move forward in areas that were taboo prior to his watch, and I believe that President Obama is going to be rewarded by history for his efforts to ensure that all persons are created equal. I am very proud that the Supreme Court has taken other steps to make sure that equality exists among people.

But finally, as it relates to President Obama, let me just say that his latest effort to make sure that the military lives up to the standards that we believe should allow every person to serve in the capacity that they were born into is a remarkable one.

I think his appointing Eric Fanning as the first Secretary of the Army, a person who is openly gay, was probably one of the most significant things that he has done because this is a means by which people relate to the country. People who serve in the military are held in high esteem. People who work with the military are held in high esteem. People who serve as Secretaries are held in high esteem, and I thank the President for this very bold and courageous move.

So we are very proud to have this resolution on the floor recognizing Pride Month, and we do so because, in my opinion, every month ought to be Pride Month. We ought not have a single month that we do this. But until we can overcome some of these greater adversities that are yet to be dealt with, I think we have to continue to celebrate Pride Month.

I am honored to do this tonight with my colleague, and I thank the gentlewoman for the time. I want to assure the gentlewoman that H. Res. 772, the

original LGBTQ Pride Month resolution, while it will not pass this Congress, I want to assure the gentlewoman that, in our lifetimes, this resolution will pass a Congress of the United States of America because the Congress of the United States of America is metamorphosing. It, too, is coming to realize that we have to recognize the words of the Declaration of Independence; that all persons doesn't mean all people of a certain gender; doesn't mean all persons of a certain hue; doesn't mean all persons who happen to be from a certain place. It literally means what it says; all persons are created equal, and that all people are endowed by the Creator with these inalienable rights, and that we must bring the LGBTQ community within the purview of all that others enjoy and take for granted as a matter of course.

I thank the gentlewoman for the time.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank my colleague for his eloquent and inspiring words and encouragement. And I, too, think that this is a metamorphosing body, and I just pray sooner than later.

Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentlewoman from New Jersey for yielding. Thank you, Representative WATSON COLEMAN, for leading us in this Special Order that is so significant.

I stand with many in lending my voice on behalf of the LGBT community in the 20th Congressional District of New York, and across the map of New York for that matter, and across the Nation.

We mark Pride Month each year as an opportunity to celebrate the steps that have been taken in the fight for justice, the fight for equality and civil rights for our friends and neighbors in the LGBTQ community.

As we reflect on victories, I believe it is critical that we acknowledge the challenges before us; challenges like archaic bathroom laws that conjure up the ghosts of segregation and separate water fountains; challenges like that of Supreme Court Chief Justices who refuse to obey rulings from the Supreme Court when the highest court dictates that marriage equality is indeed the law of the land; challenges like initiatives that are borne out of fear, out of bigotry, and out of misunderstanding; and even in Washington, D.C., large routine appropriations bills that fail because one side of the aisle simply cannot support an amendment that ensures taxpayer dollars are not awarded to small businesses that, indeed, discriminate. These actions hurt each and every one of us.

□ 2015

When my LGBT friends are robbed of opportunity that hurts my community and local economies in New York's Capital Region, there needs to be a voice expressed. When LGBT kids are bullied, that teaches those who witness the act that it is okay to diminish the humanity of those that may be different from us.

These challenges are, unfortunately, a natural reaction to the massive strides we have taken in a short couple of years on the way toward equality. That does not make it acceptable, and we must work together to stamp out discrimination of any kind wherever and however it may exist.

Martin Luther King, Jr., has famously said: ''The arc of the moral universe is long, but it bends toward justice.''

That is where we are headed. We will get there sooner if we embrace the ideals of tolerance, of togetherness, and certainly of inclusion.

Another civil rights giant, our friend and our colleague, Congressman JOHN LEWIS of Georgia, spoke words that I will never forget. He said: ''Make good trouble.''

That is exactly what we must do during Pride Month and every month until our goals are achieved.

I thank the Congressional LGBT Caucus and its leadership for assembling us here today. Let's take this opportunity to recommit ourselves to the noble and simple goal that everyone—that is everyone—has a shot at the American Dream regardless of their creed, regardless of their color, and regardless of their sexual orientation and identity.

Mr. Speaker, I am grateful for the opportunity to share thoughts this evening, and I thank the gentlewoman from New Jersey.

Mrs. WATSON COLEMAN. Mr. Speaker, I want to thank the gentleman from New York for his words and for taking the time to share what I think is a very important issue.

Mr. Speaker, I yield to the gentlewoman from the great State of California (Ms. LORETTA SANCHEZ), my colleague.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I would like to thank the gentlewoman from New Jersey for reserving this hour of time for us to talk about something that is incredibly important, the LGBTQ Pride Month.

It is just remarkable to look back just in the time that I have been here in the Congress to see the equality that has come about in these years. Just 8 years ago, in my home State of California, there was a proposition to prohibit gay marriage, and it passed. When proposition 8 passed, it was really heartbreaking for not only California's LGBTQ community and its allies, but really for our families because, quite honestly, every family in some way or another is connected. We have family members who belong to the LGBT community.

But we didn't let this be a setback to us. Like other Americans, LGBTQ Californians believed that they deserved equality under the eyes of the law. So in July of 2013, the Supreme Court finally struck down core components of the 1996 Defense of Marriage Act law that was passed right before I got to the Congress. This important ruling made proposition 8 null and void, returning marriage equality back to my great State of California.

Last year, the Supreme Court guaranteed an individual's right to marry whomever they love regardless of sex. The Supreme Court recognized what we have known for a long time, that it is wrong to deprive citizens of the right to marry the loves of their lives. They recognize that to do so would be to treat same-sex couples like second class citizens. Equality, fairness, and love won in the highest court of this Nation.

In our military, LGBTQ servicemembers have also achieved remarkable progress towards equality and ending anti-LGBTQ discrimination. Just 5 years ago, an LGBTQ American could not proudly serve their country in the military. But since the repeal of Don't Ask, Don't Tell, our LGBTQ servicemembers are now able to serve openly in our military. What a great day.

While we celebrate this extraordinary progress, we also have to recognize that we still have a ways to go. There are many States in our country where you can be fired from your job simply because you are gay. Across the country and in Congress, we are still seeing discrimination, discrimination, discrimination. Under our current laws, LGBTQ Americans aren't guaranteed the vital protections against discrimination. That is why I am a proud sponsor of the Equality Act. It is time for Congress to pass this essential civil rights legislation.

So, once again, I want to thank my colleague from New Jersey for celebrating today and to understand that regardless of sexual orientation, all Americans deserve life, liberty, and the pursuit of happiness.

Mrs. WATSON COLEMAN. Mr. Speaker, I want to thank my colleague from California.

Mr. Speaker, I yield to the gentlewoman from California (Ms. SPEIER). Congresswoman SPEIER is another colleague from the great State of California.

Ms. SPEIER. Mr. Speaker, I thank the gentlewoman for giving me the opportunity to speak today about LGBT Pride Month.

Pride Month is coming at a crucial time this year. While we have made huge strides in the LGBT community over the last few years—from marriage equality to the introduction of the Equality Act—this year has been a tragic and frustrating reminder of the terrain ahead.

Congress has ground to a halt, from legislative appropriations to the National Defense Authorization Act, as too many conservatives remain obsessed with legalizing discrimination from the contracting system to our own bathrooms. They just can't help themselves.

We can't do our job right now, and soon we will be leaving for election season without finishing the appropriations process all because conservatives are obsessed with making discrimination legal. That's right. They want to make discrimination legal.

Who are they trying to serve?

The American people and corporate America are not standing for this bigoted behavior. Corporations around the country are canceling conventions in States that have passed legislation that prevents transgender bathrooms from being available.

At the entryway to my congressional office stands a California flag bearing the rainbow stripes of the LGBT movement. It is a mark of how far we have come that such a flag is now commonplace on Capitol Hill, but on this Pride Month, conservatives are debating how best to overturn anti-discrimination provisions and bar their own constituents from using the restroom. This is absolutely ridiculous, and, frankly, a tragic nadir in congressional action.

I am sick and tired of my colleagues saying they oppose discrimination, that they are fighting for LGBT Americans, and that they support equality when time and again they have voted just the opposite way.

How about instead of bickering about bathrooms, we look at passing true anti-discrimination laws?

Right now we don't have laws preventing housing, credit, workplace, or healthcare discrimination. We have lifted the ban on LGBT military service, but our transgender servicemembers continue to serve in the shadows, never knowing if this will be the day they are dismissed. Now is the time to ban so-called gay conversion therapy that harms so many of our children.

Californians, and especially my beloved San Franciscans, have always been at the forefront of this fight for equality. As San Francisco Supervisor Harvey Milk said when he became one of the first openly gay elected officials, gay children who weren't accepted by their parents and peers used to feel they had few options: ''staying in the closet; suicide. And then one day that child might open a paper that says, 'Homosexual elected in San Francisco.' ''

That is what Harvey did many decades ago. One option is to go to California, he said, and the other is to stay and fight.

That is the fighting spirit we need to keep alive today as we work to make sure our laws live up to the promise of the Declaration of Independence, that all of us, each and every one of us, is created equal and that we should be treated that way.

So I thank my colleague again for giving us the opportunity to have this Special Order to talk about Pride Month and the importance of not just being proud that there is a Pride Month, but redoubling our efforts to make sure that these really insidious amendments are not slipped into bills to enforce discrimination. Because that is what they do. They legalize discrimination. We don't stand for that. That is not what this body is about, and that is not what this country is about.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman from California for her wise and compassionate concern and sharing of information.

I want to remind us that there are so many vestiges of discrimination against the LGBT community, not the least of which is also denying them access to public accommodations. This isn't what this country stands for. This isn't who we are. We are better than that. So I am glad to have this opportunity to highlight some of our issues and concerns and the support that we have for the LGBT community.

For everyone, anyone, and all of us celebrating this month, I wish you a happy Pride Month.

Mr. Speaker, I conclude my Special Order hour, and I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today and June 10 on account of business in district.

PUBLICATION OF BUDGETARY MATERIAL

UPDATED STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY2016 AND THE 10-YEAR PERIOD FY2016, THROUGH FY2025

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, June 9, 2016.

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

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 2016, and for the 10-year period of fiscal years 2016 through 2025. This status report is current through June 6, 2016. The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues to the overall limits, as adjusted, contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016, and for the 10-year period of fiscal years 2016 through 2025. This comparison is needed to implement section 311(a) of the Congressional Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2016 because appropriations for those years have not yet been completed.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. For fiscal year 2016 and the 10-year period of fiscal years 2016 through 2025, ''legislative action'' refers to legislation enacted after the adoption of the levels set forth in the conference agreement on S. Con. Res. 11. This comparison is needed to enforce section 302(f) of the Congressional Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal year 2016 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation. The table also provides supplementary information on spending in excess of the base discretionary spending limits allowed under section 251(b) of the Balanced Budget and Emergency Deficit Control Act.

Table 4 compares the levels of changes in mandatory programs (CHIMPs) contained in appropriations acts with the permissible limits on CHIMPs as specified in sections 3103 and 3104 of S. Con. Res. 11. The comparison is needed to enforce a point of order established in S. Con. Res. 11 against fiscal year 2016 appropriations measures containing CHIMPs that would breach the permissible limits for fiscal year 2016.

Table 5 displays the current level of advance appropriations for fiscal year 2017 of accounts identified for advance appropriations under section 3304 of S. Con. Res. 11. The table is needed to enforce a point of order against appropriations bills containing advance appropriations that are: (i) not identified in the statement of managers and (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the budget resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation that occurred after adoption of the budget resolution against the budget resolution aggregates in force.

If you have any questions, please contact Jim Herz or Jim Bates at (202) 226–7270.

Sincerely,

TOM PRICE, M.D.,
Chairman.

TABLE 1—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2016, AND 2016–2025 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF JUNE 6, 2016

(On-budget amounts, in millions of dollars)

	Fiscal Year 2016 [1]	Fiscal Years 2016–2025
Appropriate Level:		
Budget Authority	3,151,655	n.a.
Outlays	3,165,099	n.a.
Revenues	2,698,366	32,325,542
Current Level:		
Budget Authority	3,277,961	n.a.
Outlays	3,263,830	n.a.
Revenues	2,542,403	31,808,384
Current Level over (+) / under (−)		
Appropriate Level:		
Budget Authority	+126,306	n.a.
Outlays	+98,731	n.a.
Revenues	−155,963	−517,158

n.a. = Not applicable because annual appropriations Acts for fiscal years 2017 through 2025 will not be considered until future sessions of Congress.
[1] The FY2016 Concurrent Resolution on the Budget was agreed to in S. Con. Res. 11 and the accompanying report, H. Rept. 114–96. The current level for this report is measured relative to the on-budget levels filed in H. Rept. 114–96.

TABLE 2—DIRECT SPENDING LEGISLATION COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATION FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF JUNE 6, 2016

(Fiscal Years, in millions of dollars)

House Committee	2016		2016–2025	
	BA	Outlays	BA	Outlays
Agriculture:				
302(a) Allocation	−1,645	−347	−298,629	−296,982
Legislative Action	+4	+4	+77	+77
Difference	+1,649	+351	+298,706	+297,059
Armed Services:				
302(a) Allocation	0	0	0	0
Legislative Action	−97	−81	−1,903	−1,885
Difference	−97	−81	−1,903	−1,885
Education and the Workforce:				
302(a) Allocation	−10,633	−5,017	−249,574	−229,658
Legislative Action	+269	+269	−13	−8,138
Difference	+10,902	+5,286	+249,561	+221,520
Energy and Commerce:				
302(a) Allocation	−54,654	−49,173	−1,385,904	−1,375,688
Legislative Action	+6,057	+5,316	−29,253	−29,976
Difference	+60,711	+54,489	+1,356,651	+1,345,712
Financial Services:				
302(8) Allocation	−7,334	−6,712	−62,254	−62,056
Legislative Action	0	0	−9	−9
Difference	+7,334	+6,712	+62,245	+62,047
Foreign Affairs:				
302(a) Allocation	0	0	0	0
Legislative Action	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
302(a) Allocation	−180	−180	−19,470	-19,470
Legislative Action	0	0	−2,160	−2,160
Difference	+180	+180	+17,310	+17,310
House Administration:				
302(a) Allocation	−31	−2	−298	−53
Legislative Action	0	0	0	0
Difference	+31	+2	+298	+53
Judiciary:				
302(a) Allocation	−14,419	−868	−24,949	−23,055
Legislative Action	−2,143	+1,315	+4,841	+3,827
Difference	+12,276	+2,183	+29,790	+26,882
Natural Resources:				
302(a) Allocation	−285	−2	−32,403	−32,208
Legislative Action	+284	+259	−1,170	−1,170
Difference	+569	+261	+31,233	+31,038
Oversight and Government Reform:				
302(a) Allocation	−9,188	−9,026	−193,961	−193,896
Legislative Action	0	0	−214	−214
Difference	+9,188	+9,026	+193,747	+193,682
Science, Space and Technology:				
302(a) Allocation	0	0	0	0
Legislative Action	0	0	0	0
Difference	0	0	0	0
Small Business:				
302(a) Allocation	0	0	0	0
Legislative Action	0	+1	0	+2
Difference	0	+1	0	+2
Transportation and Infrastructure:				
302(a) Allocation	+60,489	70,000	−109,928	+70,000
Legislative Action	+72,733	+70,000	+89,106	+70,029
Difference	+12,244	0	+199,034	+29
Veterans' Affairs:				
302(a) Allocation	−31	−31	−1,925	−1,925
Legislative Action	−2	+388	−1	+644
Difference	+29	+419	+1,924	+2,569
Ways and Means:				
302(a) Allocation	−59,546	−59,516	−1,603,168	−1,602,668
Legislative Action	−3,018	+512	+133,292	+139,619
Difference	+56,528	+60,028	+1,736,460	+1,742,287

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(A) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(B) SUB ALLOCATIONS AS OF JUNE 6, 2016

(Figures in Millions) [1]

	302(b) Allocations H. Rept. 114–198		302(b) for GWOT		Current Status General Purpose		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,650	22,064	0	0	21,880	22,257	0	0	+1,230	+193	0	0
Commerce, Justice, Science	51,374	62,026	0	0	55,722	63,797	0	0	+4,348	+1,771	0	0
Defense	490,226	515,775	88,421	45,029	514,136	527,495	58,638	27,354	+23,910	+11,720	−29,783	−17,675
Energy and Water Development	35,402	36,195	0	0	37,185	37,216	0	0	+1,783	+1,021	0	0

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(A) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(B) SUB ALLOCATIONS AS OF JUNE 6, 2016—Continued

(Figures in Millions) [1]

	302(b) Allocations H. Rept. 114–198		302(b) for GWOT		Current Status General Purpose		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Financial Services and General Government	20,250	22,092	0	0	23,235	23,048	0	0	+2,985	+956	0	0
Homeland Security	39,333	49,169	0	0	47,668	45,410	160	128	+8,335	−3,759	+160	+128
Interior, Environment	30,170	31,891	0	0	32,159	32,966	0	0	+1,989	+1,075	0	0
Labor, Health and Human Services, Education	154,536	170,377	0	0	163,650	170,090	0	0	+9,114	−287	0	0
Legislative Branch	4,300	4,243	0	0	4,363	4,289	0	0	+63	+46	0	0
Military Construction and Veterans Affairs	76,056	78,242	532	2	79,869	79,813	0	0	+3,813	+1,571	−532	−2
State, Foreign Operations	40,500	47,055	7,334	3,767	37,780	45,206	14,895	4,597	−2,720	−1,849	+7,561	+830
Transportation, Housing & Urban Development	55,269	118,792	0	0	57,601	120,469	0	0	+2,332	+1,677	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	na.	n.a.	n.a.	n.a.	n.a.
Total	1,018,066	1,157,921	96,287	48,798	1,075,248	1,172,056	73,693	32,079	+57,182	+14,135	−22,594	−16,719

Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,018,066	1,157,921	96,287	48,798
Total Appropriations	1,075,248	1,172,056	73,693	32,079
Total Appropriations vs. 302(a) Allocation	+57,182	+14,135	−22,594	−16,719

Memorandum Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	−2	0	130	50	0	0
Commerce, Justice, Science	0	0	0	75	0	0	0	0
Defense	0	0	0	0	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	0	0	0	0	6,713	336	0	0
Interior, Environment	0	0	700	700	0	0	0	0
Labor, Health and Human Services, Education	1,484	1,277	0	0	0	0	1,523	1,311
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	0	236	0	0	0	0
Transportation, Housing & Urban Development	0	0	0	0	300	2	0	0
Totals	1,484	1,277	698	1,011	7,143	388	1,523	1,311

[1] Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 4—CURRENT LEVEL OF FY 2016 CHIMPS SUBJECT TO S. CON. RES. 11, SECTION 3103 LIMITS (IN MILLIONS) AS OF JUNE 6, 2016

Appropriations Bill	Budget Authority
Agriculture, Rural Development, FDA	600
Commerce, Justice, Science	9,458
Defense	0
Energy and Water Development	0
Financial Services and General Government	725
Homeland Security	176
Interior, Environment	28
Labor, Health and Human Services, Education	6,799
Legislative Branch	0
Military Construction and Veterans Affairs	0
State, Foreign Operations	0
Transportation, Housing & Urban Development	0
Total CHIMP's Subject to Limit	17,786
S. Con. Res. 11, Section 3103 Limit for FY 2016	19,100
Total CHIMP's vs. Limit	−1,314

CURRENT LEVEL OF FY 2016 CRIME VICTIMS FUND CHIMP SUBJECT TO S. CON. RES. 11, SECTION 3104 LIMIT (IN MILLIONS) AS OF OCTOBER 27, 2015

	Budget Authority
Crime Victims Fund CHIMP	9,000
S. Con. Res. 11, Section 3104 Limit for FY 2016	10,800
Total CHIMP's vs. Limit	−1,800

TABLE 5—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF JUNE 6, 2016

(Budget Authority, millions)

Section 3304(c)(2) Limits	2017
Appropriate Level	63,271

TABLE 5—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF JUNE 6, 2016—Continued

(Budget Authority, millions)

Section 3304(c)(2) Limits	2017
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	51,673
Medical Support and Compliance	6,524
Medical Facilities	5,074
Subtotal, enacted advances [1]	63,271
Enacted Advances vs. Section 601(d)(1) Limit	0
Section 3304(c)(1) Limits	**2017**
Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	1,772
Education for the Disadvantaged	10,841
School Improvement Programs	1,681
Special Education	791
Career, Technical and Adult Education	9,283
Tenant-based Rental Assistance	4,000
Project-based Rental Assistance	400
Subtotal, enacted advances [1]	28,768
Enacted Advances vs. Section 601(d)(2) Limit	−84
Previously Enacted Advance Appropriations	**2017**
Corporation for Public Broadcasting [2]	445
Total, enacted advances [1]	92,484

[1] Line items may not add to total due to rounding.
[2] Funds were appropriated in Public Law 113–235.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 9, 2016.

Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through June 6, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated October 29, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2016:

Bipartisan Budget Act of 2015 (Public Law 114–74);

Recovery Improvements for Small Entities After Disaster Act of 2015 (Public Law 114–88);

National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92);

Fixing America's Surface Transportation Act (Public Law 114–94);

Federal Perkins Loan Program Extension Act of 2015 (Public Law 114–105);

Consolidated Appropriations Act, 2016 (Public Law 114–113);

Patient Access and Medicare Protection Act (Public Law 114–115); and

Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125).

Sincerely,

KEITH HALL,
Director.

Enclosure.

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH JUNE 6, 2016

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted: [a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,972,212	1,905,523	n.a.
Appropriation legislation	0	500,825	n.a.

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH JUNE 6, 2016—Continued

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously enacted	1,187,392	1,621,469	2,676,733
Enacted Legislation: [b]			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees Retirement Act and the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	−766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) [b]	0	0	99
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	−2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114–74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	0	1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	−66	−50	0
Fixing America's Surface Transportation Act (P.L. 114–94)	72,880	70,252	22,137
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114–113) [b]	2,007,155	1,562,597	−156,107
Patient Access and Medicare Protection Act (P.L. 114–115)	32	32	0
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114–125)	20	20	−7
Total, Enacted Legislation	2,084,292	1,638,559	−134,330
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	6,277	3,802	0
Total Current Level [c]	3,277,961	3,263,830	2,542,403
Total House Resolution [d]	3,151,655	3,165,099	2,698,366
Current Level Over House Resolution	126,306	98,731	n.a.
Current Level Under House Resolution	n.a.	n.a.	155,963
Memorandum:			
Revenues 2016–2025:			
House Current Level	n.a.	n.a.	31,808,384
House Resolution [e]	n.a.	n.a.	32,325,542
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	517,158

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4) and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] Pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2016, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015	0	917	0
Continuing Appropriations Resolution, 2016	700	775	0
Consolidated Appropriations Act, 2016	−2	236	0
Total, amounts designated as emergency requirements	698	1,928	0

[c] For purposes of enforcing section 311 of the Congressional Budget Act In the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[d] Periodically, the House Committee on the Budget revises the totals in S. Con. Res. 11, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution	3,039,215	3,091,442	2,676,133
Revisions			
Adjustment for Program Integrity Spending	1,083	924	0
Adjustment for Senate Amendment to H.R. 1295, the Trade Preferences Extension Act, 2015	445	175	−766
Adjustment for H.R. 22, the FAST Act	72,880	70,252	22,137
Adjustment for H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015	20	20	−7
Adjustment to achieve consistency with the Bipartisan Budget Act of 2015	38,012	2,286	269
Revised House Resolution	3,151,655	3,165,099	2,698,366

[e] Periodically, the House Committee on the Budget revises the 2016–2025 revenue totals in S. Con. Res. 11, pursuant to various provisions of the resolution.

ADJOURNMENT

Mrs. WATSON COLEMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 27 minutes p.m.), the House adjourned until tomorrow, Friday, June 10, 2016, at 9 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 114th Congress, pursuant to the provisions of 2 U.S.C. 25:

WARREN DAVIDSON, Eighth District of Ohio.

EXECUTIVE COMMUNICATIONS, ETC.

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

5643. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing nine officers to wear the insignia of the grade of major general, as indicated, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5644. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5645. A letter from the Assistant Secretary, Manpower and Reserve Affairs, Army, Department of Defense, transmitting a notice of mobilizations of Selected Reserve units from October 1, 2014 through September 30, 2015, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

5646. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Mitigation Strategies To Protect Food Against Intentional Adulteration [Docket No.: FDA-2013-N-1425] (RIN: 0910-AG63) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Energy and Commerce.

5647. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Food Labeling: Serving Sizes of Foods That Can Reasonably Be Consumed At One Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain Reference Amounts Customarily Consumed; Serving Size for Breath Mints; and Technical Amendments [Docket No.: FDA-2004-N-0258 (Formerly Docket No.: 2004N-0456)] (RIN: 0910-AF23) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5648. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a federal vacancy, designation of acting officer, nomination and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5649. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a federal vacancy and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5650. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5651. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a federal vacancy, designation of acting officer and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5652. A letter from the Secretary, Department of Labor, transmitting the Department's Inspector General Semiannual Report to the Congress for the reporting period October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5653. A letter from the Regulations Officer, Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Categorical Exclusions [Docket No.: FHWA-2016-0008] (RIN: 2125-AF69; 2132-AB29) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5654. A letter from the Regulations Officer, Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning [Docket No.: FHWA-2013-0037] (RIN: 2125-AF52; 2132-AB10) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5655. A letter from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule — Commercial Zones at International Border With Mexico [Docket No.: FMCSA-2015-0372] (RIN: 2126-AB86) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5656. A letter from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule — Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning [Docket No.: FHWA-2013-0037] (RIN: 2125-AF52; 2132-AB10) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5657. A letter from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting the Department's final rule — State Health Insurance Assistance Program (SHIP) (RIN: 0985-AA11) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5053. A bill to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; with an amendment (Rept. 114–612). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1109. An act to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes (Rept. 114–613). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. STEFANIK (for herself and Mr. MESSER):

H.R. 5415. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income student loans payments made by an employer on behalf of an employee; to the Committee on Ways and Means.

By Mr. LAMBORN:

H.R. 5416. A bill to amend title 38, United States Code, to expand burial benefits for veterans who die while receiving hospital care or medical services under the Veterans Choice Program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REICHERT (for himself, Mr. MCDERMOTT, Ms. DELBENE, Mr. LARSEN of Washington, Mr. KILMER, Mr. SMITH of Washington, and Mr. HECK of Washington):

H.R. 5417. A bill to require full spending of the Harbor Maintenance Trust Fund, provide for expanded uses of the Fund, and prevent cargo diversion, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself, Mr. SALMON, Mr. SENSENBRENNER, Mr. GOHMERT, Mr. JONES, Mr. FLEMING, Mr. CULBERSON, Mr. BABIN, Mr. JOYCE, and Mr. BURGESS):

H.R. 5418. A bill to prohibit the National Telecommunications and Information Administration from allowing the Internet Assigned Numbers Authority functions contract to lapse unless specifically authorized to do so by an Act of Congress; to the Committee on Energy and Commerce.

By Mr. GUINTA:

H.R. 5419. A bill to amend the Federal Credit Union Act to extend the examination cycle of the National Credit Union Administration to 18 months for certain credit unions, and for other purposes; to the Committee on Financial Services.

By Mr. MILLER of Florida:

H.R. 5420. A bill to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marne-la-Coquette, France; to the Committee on Foreign Affairs.

By Mr. ROYCE:

H.R. 5421. A bill to amend the Securities Act of 1933 to apply the exemption from State regulation of securities offerings to securities listed on a national security exchange that has listing standards that have been approved by the Commission; to the Committee on Financial Services.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 5422. A bill to ensure funding for the National Human Trafficking Hotline, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. CLARK of Massachusetts, Mr. CONYERS, Ms. DELAURO, Mr. DEUTCH, Mr. GRIJALVA, Mr. HASTINGS, Mr. LANGEVIN, Ms. LOFGREN, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. RANGEL, Ms. SLAUGHTER, Mr. TAKANO, Mr. TONKO, Ms. ESTY, Ms. MENG, Mr. LEWIS, Mr. CROWLEY, and Mrs. LAWRENCE):

H.R. 5423. A bill to amend the Food and Nutrition Act of 2008 to provide an incentive for households participating in the supplemental nutrition assistance program to purchase certain nutritious fruits and vegetables that are beneficial to good health; to the Committee on Agriculture.

By Mr. HURT of Virginia (for himself, Mr. VARGAS, Mr. FOSTER, and Mr. STIVERS):

H.R. 5424. A bill to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes; to the Committee on Financial Services.

By Mr. CAPUANO (for himself, Mr. LYNCH, Mr. ISRAEL, Mr. KING of New York, Ms. CLARK of Massachusetts, Mr. FATTAH, Mrs. BUSTOS, Mr. BRADY of Pennsylvania, Ms. KUSTER, Mr. PERLMUTTER, Mrs. CAROLYN B. MALONEY of New York, Mr. SWALWELL of California, Mr. KENNEDY, Mr. HASTINGS, Mr. MCGOVERN, Mr. LARSON of Connecticut, Mr. MEEKS, Ms. JACKSON LEE, Ms. MENG, Ms. CLARKE of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARSON of Indiana, Mr. KEATING, Ms. TSONGAS, Ms. WILSON of Florida, and Mr. PASCRELL):

H.R. 5425. A bill to require the President to designate a legal public holiday to be known as National First Responders Day; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Mr. JONES, Ms. GABBARD, Mr. WILSON of South Carolina, Mr. CARTWRIGHT, and Mrs. WALORSKI):

H.R. 5426. A bill to amend title 38, United States Code, to clarify the scope of procedural rights of members of the uniformed services with respect to their employment and reemployment rights, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DOLD:

H.R. 5427. A bill to prohibit the use of education funds provided under the Elementary and Secondary Education Act of 1965 for excess payments to certain retirement or pension systems; to the Committee on Education and the Workforce.

By Mr. FORBES:

H.R. 5428. A bill to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers; to the Committee on Veterans' Affairs.

By Mr. GARRETT (for himself and Mr. HURT of Virginia):

H.R. 5429. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Financial Services.

By Mr. GOHMERT (for himself, Mr. SAM JOHNSON of Texas, Mr. WEBER of Texas, Mr. SESSIONS, Mr. BOUSTANY, Mr. WESTERMAN, Mr. BABIN, and Mr. RATCLIFFE):

H.R. 5430. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. ZELDIN):

H.R. 5431. A bill to direct the Secretary of Veterans Affairs to establish a pilot program to award grants to health care entities to lease, purchase, or build health care facilities for female patients to provide hospital care and medical services to qualified female veterans; to the Committee on Veterans' Affairs.

By Mr. JOYCE (for himself and Mr. RYAN of Ohio):

H.R. 5432. A bill to prevent the abuse of opiates, to improve response and treatment for the abuse of opiates and related overdoses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KIRKPATRICK:

H.R. 5433. A bill to amend the Claims Resolution Act of 2010 to clarify the use of the WMAT Settlement Fund; to the Committee on Natural Resources.

By Mrs. LOVE (for herself, Mr. ELLISON, Mr. HILL, and Mr. CLEAVER):

H.R. 5434. A bill to amend the Fair Debt Collection Practices Act to restrict the debt collection practices of certain debt collectors; to the Committee on Financial Services.

By Mr. LUETKEMEYER:

H.R. 5435. A bill to prohibit the payment of bonuses to certain Department of Veterans Affairs employees pending filling of Department of Veterans Affairs medical center director positions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCDERMOTT:

H.R. 5436. A bill to amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require any trade agreement to which the United States is a party to stipulate the ability of the United States to deny the benefits of any dispute settlement claim that challenges any measure relating to human health that is adopted, maintained, or enforced by the United States in its territory, and for other purposes; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 5437. A bill to implement a mandatory random drug testing program for certain employees of the Indian Health Service, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERLMUTTER:

H.R. 5438. A bill to authorize certain private rights of action under the Foreign Corrupt Practices Act of 1977 for violations that damage certain businesses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina:

H.R. 5439. A bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes; to the Committee on House Administration.

By Mr. RICE of South Carolina:

H.R. 5440. A bill to amend the Internal Revenue Code of 1986 to allow certain regulated companies to elect out of the public utility property energy investment tax credit limitation in the case of solar energy property; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 5441. A bill to prohibit the National Endowment for the Arts to use funds to make grants for Literature Fellowships: Translation Projects; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY:

H.R. 5442. A bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Ms. ESHOO, Mrs. CAPPS, Mr. TONKO, Mr. SHERMAN, and Mr. RANGEL):

H.R. 5443. A bill to provide for mandamus actions under chapter 601 of title 49 of the United States Code; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VEASEY (for himself, Mr. GUTIÉRREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VELA, Ms. JACKSON LEE, Mr. HASTINGS, Mr. GRIJALVA, Mr. SERRANO, Mr. CONYERS, Ms. LOFGREN, Mr. ELLISON, Ms. VELÁZQUEZ, and Mr. GENE GREEN of Texas):

H.R. 5444. A bill to prohibit the unlawful denial of any benefit to or deprivation of a right of a United States citizen by reason of age, or the immigration status of that citizen's parent or legal guardian, and for other purposes; to the Committee on the Judiciary.

By Mr. BISHOP of Utah:

H. Con. Res. 135. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2328; considered and agreed to.

By Mr. HECK of Washington (for himself, Mr. KILMER, Ms. DELBENE, Mr. SMITH of Washington, Mr. LARSEN of Washington, and Mr. MCDERMOTT):

H. Res. 773. A resolution to express support for recognition of June 2016 as National Orca Protection Month; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Mr. BLUMENAUER, and Ms. BONAMICI):

H. Res. 774. A resolution expressing support for designation of the week of June 6 through June 12, 2016, as ''Hemp History Week''; to the Committee on Agriculture.

By Mr. DESANTIS (for himself and Mr. CASTRO of Texas):

H. Res. 775. A resolution recognizing the impact of Sister Cities International and expressing support for the designation of July 15, 2016, as ''Sister Cities International Day''; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. STEFANIK:

H.R. 5415.

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

Article I, Section 8 of the Constitution of the United States

By Mr. LAMBORN:

H.R. 5416.

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

Article 1, Section 8 of the Constitution of the United States.

By Mr. REICHERT:

H.R. 5417.

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

Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DUFFY:

H.R. 5418.

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

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes

By Mr. GUINTA:

H.R. 5419.

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

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MILLER of Florida:

H.R. 5420.

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

Article I, Section 8 of the United States Constitution.

By Mr. ROYCE:
H.R. 5421.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.
By Mr. POE of Texas:
H.R. 5422.
Congress has the power to enact this legislation pursuant to the following:
Clause 18 of Section 8 of Article I of the Constitution.
By Mr. CARTWRIGHT:
H.R. 5423.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 2: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;
Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
By Mr. HURT of Virginia:
H.R. 5424.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. CAPUANO:
H.R. 5425.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. CICILLINE:
H.R. 5426.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. DOLD:
H.R. 5427.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 1.
By Mr. FORBES:
H.R. 5428.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1 and 18
By Mr. GARRETT:
H.R. 5429.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''), 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').
By Mr. GOHMERT:
H.R. 5430.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, providing Congress the authority to regulate Commerce with Foreign Nations, and among the Several States, and with Indian Tribes.
By Mr. ISRAEL:
H.R. 5431.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. JOYCE:
H.R. 5432.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof
Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.
By Mrs. KIRKPATRICK:
H.R. 5433.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 (18) To make all Laws which shall be necessary and proper for carrying into Executive the foregoing Powers, and all other Powers vest by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mrs. LOVE:
H.R. 5434.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5435.
Congress has the power to enact this legislation pursuant to the following:
Section 8 Article 1 of the United States Constitution.
By Mr. MCDERMOTT:
H.R. 5436.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mrs. NOEM:
H.R. 5437.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution of the United States
By Mr. PERLMUTTER:
H.R. 5438.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. PRICE of North Carolina:
H.R. 5439.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, of the U.S. Constitution.
By Mr. RICE of South Carolina:
H.R. 5440.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.
By Mr. SALMON:
H.R. 5441.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''
By Ms. SCHAKOWSKY:
H.R. 5442.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 7
By Ms. SPEIER:
H.R. 5443.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.
By Mr. VEASEY:
H.R. 5444.
Congress has the power to enact this legislation pursuant to the following:
Section 5, Fourteenth Amendment

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 69: Mr. CARSON of Indiana.
H.R. 93: Mr. DOLD.
H.R. 266: Mr. COOK.
H.R. 391: Ms. CASTOR of Florida, Mr. JEFFRIES, Mr. LARSEN of Washington, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 446: Ms. TITUS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE, and Mr. QUIGLEY.
H.R. 456: Mr. DOLD.
H.R. 576: Mr. QUIGLEY.
H.R. 664: Mr. PAULSEN.
H.R. 670: Mr. WALBERG and Mr. BISHOP of Michigan.
H.R. 711: Mr. COURTNEY and Mr. ROGERS of Alabama.
H.R. 762: Mr. HONDA.
H.R. 793: Mr. WITTMAN.
H.R. 814: Mrs. HARTZLER.
H.R. 842: Mr. HECK of Nevada and Mr. TIPTON.
H.R. 921: Ms. WILSON of Florida.
H.R. 923: Mr. ALLEN.
H.R. 980: Mr. BYRNE.
H.R. 1062: Mrs. WALORSKI.
H.R. 1095: Mr. COSTA.
H.R. 1185: Mrs. LOVE.
H.R. 1215: Mr. MOOLENAAR,
H.R. 1221: Ms. JENKINS of Kansas and Ms. ESHOO.
H.R. 1247: Ms. WILSON of Florida.
H.R. 1255: Mr. LARSEN of Washington.
H.R. 1347: Mr. QUIGLEY.
H.R. 1439: Mr. KIND.
H.R. 1559: Mr. CHAFFETZ.
H.R. 1627: Ms. FRANKEL of Florida.
H.R. 1706: Ms. ESHOO.
H.R. 1749: Mr. TONKO.
H.R. 1763: Mr. GOHMERT,
H.R. 1836: Mr. PITTENGER.
H.R. 1859: Mr. MEEHAN and Mr. OLSON.
H.R. 1865: Mr. THOMPSON of California, Ms. SPEIER, Mr. HUFFMAN, Ms. ESHOO, and Mrs. DAVIS of California.
H.R. 2103: Ms. VELÁZQUEZ, Mr. CONYERS, Mr. GARAMENDI, Mr. HIGGINS, Ms. DUCKWORTH, Mr. SERRANO, Mrs. WATSON COLEMAN, Mr. DEFAZIO, and Mr. TONKO.
H.R. 2218: Mr. POLIQUIN.
H.R. 2257: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2290: Mr. ALLEN.
H.R. 2403: Mr. GIBBS.
H.R. 2411: Mr. DEUTCH.
H.R. 2477: Mr. BABIN.
H.R. 2488: Mr. SMITH of New Jersey.
H.R. 2640: Mr. PITTENGER.
H.R. 2656: Mr. STIVERS and Mr. PAULSEN.
H.R. 2680: Mrs. WATSON COLEMAN.
H.R. 2698: Mr. MESSER.
H.R. 2710: Mr. MULLIN.

H.R. 2726: Mr. KILDEE, Mr. SIRES, Mrs. BROOKS of Indiana, Mr. COLE, Mr. PASCRELL, Mrs. WATSON COLEMAN, Ms. PINGREE, Mrs. MCMORRIS RODGERS, Mrs. TORRES, Mr. SARBANES, Mr. LARSON of Connecticut, Mr. CONNOLLY, Ms. MENG, Ms. CLARK of Massachusetts, Ms. KUSTER, Ms. BROWNLEY of California, Mr. ELLISON, Mr. WELCH, Mr. DAVID SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. BEATTY, Mrs. LAWRENCE, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. PLASKETT, Ms. FUDGE, Ms. ADAMS, Mrs. LOVE, Mr. PAYNE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Ms. MAXINE WATERS of California, Mr. SCOTT of Virginia, Ms. LEE, Ms. HAHN, Mr. POCAN, Ms. TSONGAS, Mrs. CAPPS, Ms. BONAMICI, Mr. CARNEY, Mr. RICHMOND, Mrs. KIRKPATRICK, Mr. GUTIÉRREZ, and Mr. KEATING.

H.R. 2799: Mr. TIPTON.

H.R. 2804: Mr. KEATING.

H.R. 2805: Mr. KIND.

H.R. 2867: Mrs. DINGELL and Mr. BERA.

H.R. 2896: Mr. BABIN.

H.R. 2903: Mr. WESTMORELAND, Mr. SWALWELL of California, Ms. DUCKWORTH, and Mrs. BROOKS of Indiana.

H.R. 2948: Mr. LOBIONDO, Mr. HECK of Washington, and Mr. CRAMER.

H.R. 2992: Mr. WENSTRUP, Ms. ROS-LEHTINEN, Mr. MACARTHUR, Mr. BENISHEK, Mr. ROTHFUS, Mr. HUNTER, Mr. ROGERS of Kentucky, Mrs. MCMORRIS RODGERS, and Mrs. LOVE.

H.R. 3048: Mr. GENE GREEN of Texas.

H.R. 3099: Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Ms. BROWN of Florida, Mr. TAKAI, Mr. HECK of Nevada, Mr. CICILLINE, and Mr. WILSON of South Carolina.

H.R. 3119: Mr. SMITH of Missouri and Mr. VISCLOSKY.

H.R. 3151: Mr. COLLINS of Georgia.

H.R. 3229: Mr. PITTENGER and Ms. WILSON of Florida.

H.R. 3235: Mr. MURPHY of Pennsylvania.

H.R. 3255: Mr. OLSON.

H.R. 3381: Mr. MCNERNEY.

H.R. 3463: Ms. DUCKWORTH and Mr. BILIRAKIS.

H.R. 3471: Mr. COLE.

H.R. 3516: Mr. WESTERMAN.

H.R. 3520: Mr. PRICE of North Carolina.

H.R. 3590: Mr. SAM JOHNSON of Texas.

H.R. 3684: Mr. GRAYSON.

H.R. 3690: Mr. KIND.

H.R. 3713: Mr. LARSEN of Washington.

H.R. 3765: Mr. GROTHMAN.

H.R. 3770: Mr. LIPINSKI.

H.R. 3781: Mr. DEFAZIO.

H.R. 3851: Mr. LOBIONDO.

H.R. 4007: Mr. OLSON.

H.R. 4016: Mrs. BLACK.

H.R. 4073: Mr. HASTINGS and Mr. TIPTON.

H.R. 4177: Mr. DOLD and Mr. WALKER.

H.R. 4212: Mr. KING of New York.

H.R. 4229: Mr. HASTINGS.

H.R. 4247: Mr. NUGENT, Mr. DENHAM, Mr. WOODALL, and Mr. GUTHRIE.

H.R. 4365: Mr. PAULSEN, Mr. BABIN, Mr. STIVERS, and Mr. SMITH of Missouri.

H.R. 4381: Mr. KATKO.

H.R. 4450: Mr. FOSTER and Mr. LOBIONDO.

H.R. 4469: Mr. MOONEY of West Virginia.

H.R. 4479: Mr. COOPER.

H.R. 4488: Mr. COSTA, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. LOFGREN.

H.R. 4499: Mr. STIVERS.

H.R. 4514: Mr. MOONEY of West Virginia, Mr. LAMALFA, Mr. HUNTER, and Mr. MOOLENAAR.

H.R. 4526: Mr. RUPPERSBERGER.

H.R. 4559: Mr. DUNCAN of South Carolina.

H.R. 4571: Mr. DAVID SCOTT of Georgia.

H.R. 4575: Mr. WILLIAMS, Mr. HILL, and Mr. DUFFY.

H.R. 4592: Ms. MAXINE WATERS of California, Mr. CLAY, Ms. KELLY of Illinois, Mr. BARR, Mr. SCOTT of Virginia, Mr. HECK of Washington, Mr. LEVIN, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. POLIS, Mr. PAULSEN, Ms. EDWARDS, and Mr. FATTAH.

H.R. 4625: Ms. VELÁZQUEZ, Ms. WILSON of Florida, Mr. NADLER, and Mr. DONOVAN.

H.R. 4626: Mr. POSEY, Mr. YOUNG of Alaska, Mr. PEARCE, and Mr. JOHNSON of Ohio.

H.R. 4646: Mr. BRADY of Pennsylvania.

H.R. 4657: Mr. KILMER.

H.R. 4662: Mr. OLSON.

H.R. 4695: Mr. SWALWELL of California, Ms. DEGETTE, Mrs. BEATTY, Mr. BLUMENAUER, and Mr. PASCRELL.

H.R. 4714: Mr. MEEHAN.

H.R. 4715: Mr. COHEN.

H.R. 4764: Mr. OLSON, Ms. JACKSON LEE, and Mr. MCDERMOTT.

H.R. 4768: Mr. ROTHFUS and Mr. HUDSON.

H.R. 4773: Mrs. NOEM.

H.R. 4893: Mr. KNIGHT and Mrs. NAPOLITANO.

H.R. 4927: Mr. NOLAN.

H.R. 4959: Mr. WALZ.

H.R. 4971: Mr. TONKO.

H.R. 5001: Mr. ALLEN.

H.R. 5025: Ms. EDWARDS, Ms. PLASKETT, Mrs. LAWRENCE, and Mr. BISHOP of Georgia.

H.R. 5044: Mr. CLAY, Mr. CONNOLLY, and Mr. CAPUANO.

H.R. 5047: Mr. ELLISON.

H.R. 5053: Mr. MARCHANT, Mr. BOUSTANY, Mr. RICE of South Carolina, Mr. TOM PRICE of Georgia, Mrs. NOEM, Mr. REED, Mr. LOUDERMILK, Mr. JODY B. HICE of Georgia, Mr. NEWHOUSE, Mr. ISSA, and Mr. DUNCAN of South Carolina.

H.R. 5063: Mr. HUELSKAMP, Mr. BRAT, and Mr. GROTHMAN.

H.R. 5073: Mr. WALZ.

H.R. 5091: Mr. ISSA.

H.R. 5124: Mr. CUMMINGS.

H.R. 5125: Ms. NORTON and Mr. HUFFMAN.

H.R. 5133: Mr. PITTENGER.

H.R. 5143: Mr. LUCAS, Mr. ROSS, Mrs. LOVE, Mr. POSEY, Mr. STIVERS, Mr. MESSER, Mr. KING of New York, Mr. GUINTA, and Mr. HULTGREN.

H.R. 5164: Mr. CRAMER.

H.R. 5166: Mr. PALAZZO and Mr. SHIMKUS.

H.R. 5177: Mr. LOBIONDO.

H.R. 5180: Mr. JENKINS of West Virginia, Mr. MACARTHUR, Mr. MEADOWS, Mr. PITTENGER, Mr. RUSSELL, and Mr. PEARCE.

H.R. 5190: Mr. FITZPATRICK and Mr. ISSA.

H.R. 5207: Mr. KENNEDY.

H.R. 5224: Mr. GRAVES of Georgia.

H.R. 5259: Mr. LAMALFA.

H.R. 5263: Mr. MEEHAN.

H.R. 5275: Mr. RUSSELL, Mr. LONG, Mr. NEWHOUSE, and Mrs. NOEM.

H.R. 5292: Mr. JENKINS of West Virginia, Mr. LAMALFA, Mr. TONKO, Ms. MCSALLY, Mr. FITZPATRICK, Ms. WILSON of Florida, Mr. ZELDIN, Mr. WALZ, Mr. GARAMENDI, Mr. KELLY of Pennsylvania, Mr. SMITH of New Jersey, Mr. DOLD, Ms. ESTY, Ms. HAHN, Ms. DUCKWORTH, Mrs. NAPOLITANO, Mr. KILMER, Mr. STIVERS, Mr. BERA, and Mr. JOHNSON of Ohio.

H.R. 5294: Mr. PALAZZO and Mr. BURGESS.

H.R. 5301: Mr. BRIDENSTINE.

H.R. 5304: Mr. O'ROURKE.

H.R. 5320: Mr. CARNEY, Mr. HANNA, Mr. SMITH of Missouri, and Mrs. BROOKS of Indiana.

H.R. 5324: Mr. GOHMERT.

H.R. 5329: Mr. LAMBORN.

H.R. 5348: Mr. LYNCH.

H.R. 5350: Mr. TAKAI.

H.R. 5351: Mr. TURNER, Mr. BISHOP of Utah, Mr. COOK, and Mr. HECK of Nevada.

H.R. 5356: Mr. FLORES.

H.R. 5369: Mr. CÁRDENAS.

H.R. 5372: Mr. TED LIEU of California.

H.R. 5373: Mr. POLIS, Ms. TITUS, Mr. SWALWELL of California, and Ms. DEGETTE.

H.R. 5375: Mr. PITTENGER.

H.R. 5386: Mr. QUIGLEY and Mr. SWALWELL of California.

H.R. 5396: Mr. BLUMENAUER and Ms. PINGREE.

H.R. 5411: Mr. LOEBSACK.

H.J. Res. 48: Mr. O'ROURKE.

H. Con. Res. 114: Mr. DUNCAN of South Carolina.

H. Con. Res. 128: Mr. HARPER.

H. Res. 289: Mr. GRAYSON.

H. Res. 540: Mr. SABLAN.

H. Res. 584: Ms. LOFGREN.

H. Res. 590: Mr. PAULSEN.

H. Res. 591: Mr. BRAT, Mr. WEBSTER of Florida, Mr. HILL, and Mr. RUSSELL.

H. Res. 647: Mr. LOBIONDO.

H. Res. 717: Mr. CARTER of Georgia.

H. Res. 728: Ms. BORDALLO.

H. Res. 739: Mr. SWALWELL of California.

H. Res. 746: Mr. SWALWELL of California.

H. Res. 750: Mr. ENGEL.

H. Res. 752: Mr. PERRY, Mr. MARCHANT, Mr. KILMER, Mr. WELCH, Mr. POCAN, Ms. BORDALLO, and Mr. LANGEVIN.

H. Res. 762: Mr. DELANEY.

H. Res. 769: Ms. MOORE, Mr. PERLMUTTER, Ms. DELAURO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLUMENAUER, Mr. COHEN, Mr. POCAN, Ms. BONAMICI, Mr. TED LIEU of California, Mr. SMITH of Washington, Mr. PETERS, Mrs. BUSTOS, Mr. FARR, Mr. SHERMAN, Mr. CASTRO of Texas, Ms. HAHN, Mr. LOEBSACK, Mr. ASHFORD, Mr. LARSEN of Washington, Mr. GENE GREEN of Texas, Mr. DEFAZIO, Mr. PASCRELL, Mrs. KIRKPATRICK, Mr. THOMPSON of California, Ms. TITUS, Mrs. DAVIS of California, Mr. DESAULNIER, Mr. BERA, Mr. GALLEGO, Ms. BROWN of Florida, Mr. ENGEL, Mrs. LOWEY, Mr. BEYER, Mr. CROWLEY, Ms. KELLY of Illinois, Ms. BROWNLEY of California, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. ESTY, Mr. MOULTON, Mr. LEVIN, Mrs. CAPPS, Mr. LEWIS, Mr. JOHNSON of Georgia, Mr. FOSTER, Mr. VARGAS, Mr. KEATING, Ms. MATSUI, Mr. LOWENTHAL, Ms. MAXINE WATERS of California, Ms. JACKSON LEE, Ms. BASS, Ms. FRANKEL of Florida, Ms. LOFGREN, Mr. AL GREEN of Texas, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. CLARK of Massachusetts, Mr. QUIGLEY, Ms. LEE, Mrs. DINGELL, Ms. JUDY CHU of California, Mr. GRIJALVA, Mr. CÁRDENAS, Mr. RYAN of Ohio, Ms. MCCOLLUM, Mrs. LAWRENCE, Mr. MCDERMOTT, Ms. EDWARDS, Mr. MEEKS, Mr. DANNY K. DAVIS of Illinois, Mrs. NAPOLITANO, Ms. ADAMS, Mrs. CAROLYN B. MALONEY of New York, Ms. PINGREE, Mr. TAKANO, Mr. MURPHY of Florida, and Mr. GARAMENDI.

H. Res. 772: Mr. SWALWELL of California, Mr. ISRAEL, and Mrs. DAVIS of California.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, THURSDAY, JUNE 9, 2016 *No. 91*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Steve Berger, pastor of Grace Chapel in Leiper's Fork, TN.

The guest Chaplain offered the following prayer:

Let us pray together.

Almighty God, King of Creation and Ruler of the Universe, we thank You for Your undeniably sovereign, merciful, and benevolent hand in the forming, leading, and blessing of these United States.

Father, thank You for revealing Your will and Your ways to this Nation and its leaders through Your sacred, Holy Word.

We pray, therefore, that we would be united in doing what is good in Your sight, and what You require of us, to do justly, to love mercy, and to walk humbly with our God.

Father, may our leaders and our Nation also walk in the faith of Abraham, the integrity of Moses, the wisdom of Solomon, the courage of the Prophets, and the self-sacrificing love and compassion of Jesus.

O God, when we fail to walk in Your ways, and sin against You and one another, may we be quick to humble ourselves and pray, to seek Your face, to turn from our wicked ways, that You might hear from Heaven, forgive our sin, and heal our land.

Remember mercy, O God, and revive us in Your ways, that this Nation might be blessed for generations to come.

We ask all these things through the Name of Jesus and by the power of the Holy Spirit. 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.

The PRESIDING OFFICER (Mr. HELLER). The Senator from Tennessee.

WELCOMING THE GUEST CHAPLAIN

Mr. CORKER. Mr. President, I rise to speak of Pastor Steve Berger. It moves me to hear his voice echoing throughout this Chamber. He is one of the preeminent spiritual leaders in our Nation. He prays daily with his wife Sarah, who happens to be in the Chamber.

He prays daily for our Nation. There is a purity of his mission in leading a church that is making a difference in our State, and I think making a difference in our country, leading efforts not only here but around the world to bring people together, and I am so thrilled this Chamber and the people of our country are able to witness someone who I believe to be one of the greatest spiritual leaders in our Nation.

I only hope more people would be able to hear from him. Truly, it is a very moving moment for me to have a friend like Steve Berger, who means so much to our State and country, before us. I thank him for his willingness to do this.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I welcome Steve Berger and thank Senator CORKER for arranging for him to be here today. Steve is, indeed, one of our most distinguished Tennesseans. We welcome his family and some of his friends who are with us in the Gallery.

Chaplain Barry Black has reminded us that this tradition of opening the Senate with a prayer has been with us since the Senate began, and the Senate has had a Chaplain before the First Amendment to our Constitution was adopted. This tradition is an essential part of the American character, and having Steve Berger here to help us celebrate that essential part of the American character is a very special moment for me as well as for Senator CORKER.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, President Obama's approach to national security policy began with unworkable ideas on the campaign trail, and it has been marked by some consistent themes, like inflexible commitments to drawing down our conventional military posture from across the globe, like an excessive reliance on international organizations, like a tendency toward the use of Special Operations forces to train and equip units in other countries.

What do we see as we look back now at the twilight of his Presidency? We have seen increased instability in places such as Iraq, Afghanistan, and Yemen. We have seen the evolution of Al Qaeda in Iraq into ISIL and its expansion into Libya, Syria, and the Sinai.

In just a few short months, the next Commander in Chief, regardless of party, will be faced with the consequences of the President's failed foreign policy and will need to adapt an insufficient defense modernization program to tackle both the challenges posed by terrorism and by adversaries like China, Russia, and Iran.

This is why we need to use the remaining months of this administration to help prepare the next administration, regardless of party, to deal with the news it is about to inherit. That is

what we are doing on the floor right now. The Defense bill before us will modernize our military and provide our troops with more of the tools they need to confront the threats we face. It will help prepare the next Commander in Chief to confront the complex challenges of today and of tomorrow. It is serious policy—policy that will keep our country safe, and after years of this administration's spin and failures, that is what our people deserve.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PARITY IN THE BUDGET

Mr. REID. Mr. President, I just left my ''Welcome to Washington,'' which I have been having for many years. I had about 85 people from Nevada, my constituents—our constituents—and they asked me what I had done in the Senate that I remember. So I told them a few things. They also asked me if I have a regret, and I do.

It takes a lot of gall for my friend the Republican leader to talk about foreign policy. My biggest regret is having voted for the Iraq war. I was misled, as a number of people were, but it didn't take me long to figure that out. So I became convinced it was a mistake, and I spoke out loud and clear.

Why was it a mistake? It was the worst foreign policy decision made in the history of our country. That invasion has caused the death of—no one knows for sure but about one-half million Iraqis—500,000 dead men, women, and children. At this stage, because of the invasion, we have now complete instability in Syria. About 300,000 are dead there. Millions have been displaced, driven into Europe and other places. Iran is stronger than they would have been but for the war. The whole Middle East is destabilized.

When President Bush took office, because of the work done in the Clinton administration, we had a balanced budget. Can you imagine that? A balanced budget. We were spending less than we were taking in as a country. When Bush took office, we had a surplus of, over 10 years, $7 trillion. Where is that money now? It has been used with a credit card—a credit card that paid for two wars. I repeat, unpaid for and tax cuts unpaid for. We are now upside down.

So for my friend to talk about failed foreign policy takes a tremendous amount of mental gymnastics. We have been clear from the start, enough on the war in Iraq. It is a disaster that will be written about for centuries because the full impact of it is not over yet. We have been clear from the start of this Congress, the appropriations process needs to stick to last year's budget agreement. It is the law, which maintains parity between the Pentagon and the middle class, and avoid poison-pill riders.

Today, we vote on Senator MCCAIN's amendment to add $18 billion in Pentagon spending beyond what Congress agreed to in last year's bipartisan agreement. In response, Senator REED of Rhode Island and Senator MIKULSKI of Maryland have offered an amendment that would add security and other funding in America to maintain the parity to which both parties agreed in the budget law passed last year.

Our amendment would increase funding to combat Zika. By the way, we had a briefing yesterday by the head of the Centers for Disease Control. The man who is in charge of NIH, with this terrible virus that is sweeping this part of the world, told us they are desperate for money. They are desperate for money to do their research to prepare vaccines.

Our amendment would also increase money for local police to fight the opioid scourge, to improve our infrastructure around the country, and to do something about the money that has never been provided to take care of the devastation that hit Flint, MI, with the lead in the water. The security of our great country depends on more than bombs and bullets. I support the military. I have my entire career. I know how gallantly they fight.

In my ''Welcome to Washington'' today, there was a young cadet there. I brought him up first thing to show him off. This young man is one of the finest students in America. He could have gone to school anyplace. Not only was he a good student, he was a good athlete. He chose the Military Academy. He believes in serving his country.

I do everything I can to support the military, but our security depends on more than bombs and bullets. It depends on the FBI, Homeland Security, Drug Enforcement Administration, and these many other myriad things that take place in our country that need our attention.

If Republicans pass this amendment of Senator MCCAIN's to block a similar increase for the middle class—Senator REED's and Senator MIKULSKI's amendment—they will have a broken budget agreement, and they will grind the Defense appropriations bill to a halt. We have put everyone on notice. We have done it before, but let me reiterate. If they break the budget agreement with the McCain amendment, the Republicans will be stopping the appropriations process on the Defense appropriations bill. We will not get to the appropriations bill. That is not a threat. It is a fact.

The solution this year is the same as last year's: stick by the budget agreement and give fair treatment to the Pentagon and nondefense spending. They should be on equal grounds.

Mr. President, I see no one on the floor. I yield the floor and ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4229, to address unfunded priorities of the Armed Forces.

Reed/Mikulski amendment No. 4549 (to amendment No. 4229), to authorize parity for defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015.

Mr. REID. Mr. President, is the time automatically divided?

The PRESIDING OFFICER. It is not.

Mr. REID. I suggest the absence of a quorum and ask that the time be divided equally between the majority and minority.

The PRESIDING OFFICER. The time is not generally divided.

Mr. REID. Oh, it is not divided.

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

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

72ND ANNIVERSARY OF D-DAY

Mr. BLUNT. Mr. President, this week, as we are debating the National Defense Authorization Act, we also celebrate the 72nd anniversary of D-day. On June 6, 1944, more than 160,000 allied troops, including 70,000 brave Americans, did something that no one had ever tried before—a cross-channel landing the size and scope of which had never been envisioned as a reality by warriors. These brave soldiers stormed the beaches of Normandy.

I had an opportunity a few years ago to visit the Normandy American Cemetery and Memorial. I walked through the cemetery with a Belgian guide who had a great appreciation for everything our American soldiers had done to try to bring freedom to Europe again. By the way, later that summer he visited the National World War I Memorial in Kansas City, MO. We talked about the cemetery. One of my sons and one of my grandsons were with us, and they had a chance to identify two brothers buried side by side and a father and son who were buried side by side. These Missourians had given their life on D-day.

Our guide sat us down on this low wall with the English Channel behind us where the Atlantic Ocean flows in and out and with the 8,000 or so graves in front of us. He then opened up his computer, and there was a picture of General Eisenhower and Walter Cronkite sitting in exactly the same place 20 years after the D-day landing, June 6, 1964. Former President Eisenhower said something like this: You know, Walter, my son graduated from West Point on D-day, and many times over the last 20 years, I thought about the family that he and his wife have had a chance to raise and the experiences they shared, and I thought about these young men who didn't have those 20 years because of what they were asked to do.

To hear those words spoken by the person who was ultimately the one who asked these brave soldiers to do what they did showed the responsibility he felt 20 years later for the many lives that were lost and those bodies that were brought back to the United States. That Normandy cemetery doesn't even begin to reflect the lives that were lost. It really made me think when he said: Many times over the last 20 years, I thought about these young men and the lives they didn't get to have because of what they were asked to do.

We have debated this bill for over 50 years now, and we have passed this bill every single year. Every time we debate this bill, we should think of what those who defend us are asked to do. We should think about men and women who are carrying on the legacy of that generation of D-day and World War II and Vietnam and Korea and wars before that and after and the obligation we have to be sure that they have every possible advantage in any fight. Frankly, we never want to see Americans in a fair fight; we want it to be an unfair fight. We want those who defend us to have the best weapons, best training, best support, and the best of everything so they have every possible advantage when they do what they are asked to do.

This bill came out of committee with three ''no'' votes. It has strong bipartisan support. It is time to get this work done just as the Senate has done for 54 straight years. This will be the 55th year.

I am particularly glad that this bill takes new steps toward recognizing the sacrifice we ask military families to make. GEN Ray Odierno, the immediate last Chief of Staff of the Army, said that the strength of a country is its military and the strength of the military is its families.

This legislation includes language that Senator GILLIBRAND and I introduced last fall which, for the first time ever, would give families more flexibility if there is a job or educational opportunity for a spouse. Many times, military families are asked to move a little quicker or stay a little longer. If our language is in the final bill and the President signs it, for the first time ever it will allow families—without being questioned in any detail beyond whether they meet the conditions of the Military Families Stability Act—to go ahead and move so the kids can start school on time, or whatever the case may be, and the servicemember would stay or a family could stay a little longer so that their spouse can complete any career obligations they may have so they can continue to do what they do. Too many of our military spouses are unemployed and don't want to be or underemployed and don't want to be because their careers are constantly impacted, and the cost of maintaining two residences that those families now have to bear really makes no sense at all. This bill allows us to move forward on that issue.

The men and women of the Armed Forces, as well as the civilians and contractors who support them, work every day to meet the challenge. They have faced more than 15 years of active military engagements and have made all kinds of sacrifices so we can continue to have the freedoms that we have.

The bill before us also enhances the capability of the military and security forces of allied and friendly nations to defeat ISIL, Al Qaeda, and other violent extremist organizations so they are no longer a threat to us. This bill ensures that our men and women in uniform have the advanced equipment they need to succeed in any future combats. The bill reduces strategic risk to the Nation and our military servicemembers by prioritizing the restoration of the military's readiness so they are able to conduct the full range of all of its activities. We need training dollars, training time, and airplanes that are younger than the pilots who fly them, and this legislation continues to move forward in that area.

It also continues with comprehensive reform for the Defense Acquisition System that is designed to drive more innovation and ensure more accountability to not take more time than it needs to take, but to be sure that everything is being done with the interest of the taxpayers and the security of the country in mind.

Finally, this bill puts the Senate on record again against the President's plan to remove terrorist detainees held at Guantanamo Bay. We apparently need to continue to do this over and over again because somebody is just not getting it.

There was a front page article, I believe in the Washington Post this morning, about the absolute certainty that people who are freed from Guantanamo Bay over and over again reenter the fight and kill Americans and our allies. The people who are there now need to be kept there. The Obama administration itself admitted earlier this year that Americans have been killed by terrorists from Guantanamo. By the way, that admission came just days before another dozen inmates were transferred out of Guantanamo.

According to the Director of National Intelligence, nearly one-third of terrorists who have been released from Guantanamo are either confirmed or suspected to be rejoining the fight, and those were supposedly the detainees who could be released. They were supposedly the least dangerous of the detainees. The people who are there now are clearly understood to be the most dangerous, the most likely to be back in the fight, and the most likely to inspire others to be in the fight.

The number of detainees released under the Obama administration who were suspected of engaging in terrorism has doubled since July of 2015 according to the Director of National Intelligence. The President of the United States supports and appoints the Director of National Intelligence. This is not some outside person suggesting things that the Obama administration wouldn't want to hear. This is their Director of National Intelligence and ours. What we need is a President who has a real plan to defeat terrorism, and while this bill can't ensure that, this bill does provide the tools to defeat current terrorists in the Middle East and continue to secure our liberty.

The No. 1 job of the Federal Government is to defend the country. The No. 1 job of those of us in the Congress is to be sure that those who defend the country have what they need to defend the country and to ensure that those who have served have every commitment that has been made to them fulfilled, and then some.

It is time to pass this bill for the 55th straight year. We need to do what we should do for those who serve and protect us.

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

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

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be permitted to engage in a colloquy with the Senator from South Carolina.

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

AMENDMENT NO. 4229

Mr. MCCAIN. Mr. President, we will have a vote around 11:30 a.m. on my amendment that would increase funding under OCO to address the consequences of an $18 billion shortfall from last year. All the reports we hear from the military are that sequestration is killing them. The mismatch of what we are now seeing in the world as compared with a continued $150 billion less than fiscal year 2011 is putting the lives of the men and women who are serving this Nation in danger.

I am told there will be a lot of people who will vote against this increase to

bring it up just to last year's number—an increase of $18 billion. I say to my colleagues: If you vote no on this amendment, the consequences will be on your conscience. If you ask any leader in uniform today, they will tell you that the lives of the men and women who are serving this Nation in uniform are at risk. I think we have a greater obligation, and that is the men and women who are serving in the military.

The Chief of Staff of the United States Army said: We are putting the lives of the men and women serving in uniform at greater risk. That didn't come from JOHN MCCAIN or LINDSEY GRAHAM. Talk to any military leader in uniform, and they will tell you that sequestration is killing them. Planes can't fly; parts of the military can't train and equip. Only two of our brigade combat teams are fully ready to fight. Look at the world in 2011 when we started this idiotic sequestration and look at the world today.

My colleague serves on the Armed Services Committee and spent about 33 years as a member of the United States military and has been a regular visitor to Kabul and Baghdad. I think he understands that what we are doing with sequestration and voting against this amendment, in my view, is putting the lives of the men and women who are serving in danger. Have no doubt about it. There will be further attacks in Europe, and there will be further attacks in the United States of America. We won't be ready, and the responsibility for it will be on those who vote no on this amendment.

I recognize my colleague.

Mr. GRAHAM. I thank the Senator.

Here is the issue: To those who are a slave to these sequestration caps, to those who believe sequestration and this budget practice we are involved with is going to save the country, boy, I couldn't disagree with you more. We haven't moved the debt needle at all.

Discretionary spending is not the reason we are in debt. We are spending at a 2008 level. So these blind, across-the-board cuts limited to discretionary spending and a lot of programs that are not even subject to sequestration are not moving the debt needle; they are destroying the ability to defend this country.

The theory we are advocating here today is that there is an emergency in the U.S. military that needs to be addressed and we should be able to add money to the U.S. military, the Department of Defense, based on an emergency that is real and not be limited by caps that are insane.

Here is the issue: Is there an emergency in terms of readiness? Is there an emergency in terms of operations and maintenance? Are we putting the ability to modernize our force at risk in an emergency situation because we don't have enough money to fight the wars we are in and modernize the force for the wars to come?

If you don't believe us, here is what the Commandant of the Marine Corps said about the current state of readiness: ''Our aviation units are currently unable to meet our training and mission requirements, primarily due to Ready Basic Aircraft shortfalls.''

I can tell you that in the Marine Corps today, 70 percent of the F–18s have a problem meeting combat status. I can tell you today that the Army is stretched unlike any time I have ever seen. I can tell you today that the Navy is robbing Peter to pay Paul to keep the ships on the ocean, and with the numbers we have in terms of defense spending, they are having to forgo modernization to deal with readiness, to deal with the ability to fight the war. I can tell you that the Commandant of the Marine Corps is going to take six B–22s out of Spain that are used to rescue consulates and embassies that come under attack in Africa because we need those planes to train pilots, and if we don't bring back those planes, we are not going to have an airworthy B–22 force at a time when we need it.

We are creating a hole and a vacuum in our ability to protect our diplomats and U.S. citizens.

Mr. MCCAIN. May I ask my colleague whether he is aware that, at a hearing, General Milley, the Chief of Staff of the U.S. Army, testified that the Army risked not having ready forces available to provide flexible options to our national leadership and, most importantly, risked incurring significantly increased U.S. casualties.

I say to my colleagues who are going to vote against this, you are taking on a heavy burden of responsibility of incurring significantly increased U.S. casualties in case of an emergency. The military is not ready. We are at $100 billion less than we were in 2011 when sequestration began, and the world has changed dramatically.

I can't tell you my disappointment to hear that the chairman of the Appropriations Committee—I don't know if my colleague knows this—said he is going to vote against it, using some rationale that they are increasing it by some $7 billion. That is insane. That is not only insane, it is irresponsible, and most importantly, it is out of touch. I say to my colleague and the chairman of the subcommittee, you are out of touch with what is going on in the world and in the U.S. military. You better get in touch.

Mr. GRAHAM. I will add that anybody who doesn't believe there is an emergency in the U.S. military is not listening to the U.S. military and has not been following the consequences of what we have done over the last 5 or 6 years in terms of cuts to the military.

Over the last 7 or 8 years, we cut $1 trillion out of the U.S. military. We are on track now to have the smallest Army since 1940, the smallest Navy since 1915, and the smallest Air Force in modern times. We are on track to spend half of what we normally spend in time of war. Normally we spend about 4.5 percent of GDP to defend this Nation; we are on track by 2021 to spend 2.3 percent of GDP.

I want to say this: In my view, this is an emergency. I want you to go back home and explain to those who are busting their ass to fight this war, who can't fly equipment because it is too dangerous, who are having to cannibalize planes to keep some planes in the air, who are stretched so thin that it is creating high risk.

Here is what the Chief of Staff of the Army said: ''I characterize us at this current state at high military risk.'' This is the Chief of Staff of the Army telling all of us that the Army is in a high state of risk because of budget cuts.

This $18 billion will restore money that has been taken out. That will have a beneficial effect now and is absolutely essential. It will give us 15,000 more people in the Army. And if you are in the Army, you would like to have some more colleagues because you have been going back and forth, back and forth. So we need more people in the Army, not less.

We need 3,000 more marines. If anybody has borne the burden of this war, it is the U.S. Marine Corps. Here is what I say: Let's hire more marines.

Let's start listening to what is going on in the military.

The whole theory of this amendment is that we have let this deteriorate to the point that we have an emergency situation where we are putting our men and women's lives at risk because they don't have the equipment they need and the training opportunities they deserve to fight the war that we can't afford to lose, and you are going to vote no because you are worried about budget caps.

Oh, we love the military. Everybody loves the military. Well, your love doesn't help them. Your love doesn't buy a damn thing. If you love these men and women, you will adequately fund their needs. If you care about them and their families, you will adjust the budget so they can fight a war on our behalf.

We are up here arguing about everything. The state of politics in America makes me sick. This looks like one thing we can agree on—Libertarians, vegetarians, Republicans, and Democrats—that those who are fighting this war deserve better than we are giving them.

So I want to tell you, when you come and vote against this amendment because you are worried about the budget caps, well, the Budget Committee is not going to fight this war.

To my friends at Heritage Action, I agree with you a lot. You are saying this is a bad vote. Nobody at Heritage Action is going to go over to Afghanistan, Iraq, Syria, or Libya to protect this country.

You talk about a head-in-the-sand Congress. You talk about people who are not listening, who are so worried about special interest groups and concepts that have absolutely no basis in reality.

If you fully implement sequestration, all you will do is gut the military and some nondefense programs that really matter to us. You won't change the debt at all. So don't go around telling people you are getting us to a balanced budget. You are not. The money is in entitlements, and we are not doing a damn thing about it.

Ryan-Murray added some money, and I want to thank him, but it wasn't enough. I want to thank the appropriators for adding $7 billion, but it is not nearly enough. The $18 billion that is in this amendment goes to buy airplanes—14 F–18s, 5 F–35s, 2 F–35Bs. There is $200 million to help the Israelis with their missile defense program.

What this buys is more people, more equipment, more training opportunities at a time when we need all of the above. It breaks the cap because we are in an emergency situation. These caps are straining our ability to defend this Nation. I hate what we have done to the military. This is a small step forward. This is not nearly what we need, but this $18 billion will provide some needed relief to the people who have been fighting this war for 15 years.

I hope and pray that you will start listening to those we put in charge of our military and respond to their needs, and this is a small step in the right direction.

If we say no to this amendment, God help us all. And you own it. You own the state of high risk. If you vote no, then as far as I am concerned, you better never say ''I love the military'' anymore because if you really loved them, you would do something about it.

Mr. MCCAIN. I also point out to my colleague that, as a sign of priorities around this place, yesterday we had a vote on medical research—nearly $1 billion that had nothing to do with the military but was a place where the Willy Sutton syndrome took place, and it was a 5-percent increase. The appropriators could increase by 5 percent medical research which has nothing to do with the military, but they won't add money that the military could use to defend this Nation. There is no greater example of the priorities around this place.

I see my colleagues are waiting. I just want to point out what voting no means.

Voting no would be a vote in favor of another year where the pay for our troops doesn't keep pace with inflation or private sector advocates. For the fourth year in a row, the military will receive less of a pay raise than the rate of inflation. If you vote no, that is what you are doing.

If you vote no, it would be a vote in favor of cutting more soldiers and more U.S. marines at a time when the operational requirements for our Nation's land forces for the Middle East, Africa, Europe, and Asia are growing. Every time you turn around, you will see that there are more troops deployed in more places, whether it be Iraq, Syria, Libya, the European Reassurance Initiative. Every time you turn around, there is more deployment—more deployments in the Far East and the Asian-Pacific regions. Every time you turn around, there are more obligations that we ask of the military, albeit incrementally. Yet we are going to cut the funding while we increase the commitments we have. So you would be voting in favor of cutting more soldiers and marines at a time when the operational requirements of our Nation's land forces are growing.

Voting no would be a vote in favor of continuing to shrink the number of aircraft that are available to the Air Force, Navy, and Marine Corps at a time when they are already too small to perform their current missions and are being forced to cannibalize.

We have people who are having to go to the boneyard in Tucson, AZ, and take parts from planes that haven't been operational for years. That is how bad the system has become thanks to sequestration. Our maintainers—these incredible enlisted people—are working 16 to 18 hours a day trying to keep these planes in the air.

When an Air Force squadron came back, of their 20 airplanes, 6 were flyable.

There was a piece on FOX News the other day about how, down in Beaufort, SC, the F–18 squadron—they are having to have a plane in the hangar that they can take parts from so that they can keep other planes flying. They are exhausted. They are exhausted, these young marines. And by the way, don't think they are going to stay in when they are subjected to this kind of work environment.

Voting no would be a vote in favor of shrinking the number of aircraft. They are too small, and their current missions are being forced to cannibalize their own fleets.

Voting no would be a vote in favor of letting arbitrary budget caps set the timeline for our mission in Afghanistan instead of giving our troops and our Afghan partners a fighting chance at victory.

Voting no is a vote in favor of continuing to ask our men and women in uniform to perform more and more tasks with inadequate readiness, inadequate equipment, inadequate numbers of people, and unacceptable levels of risk in the missions themselves. It is unfair to them. It is wrong. It is wrong.

For the sake of the men and women in the military who put their lives on the line as we seek to defend this Nation, I hope my colleagues on both sides of the aisle will make the right choice. For 5 years we have let politics, not strategy, determine what resources we give our military servicemembers. Our military commanders have warned us that we risk sending young Americans into a conflict for which they are not prepared.

I know that the vast majority of my colleagues on both sides of the aisle recognize the mistakes of the past 5 years in creating this danger. This is a reality. This is the reality our soldiers, sailors, airmen, and marines are facing. So I say it doesn't have to be this way. It doesn't have to be this way. And if you vote no, as my colleague from South Carolina said, don't say you are in favor of the military. Don't be that hypocritical. Just say that you are continuing to put the lives of these men and women who are serving in the military, in the words of the Chief of Staff of the U.S. Army, ''in greater danger.'' That is your responsibility. But just don't say—don't go home and say how much you appreciate the men and women in the military, because when you vote no, you are depriving them of the ability to defend this Nation and themselves.

I yield the floor.

Mr. DURBIN. Mr. President, I rise in opposition to the amendment proposed by the senior Senator from Arizona. What it comes down to is that Republicans and Democrats have fundamentally different approaches to providing for our troops, our national security agencies, and our government.

Democrats are committed providing the funds necessary to protect our Nation, grow our economy, invest in research, and shelter the most vulnerable. Republicans have a different approach. They accept massive cuts to almost every agency and only provide defense funding through an accounting trick which the Defense Department's own leadership has rejected as inadequate.

This is a debate about how best to protect our national security. And my Republican colleagues are on the wrong side of it.

Senate Democrats are committed to defeating ISIS on the ground in Iraq and Syria, dismantling its terror network, and protecting our homeland. The only way we can do that is by supporting budget relief for all of our national security agencies, including Homeland Security, the FBI, and many others. Republicans haven't been willing to do that so we must figure out how to allocate funding with the existing budget agreement.

The amendment offered by the chairman of the Armed Services Committee is a return to gridlock. Last year's attempt to provide only the Defense Department with additional OCO funds resulted in a stalemate and a 3-month long continuing resolution. Do we have to repeat this failed strategy again?

The answer is no. The chairman of the Appropriations Committee and I took a different approach in drafting the Defense appropriations bill: no poison pill riders, stick to the budget deal, eliminate wasteful spending proposals, and reinvest in our priorities.

If you compare the results in the Defense appropriations bill to the amendment proposed by the chairman of the Armed Services Committee, here is what you will find: His proposal violates last year's budget deal with $18

billion more in spending. Our bipartisan Defense appropriations bill invests $15 billion in important programs while adhering to the deal.

The pending amendment relies on an OCO gimmick to authorize increases for Israeli missile defense programs. However, every cent requested by the Israeli Government, all $600.9 million, is funded in the Defense appropriations bill without using OCO funds.

This amendment authorizes OCO funding for a littoral combat ship and a DDG–51 destroyer. This would be the first time that OCO funds would be used to buy ships for the Navy.

The appropriations bill goes even further in supporting shipbuilding by providing $1 billion for a new icebreaker to support our Arctic strategy, an item not included in the pending amendment.

The amendment also adds various aircraft—more F–18s, F–35s, C–130s, helicopters, and so on—that are also funded in the Defense appropriations bill without running up the Nation's OCO charge card.

The bottom line is that, in the Defense appropriations bill, we were able to fund most of the items in Senator MCCAIN's OCO gimmick amendment, but we were able to it within the budget caps. It wasn't easy, but we made it work.

I would prefer that we find a way to increase both defense and nondefense funding so we can invest more in all of the agencies that work together to keep America safe.

The Reed amendment does exactly that. It amends last year's budget deal to include $18 billion more for defense and $18 billion more for important nondefense programs.

The Reed amendment includes $2 billion more to address cyber security vulnerabilities to stop the type of attacks that resulted in the theft of millions of personnel records from the Office of Personnel Management. It includes $1.4 billion for more law enforcement efforts, including more security screeners at airports, more FBI agents and police officers on the street, and more grants to State and local first responders.

The Reed amendment addresses public health emergencies, including $1.9 billion for the response to Zika. It also provides $1.9 billion to fix our broken water infrastructure, which would help ensure we don't face another lead contaminated water crisis like what happened Flint, MI.

Finally, the Reed amendment includes $3.2 billion in funding to address infrastructure problems at VA hospitals, fix our roads and bridges, and invest in our rail and transit systems.

Last year, Congress voted to provide fair and balanced relief to our Defense and our nondefense agencies. The Reed amendment is consistent with that agreement, and it deserves our support.

In conclusion, we should be supporting all of our national security agencies as they work to protect this Nation, including cyber security, homeland security, and local law enforcement, the FBI, and TSA.

We also should support critical issues like the opioid epidemic, water infrastructure, the Zika outbreak, and research across the Federal Government among other items.

I urge my colleagues to support Ranking Member REED's amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—PRESIDENTIAL NOMINATION

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Banking Committee be discharged from consideration of PN1053, the nomination of Mark McWatters for the Board of Directors at the Export-Import Bank; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. HEITKAMP. Mr. President, we would like to engage in a discussion of what this means to American workers, to American exports, and to American manufacturing. I think we have worked very, very hard over the last several months to try and move this nomination forward. We fought this fight. Many appearing with me today fought this fight, whether it was on TPA or whether it was just simply trying to get reauthorization of the Ex-Im Bank advanced and furthered.

We won this fight. Today we are losing the fight again by this restriction, by this inability to move this nomination forward. So we want to talk about this today. I am going to yield to several of my colleagues here for their short comments. We will start with Senator SCHUMER who has a commitment with the Judiciary Committee.

Mr. SCHUMER. Mr. President, I want to thank my dear friend, the Senator from North Dakota, for her leadership on this issue, as well as our two great Senators from the State of Washington, MARIA CANTWELL and PATTY MURRAY.

I support my colleague from North Dakota and echo her comments. We should have a full complement of Board members at the Ex-Im Bank and, at the very least, they must have enough to reach a quorum and continue to conduct its business. I also want to thank my three colleagues who are here for their tireless efforts to get the Ex-Im Bank reauthorized last year. The legislation to reauthorize was carried by the Senator from North Dakota, as well as Senators CANTWELL and MURRAY, after Republican obstruction caused it to lapse for the first time in its 80-year history.

What a shame it was that it lapsed. The Ex-Im Bank is one of the key tools in our toolbox for supporting and growing manufacturing jobs across the country. We talk about increasing good-paying manufacturing jobs. Both sides of the aisle do that regularly. Then, when it comes to supporting the Ex-Im Bank, they obstruct one of the best tools we have. They vote no. Now they have found a clever way to stop it from working, because it won't have a quorum.

The Ex-Im Bank provides necessary financing for domestic manufacturers to compete with foreign companies that are heavily subsidized or are owned entirely by their government and simply to have access to their own domestic import bank. To purposefully prevent the Ex-Im Bank from being able to properly function is like having America unilaterally disarm in the global competition for exports and good-paying manufacturing jobs here at home.

But there are a small band of folks—ideologues—so ideologically opposed to the Bank that they will do anything to see that it can come to a screeching halt. They will use every trick in the book to do it. That is what they are doing now. Opponents of the Bank are hamstringing the agency by denying it the staff it needs to operate.

We are losing $50 million a day in exports. Some of these come from my home State of New York. We have not only GE, which makes turbines, a large percentage of which are exported. They are losing business to Siemens and other foreign companies.

We have lost some little companies that depend even more on the Ex-Im Bank because it gives them the ability to find markets overseas. So I don't want to hear my colleagues on the other side of the aisle talk about how they care about jobs, how they care about building America and building our exports, as long as they continue to play this trick and hamstring the Ex-Im Bank from functioning. Mr. President, as I said, I rise today to support my friend and colleague the Senator from North Dakota and echo her comments: We should have a full complement of Board members at the Ex-Im Bank, and at the very least they must have enough to reach a quorum and continue to conduct its business.

I also want to thank her for her tireless efforts to get the Export-Import Bank reauthorized last year. The legislation to reauthorize the bank was carried by the Senator from North Dakota and several other colleagues of ours, like Senators CANTWELL and MURRAY, after Republican obstruction caused it to lapse for the first time in its 80-year history.

And it was a shame that it ever lapsed.

The Ex-Im Bank is one of the key tools in our toolbox for supporting and growing manufacturing jobs across the country. It provides the financing necessary for domestic manufacturers to compete with foreign companies that are heavily subsidized or owned entirely by their governments or simply have access to their own domestic Ex-Im Bank.

To purposefully prevent the Ex-Im Bank from being able to properly function is like having America unilaterally disarm in the global competition for exports.

But there is a small band of folks who are so ideologically opposed to the bank that they will do anything they can to see it come to a screeching halt. And they will use every trick in the book to do it.

That is what we are seeing now.

Opponents of the bank are hamstringing the agency by denying it the staff they need to operate.

Right now, the Export-Import Bank is unable to approve any of the financing deals over $10 million because the Bank only currently has two members serving on its five-member board.

This is a problem because the Board needs at least a quorum of three to approve financing for large deals.

But the Banking Committee has so far refused to even consider a third nomination to the Board of the Export-Import Bank and has given no indication that it even plans to hold a hearing on the nomination any time soon.

It can't be because the chairman opposes the nominee's politics or views—the nominee is a Republican, irony of ironies. The President has put forward Mark McWatters, a former staffer for Republican HENSARLING, the Republican Chairman of House Financial Services.

The delay on the nomination has nothing to do with the nominee or his qualifications and everything to do with keeping the Ex-Im Bank from doing its job.

The delay, as Senator HEITKAMP pointed out, has real consequences:

30 major projects in the pipeline valued at more than $10B are now mired in uncertainty.

The Peterson Institute estimated that each day the confirmation is delayed, the US is losing $50 million in exports.

This impacts major companies in my home State of New York like GE, which makes turbines near Schenectady and employs over 7,000 folks in the Albany area alone.

GE not only employs thousands of people in my state, it supports an entire supply chain in the capital region. So when a contract or sale abroad is not approved or bids are not even sought because of the uncertainty surrounding the Ex-Im Bank, there is a real cost to the economy.

I understand there are those on the other side of the aisle, including the distinguished chairman of the Banking Committee, who oppose the very existence of the Export-Import Bank.

But the fact of the matter is the Bank exists. The full Senate voted to reauthorize it. And it is our jobs as legislators to ensure that government agencies have the staff they need to do the job we ask them to do.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am here today to support the strong statement from the Senator from North Dakota and the strong support for a fully functioning Export-Import Bank because it creates American jobs and helps our businesses, large and small, and, in fact, reduces our national debt. But right now, political posturing has handicapped the Ex-Im Bank, one of our countries most reliable tools to increase America's economic competitiveness in our global economy.

In my home State of Washington, there are nearly 100 businesses, the majority of them small or medium-sized, that used the Bank's services last year to help sell their products overseas. We are talking about everything from apples to airplane parts, beer, wine, software, medical training supplies, and beyond.

The reality is that people in other countries want American-made products. That is a great thing because these businesses support tens of thousands of jobs in our country and keep our economy moving.

The Export-Import Bank is the right kind of investment because it expands the access of American businesses to emerging foreign markets that create jobs right here at home.

Do you know what it costs taxpayers? Not a single penny. In fact, the Ex-Im Bank reduces our national debt.

So here is the bottom line. The Bank creates jobs. It strengthens our businesses. It helps our economy grow from the middle out, not just the top down.

So it is time for my colleagues to put ideology aside, to allow this proven program to operate at its full capacity, and to allow a vote that we were denied today to get the Ex-Im Board operating again because it is critical that the Bank continue to receive the strong bipartisan support we have seen in the past as we work to build on its success.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I join my colleagues this morning on the Senate floor in an effort to wake up the Senate to the fact that, without action by this body and specifically the Senate Banking Committee, Members are literally supporting shipping jobs overseas. I believe in a manufacturing economy. I believe in a manufacturing economy because so many people in the State of Washington work in manufacturing and because aerospace is an industry in which the United States is still a world leader.

Yet, by not filling the board of the Export-Import Bank we are putting the Bank out of business when we should be making sure that it can issue credit for manufactured U.S. products to be sold in overseas markets.

Why is manufacturing so important? Manufacturing is important because it pays a decent wage. It allows American workers to go from working class to middle class. It helps secure jobs in our economy that are stable for families who are sending their kids to school, and because it helps people move up to a better quality of life.

I am competitive in general. I don't want to lose a manufacturing base. But I also don't want to lose a middle class. What has happened is that the conservative views of the Heritage Foundation have thwarted the Export-Import Bank, and U.S. manufacturers have decided to put their manufacturing overseas. Think about it. How long is a company or a business going to put up with the fact that they don't have an export credit agency here in the United States?

Now, can a big manufacturer get its own credit? Sure it can. Sure, it can go and get credit. But can you ask it to sell in a global market? I will give you an example of a manufacturer in our State, SCAFCO, which sells manufactured grain silos to many countries in South America, in Africa, in Asia, and all across the world. Do you think they are going to finance every single deal they do? No, because they have to put money into their manufacturing facilities so they can stay competitive, and so they can have the best silos being produced.

So if they limited their business to only deals they could finance, they would have very limited business. Think about it. Whom do we make that requirement of? It is the customer who is buying the exported product who needs the business to get credit. It is the customer who is out there that wants to purchase what are great U.S. products who is having trouble. Think about it. You could be a small African nation trying to change your economy toward agriculture or you could be a small Asian country that is trying to upgrade the quality of life.

It could be, just as Prime Minister Modi said yesterday, that they want to diversify their energy portfolio. Well, guess what? We are holding that up and not allowing all of those countries to buy U.S. energy products simply because we refuse to have a working board at the export credit agency. How ludicrous is that? It is so ludicrous, because what happens if a U.S. manufacturer—an aerospace manufacturer like Boeing for example—wants consumers to buy GE engines and make sure that a South American company purchases U.S. manufactured Boeing and GE engines?

Well, they can go and purchase Rolls-Royce engines instead, and the European credit agency can fund the deal. Now, what has happened? GE has lost out on deals. Do you think all of those U.S. manufacturers are going to stay in the United States if there is no way to have credit financing? No—they are

going to go where credit financing exists. So, by not moving forward on a fully functioning export credit agency in the United States, all you are doing is helping to ship jobs overseas. It has to stop.

We make great products in the United States. We are competitive. Our workforce is skilled. I will be the first to say that we need a more skilled workforce. I am all for providing our workforce with education and skills and every resource our country has because innovation is our competitive advantage.

But if we make great products and then we hamstring the financing of those great products—developing countries don't have the same banking and financial tools and edge that we have in the United States—you are basically saying: We are not going to sell our products.

I am a big proponent of winning in the international marketplace. I am a big proponent of saying that the middle class is growing around the globe, and one of the United States' biggest economic opportunities is to sell products to that middle class outside of the United States. That rising middle class means they can purchase more U.S. products. Well, they can't if we don't have a credit agency that finances exports. So why are we down here this morning as it relates to the Defense bill that is now being discussed?

Well, we are here because there are more than $10 billion of deals and transactions that are in the Export-Import Bank pipeline. Yesterday, Prime Minister Modi was here. The Indian Government has announced that Westinghouse would finalize contracts with the Nuclear Power Corporation of India to build six nuclear reactors by 2030. Well, those deals won't get done if you don't have an export credit agency to finance those deals.

The United States Senate is currently considering the National Defense Authorization Act. Last month, the Aerospace Industries Association and the National Defense Industrial Association wrote letters to Senate leadership urging them to make sure that we had a functioning bank. They pointed out that without a quorum, multimillion-dollar exports of aircraft, satellite, and other things won't get done.

So we just had this little argument on the Senate floor about how we are going to pay for things in the Defense bill and whether we are going to have balance with our other domestic spending. By not supporting and moving forward on the export credit agency, you are also making defense in the United States more expensive. You are making our security more expensive because you are not allowing that same technology—that we have decided meets our export controls, but we are willing because these are partners of ours—to sell that defense. You are making that difficult.

Mr. President, I ask unanimous consent to have printed in the RECORD this letter from the Aerospace Industries Association and the National Defense Industrial Association, basically saying you are making it more expensive for us to do business as a country in defense because you also will not allow the export of this product.

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

AEROSPACE INDUSTRIES ASSOCIATION, NATIONAL DEFENSE INDUSTRIAL ASSOCIATION,

May 17, 2016.

Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Washington, DC.

Hon. HARRY REID,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR SENATE MAJORITY LEADER MCCONNELL, AND SENATE MINORITY LEADER REID: On behalf of the American aerospace and defense industry and our dedicated workforce, we are writing to urge Senate hearings and confirmation on the nomination of J. Mark McWatters to the Board of Directors for the U.S. Export-Import (Ex-Im) Bank. If his nomination is successfully approved, a fully functioning bank will play an important role in leveling the playing field for U.S. exports, creating new opportunities for U.S. companies, and strengthening our strategic alliances throughout the world.

Last year, we were heartened to see a bipartisan, bicameral supermajority vote overwhelmingly in favor of long-term reauthorization of the Ex-Im Bank. However, the Bank remains effectively inoperable for large-scale export activities. While the Bank is accepting new applications, the Bank's Board of Directors must have a quorum to act on transactions valued at $10 million or more. In the absence of a quorum, potential multi-million dollar export sales of aircraft and satellites are at risk, hurting not only major manufacturers, but the small and medium-sized companies that support them.

The global market is fiercely competitive. U.S. manufacturers need fair trade policy measures to level the playing field. Other countries are aggressively utilizing their Export Credit Agencies (ECAs) as a tool to advance their national trade interests, and availability of financing (instead of the quality of products) is a key discriminator if we do not have our own ECA. Our competitors also enjoy a greater range of support from their ECAs, including—but not limited to—a broader scope of programs.

Without the Bank supporting some of these investment-heavy exports, U.S. industrial production will decline, reducing revenue, innovation, and high-skilled, high-wage jobs throughout the aerospace and defense supply chain. The fact that this will lead to higher unit costs for the military systems our armed forces buy seems to be dismissed or ignored. Also, we are only now recovering lost capacity and market share in the commercial satellite market caused by over-restrictive export controls, which had a similar detrimental impact on our national security space industrial base.

In addition to supporting U.S. export sales, the Bank is an important foreign policy tool for the U.S. government as it bolsters American presence and influence abroad. By developing closer economic ties to other countries, we enhance not only our economic power, but also our national security. Countries which engage in close trading and commerce with each other increasingly align around common interests in global stability and security.

The Board is instrumental to the agency's day-to-day operations, since it manages the Bank's reforms and approves its transactions. The long-term reauthorization approved by Congress in 2015 contained risk-management provisions that require action or approval from Ex-Im Bank's Board of Directors in order to be implemented, including the appointment of a Chief Ethics Officer and the establishment of a Risk Management Committee. The agency cannot implement those provisions—or consider any other reforms—without a quorum. We urge the Senate to move swiftly on the pending nomination for the Ex-Im Bank's Board of Directors.

Sincerely,

DAVID F. MELCHER,
Lieutenant General, USA (Ret.), President & CEO, Aerospace Industries Association.

CRAIG R. MCKINLEY,
General, USAF (ret), President & CEO, NDIA.

Ms. CANTWELL. Mr. President, I am on the floor with my colleague from North Dakota because we feel passionately about this issue. We are frustrated with the shenanigans that have gone on with the export credit agency. I say ''shenanigans'' because for a long time people said: Oh, well, there aren't the votes. We can't get this done. We don't have the votes.

Well, when you lift the veil behind some very conservative, threatening tactics, there is majority support, in both the Senate and the House of Representatives, for this export credit agency.

Now, one committee is trying to bottle up a nominee—if he doesn't like the nominee, come up with a different name. Come up with two names. Who cares? But what really is happening is that those on the other side of the aisle are enabling one individual to thwart the biggest manufacturing economic opportunity our country has to secure manufacturing jobs in the United States of America. Let's build great products. Let's have a credit agency that can finance deals to developing nations, and let's get those countries buying U.S. products. Why on Earth are we continuing these shenanigans so somebody can say to the Heritage Foundation: I got you one more trophy for your shelf.

That is not what America is about. America is about competing, succeeding, and growing economic opportunity.

I thank my colleague from North Dakota for her leadership on the Banking Committee in trying to move this effort forward and all of my colleagues who care about manufacturing who are willing to come to the floor and make this point.

Time is running out this session, before the summer recess, for us to get this done. It is time to get it done.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. I say thank you to my colleague from Washington.

Mr. President, the level of frustration we have over this issue is unparalleled. We hear platitudes in the Senate.

They usually start with: We believe in the will of the people. Let's do the will of the people.

Guess what. We had this debate. We had the debate about whether we should have an entity called the Export-Import Bank. We had that debate. It was long fought. We shut down the bank for the first time in 60 years. We shut down the bank, stopping exports for the United States of America, costing jobs in the United States of America.

We won that fight, and we didn't win it by a little. We didn't win it by just a margin. We won supermajorities—supermajorities—in the Senate and supermajorities in the House. When we were told the House would never pass a stand-alone bill, they passed a stand-alone bill by 70 percent—70 percent—of the vote.

Doesn't that tell you the people of this country should have a vote through their elected representatives? Today do you know what is stopping that vote, the will of the people to have this entity, beyond all of the arguments for why this entity is critically important? One person—one person, for whatever reason.

This is why people have lost faith with their government. This is why people don't believe we can get anything done here anymore—because even though we fight the fight, even though we win the fight, we don't win the fight because we need a quorum at the Bank to do any deal over $10 million.

We have a nominee. You must say: Well, it must be a raving liberal, right? This nominee? No, it is the Republican nominee who represented and worked for one of the most conservative Members—in fact, an anti-Export-Import Member of the House of Representatives. That is our nominee. There is nothing wrong with this nominee. It is not our side who is debating the legitimacy of a Republican nominee. It is not our side.

How do we believe in manufacturing, believe in the American dream, and believe we can be part of a global economy, when 95 percent of all potential consumers in the world—guess what. They don't live here.

If we are going to be competitive, if we are going to be participating in that global economy—which we must—then we must be competitive. We cannot be competitive without an export credit agency. It is just that simple, and we are not going to be competitive. So don't say you are for trade or manufacturing, when you are not willing to take a risk because some ideologue on the other side has decided that is a black mark.

Earlier, Senator MCCAIN made a passionate plea and Senator LINDSEY GRAHAM talked about Heritage. Who is running this place? When the Heritage Society can stop a deliberation by simply putting a checkmark next to a piece of legislation and when once again we have this being held up in the backrooms of the Senate—not openly, but in the back rooms—who is running the place and who really believes in trade? Who really believes in manufacturing? Who really believes in the middle class?

I will tell you, my passion on this doesn't just come because I think it is a horrible trajectory for the future, for the future of our American economy, my passion on this comes when I hear stories. These are real. They are not pretend stories. When I hear stories that ''We are going to take our manufacturing out of this country.'' We are going to lose jobs, and we are going to lose those jobs very quickly. In fact, when we shut down the Bank, we already lost jobs—but we are going to lose jobs.

Do you know what I think about? Because this is where I live. This is where I am from. I think about that factory worker on the floor of that manufacturing facility being given a pink slip and being told his job is going overseas, her job is going overseas because they have a better business climate.

Think about that. You have a good job, providing for your family, believing you are doing everything right, and because of a simple glitch here, because of, really, one person, that person is getting handed a pink slip. Where is the accountability for that? Where is the accountability to that family? When are we going to learn that it is this disruption in American lives that has cost this body and this Congress its reputation for no good reason?

I wish to close before I turn it over to my colleagues with just a couple of statistics because, quite honestly, I get sick and tired of the characterization that this only applies to large facilities like Boeing, GE, and Caterpillar. I am tired of that. Let me tell you. In North Dakota, we have 16 suppliers. These are small businesses. These are people who have done creative things in an environment that you wouldn't think would be successful. They are suppliers to Boeing. What happens when Boeing cannot do a deal? What happens when Boeing moves their operation someplace else and the requirement is that those parts be manufactured in that country? What happens? Guess what. Those 16 manufacturers are injured. Those 16 manufacturers have their lives disrupted, through no fault of their own, not because they didn't produce a quality product, not because they didn't do everything they needed to do to be successful.

Just last week, the Wall Street Journal reported that 350 high-paying American manufacturing jobs are headed to Canada. That is a direct result of the last reauthorization back in 2015. I think we can clearly expect many more of these stories. I would ask my colleagues: Who is going to go to that manufacturer or worker? Who is going to talk to the children who now have a father who no longer has a job or a mother who no longer has a job and say: Because someone told me, I am not going to do it. I am not going to support you. I don't represent you. I represent an ideology here.

This is a tragedy at so many levels. I guess I naively thought, when you win, you win, and when you win by big majorities, you ought to win for at least more than a day.

I stand ready to fight this fight. I stand ready to attach and do everything I can to either get this nomination or to get a patch or legislation that will, in fact, provide opportunities for the Bank to function. I will do everything I can because when I go to bed at night, I don't think about the Boeing and the GE executives. That is not whom I think about. I think about that person on the factory line who is working every day putting food on the table for their children and how this dysfunction here is costing them their livelihood and their security. That is a tragedy we can't ignore.

Mr. President, I yield the floor to my colleague from Indiana.

Mr. DONNELLY. Mr. President, I echo the words of my colleague from North Dakota.

I have 6.5 million bosses in Indiana. These think tanks out here, these other organizations, they are not my boss. That family who wants to make sure there is a paycheck coming into the house, and all mom and dad wants is a chance to go to work, they are whom we should be working for—for the same people my colleague from North Dakota works for in Bismarck, in Fargo, in Muncie, in Richmond, in Maryville, in Lafayette, and all of these suppliers around my State whose jobs are dependent on these export opportunities that we are walking away from by standing against the Export-Import Bank.

Here we are again, on the floor of the U.S. Senate, talking about our responsibility to do our job and to consider the President's nominees to important Federal offices. The nominee we are talking about, Mark McWatters, is a Republican nominee for the Board of Directors for the Export-Import Bank, and we are all lined up on this side to support him. It is the official export credit agency of the United States. It helps American companies—so many in my State of Indiana—create jobs, an opportunity, and a chance for people to go to work, put a roof over their kids' heads, to be able to retire with dignity, and to be able to compete in a global economy.

That is what this is about. Every other country you look at has one of these export-import banks. It is helping their organizations, their businesses, and their countries compete.

Each of us speaking today worked closely with Senator HEITKAMP last year to reauthorize the Bank. It was a strong, overwhelming bipartisan vote in support of reauthorization. It demonstrated the need for this entity that helps create American jobs at no cost to taxpayers and, in fact, sends money back to the Treasury.

In 2014, the Ex-Im Bank supported 164,000 American jobs. That is 164,000 moms and dads who are able to have dignity, a job, take care of their children, and be a tremendous credit to their community. That is what this is about; $27.5 billion in exports and it returned $675 million to the U.S. Treasury. It creates jobs, reduces the deficit, and spurs economic growth. Despite widespread support, our inaction here keeps the Bank from being in operation. In order to approve certain financing, the Bank needs a minimum of three Senate-approved Board members. We have two.

McWatters' nomination has been pending in the Senate Banking Committee for 5 months. All it takes is a vote. Requests to confirm the nominee by unanimous consent have been rejected.

American companies are struggling to compete against foreign competitors that benefit from currency manipulation, illegal trade, intellectual property theft, and other foreign barriers. Yet a handful of Senators are making life more difficult by not considering this nomination. If we are not willing to stand up for our own companies, for our own workers, then what are we doing?

It is disappointing that an important tool for economic growth isn't being utilized simply because some in the Senate refuse to do our job. The American people expect better, the American people deserve better, and the workers of this country deserve better.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, what my distinguished colleagues from North Dakota and Indiana are proposing is to unleash the Export-Import Bank from the constraints under which it currently must operate and to begin authorizing transactions above $10 million. Between 2007 and 2014, 84 percent of the Bank's subsidy and loan guarantee deals exceeded $10 million—84 percent—and the vast majority of those were given to the wealthiest, most well-connected businesses in America that should have no problem at all obtaining financing in the open market.

The Export-Import Bank represents so much of what the American people resent and despise about Washington, DC. This is a Great Depression era relic, one that lives on today and has grown into one of the most treasured relics for favoring banks. It is a favored relic for well-heeled lobbyists, big government, and politically favored businesses. It is an 82-year-old case study in American corporate welfare, and for some reason this Senate continues to support it.

Ex-Im has managed to live through more than 30 corruption and fraud investigations into its system of doling out taxpayer-backed subsidies and loan guarantees to foreign buyers of U.S. exports. In 2013, for half of the financing deals within the Export-Import Bank's portfolio, Ex-Im was either unable or unwilling to provide any justification whatsoever connected to its mission. That is $18.8 billion in estimated export value that apparently had no connection to Ex-Im's mission or, if it did, Ex-Im didn't bother to offer that up.

Many of Ex-Im's supporters claim the Bank's main function is to support small business. That sounds nice, but the problem with it is that this claim doesn't stand up to even a modest amount of scrutiny. Look at the institution's track record. Only one-half of 1 percent of all small businesses in America benefit from Ex-Im financing—one-half of 1 percent. And even that tiny figure may well be an overestimation, may well overstate the case, because Ex-Im uses such a broad definition of the term small business.

Confirming this nominee would allow Ex-Im to return to its old ways of approving massive financing deals for the largest corporations, in coordination with the largest banks, all with the backing of American taxpayers.

Permanently ending the Export-Import Bank would be a small but important and symbolic step toward restoring fairness to our economy and fairness to our government. It would prove to the American people that their elected representatives in Congress have the courage to eliminate one of the many Federal programs that foster cozy relationships between political and economic insiders, providing a breeding ground for cronyism and for corruption. So long as this Senate remains unwilling to close Ex-Im, we should, at the very least, make sure it does not have the ability to further advance its cronyist agenda.

If you want to talk about harming competitiveness, let's talk about that. If we want to have that discussion, let's have that discussion now. If you want to know what harms competitiveness in America, including and especially the kind of competitiveness that has tended to foster the development of the greatest economy the world has ever known—the kind of competitiveness that makes it possible, where it exists, for small businesses to make it onto the big stage—let's look at Federal regulations.

Federal regulations are a big deal in this country. I remember being appalled 20 years ago to learn the Federal regulatory system was imposing some $300 billion a year in corporate compliance costs—regulatory compliance costs. Those regulatory compliance costs might be borne immediately and initially by big corporations, by small corporations, mostly by businesses, but you know who pays for it? Hard-working Americans. In fact, some have described this effect as sort of a backdoor, invisible, and very regressive tax on the American people.

So when I first learned of this problem, I started thinking of it this way. This is an additional $300 billion a year the American people are essentially paying into the Federal Government because everything they buy—goods and services—becomes more expensive. They also pay for it in terms of diminished wages, unemployment, and underemployment, but they do pay for it. And they pay for it disproportionately at the middle and at the low end of the economic spectrum in America.

Unlike our actual tax system—our visible tax system—which is highly progressive, our backdoor invisible tax system—our regulatory system—is highly regressive. Some have estimated this regulatory compliance cost—just complying with Federal regulations—today costs the economy some $2 trillion a year, meaning this has multiplied roughly sevenfold just in the last 20 years.

If you don't think that is a significant impediment to competitiveness in America, I don't know what is. This is a problem. And some have estimated that each and every American household pays some $15,000 more each year for goods purchased simply because of Federal regulations. This hurts competitiveness. So do our high tax rates; these harm competitiveness.

So I stand with the senior Senator from Alabama and I support him in his objection.

I thank the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, will the Senator from Utah yield for a question?

Mr. LEE. Yes.

Ms. HEITKAMP. Mr. President, I share my colleague's concerns about overregulation and the burden of regulation. I have been fighting regulation that makes no sense here in Congress, and so I agree with him. But that is not what we are talking about today. We are talking about the Export-Import Bank.

I would ask my colleague: What percentage of all transactions at the Export-Import Bank goes to small business, as defined by the Bank?

Mr. LEE. Mr. President, as my colleague is asking the question, I assume she has the answer.

Ms. HEITKAMP. I do.

Mr. LEE. And I am sure she is prepared to tell us that.

Ms. HEITKAMP. Well, obviously, I do want to maybe make some points that are contrary to some of the discussion that my colleague just had.

Ninety percent of all Ex-Im transactions are with small businesses that are under $10 million. The amount of transactions over $10 million is huge, I will give you that. But, again, we talk about the supply chain that goes into those transactions over $10 million.

The Peterson Institute recently estimated the United States is losing $50 million in exports each day this nomination is not confirmed.

We have had disagreements with the Senator from Utah over the Ex-Im Bank—disagreements we debated when

we reauthorized the Bank. So I would ask the Senator from Utah: Why not move the confirmation of McWatters to the floor so my colleague can have a full-throated debate about the Bank? Why not have a full-throated debate instead of hiding that nomination in the Banking Committee and using that structure to thwart what in fact a majority of both bodies of the Congress and the President have done when they reauthorized the Bank?

Mr. LEE. I am grateful to respond to both points made by my distinguished colleague, the Senator from North Dakota.

In the first place, as to the need to have a full-throated debate, I welcome that. That is exactly what we need. It is what I have been wanting to have for a long time. But last year, instead of having a full-throated debate specifically about Ex-Im, we saw Ex-Im attached to a much larger package—a much larger package that a lot of people were determined to support, regardless of what else was in there. So a lot of people voted for that package, regardless of how they might feel about the Export-Import Bank. But as for a full-throated debate, yes, that is exactly what we need. We would get that if we could actually debate the reauthorization of Export-Import on its own merits, as we should have done last year. We were deprived of that opportunity, so now we are using every opportunity we can to have a real full-throated debate. That is why we are doing this. That is exactly the reason we need to do that.

As to the figure the Senator cited with respect to the percentage of loans going to small business, sure, if one wants to talk about the number of actual loans made, one can make that number look pretty good. But look at the number that I think is more significant: Only one-half of 1 percent of all small businesses in America actually benefit from Ex-Im financing. That is a pretty significant deal when one looks at how much of the lending authority in the total dollar amount the Export-Import Bank supplies to larger businesses and to businesses, regardless of their size, that could in fact obtain financing in the open market.

Again, we are not back in the Great Depression anymore. This is a Great Depression era relic. So regardless of what my colleague may think about the Great Depression era dynamics at play that caused those serving in this body and the House of Representatives in the 1930s to put this program in place, we have other challenges today. And many of those challenges are created by the government itself—by the government being too big a presence within our marketplace, inuring ultimately to the benefit of big business and harming everyone else.

Ms. HEITKAMP. Mr. President, I see other colleagues here ready to make presentations, but I just want to make two final points.

If my colleagues want a full-throated debate, then move the nomination onto the floor and out of the committee. Let's have the debate. My colleagues are using the nomination to reemphasize and relitigate the Ex-Im Bank. Let's do it.

In the meantime, let's appreciate that, in spite of everything that is being said here, we need the Bank to be competitive. We need the Bank to make sure that we can, in fact, manufacture in this country. And that is something that gets lost in all the rhetoric.

I think one of the things we have an obligation to think about is all those jobs that are going to go someplace else and all those Americans who are going to stand in the line for unemployment benefits and who are going to get their pink slips. And who in the U.S. Senate wants to line up at the factory door as they are walking through the last time and shake their hand and say: You know, too bad you lost your job.

So I yield the floor, and I intend to have further debate about the Export-Import Bank.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I would note that Senator KLOBUCHAR is here and she, I believe, wanted to participate in the discussion about the IMF, but we shortly have a vote, and we would very much like to proceed. The majority leader is here also.

I am prepared to speak now on the pending Reed amendment that we are going to go to a vote on at 11:15.

Ms. MIKULSKI. We need to talk on the bill.

Ms. KLOBUCHAR addressed the Chair.

Mr. REED. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. REED. I yield the floor to the majority leader.

The PRESIDING OFFICER. The majority leader.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 120, H.R. 2578.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 120, H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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. 120, H.R. 2578, an act making appropriations for the Department of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Mike Crapo, Richard C. Shelby, Richard Burr, Daniel Coats, Ben Sasse, Roger F. Wicker, Thom Tillis, Steve Daines, Chuck Grassley, Susan M. Collins, Thad Cochran, James Lankford, Lamar Alexander, John Hoeven, Roy Blunt.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. MCCONNELL. I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 4549

Mr. REED. Mr. President, I would like to make some brief remarks with respect to the Reed amendment that is pending, before our vote. Senator MIKULSKI would like to also, and I note the chairman is here. But I ask unanimous consent that when I finish my brief remarks, Senator MIKULSKI be recognized.

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

Mr. REED. I thank the Chair.

Mr. President, we have had a very extensive and very thoughtful debate about the underlying amendment by Senator MCCAIN to increase OCO spending by $18 billion strictly for Department of Defense operations and functions, and those are very critical and very important.

There have been two principles we have followed over the last several years when it comes to trying to push back the effects of sequestration. Those principles have been that the security of the United States is significantly affected by the Department of Defense's operations, but not exclusively. Indeed, there are many functions outside the parameters of the Department of Defense that are absolutely critical and essential to the protection of the American people at home and abroad: the FBI, the Department of Homeland Security, the CDC. So that has been one of the principles. The other principle we recognize is that that in lifting these temporary limits, we have to do it on an equal basis.

What the amendment Senator MIKULSKI and I have offered does is embrace

these two principles. We would add an additional $18 billion to the chairman's $18 billion. That would encompass the broader view of national security, and do so in a way that I think is very sensible, and allow us to go forward as we have in the past.

All of us recognize the extraordinary sacrifices made by the men and women of our Armed Forces and the fact that they continue to serve as the frontline of the defense in so many different aspects. But we also recognize that defending our interests means agencies outside the Department of Defense—the State Department, Homeland Security—that have absolutely critical and indispensable roles in our national security.

Reflecting on the comments before about the potential for incidents both here and abroad, if we go back to 9/11, that was not a result of a failure to have trained Army brigades or marine regiments or aircraft carriers at sea; that was a deficiency in the screening of passengers getting on airplanes; that was a failure to connect intelligence that one FBI office had that was not shared effectively. Those threats to the United States will not be directly remedied even as we increase resources to the Department of Defense. Resources have to go to these other agencies as well. I think that is something we all recognize, and that is what is at the heart of what we are doing.

In addition, over the last decade we have seen a host of other threats, particularly cyber threats, which were rudimentary back in 2001, 2002, and 2003. Now we see them as ubiquitous—not rudimentary—and threatening and with an increasing sort of sophistication.

I recall that in a hearing Senator COLLINS and I had with the Department of Transportation and the Department of Housing and Urban Development, we asked the IG: What is the biggest issue that you think is facing your Departments right now? Both said it is the issue of cyber security—protecting the data we have, protecting the records we have, protecting ourselves from being an unwitting conduit into even more sensitive government systems.

So within our amendment, we propose significant resources for cyber protections throughout the Federal Government—Homeland Security, Health and Human Services, Housing and Urban Development, et cetera. These are essential, and I think the American people understand that.

We also understand that our infrastructure is critical to our economic well-being and our economic growth. Part of our dilemma going forward and one of the reasons we are locked in this sequestration battle is that unless we are growing our economy, we will be continually faced with difficult challenges about what we fund, how we fund it, how we provide the revenue to meet these obligations. One of the surest ways to increase our growth is to invest in our infrastructure.

I think what we are proposing makes sense in two fundamental ways. It recognizes—as I think everyone does—that our national security is not exclusively related to the programs and functions of the Department of Defense and that our national security is a function not just of our military, intelligence, and other related agencies, but the vitality and strength of the country, the ability to grow and to afford these investments in defense, in homeland security, and others. We make it clear. We make it clear in this legislation that that is our proposal. And the stakes are clear: We want to go ahead and support a broad-ranged increase in resources.

The final point I will make is that this is all in the shadow of the ultimate issue, which is getting rid of sequestration—not just for one part of the government but for the entire government. If we don't address that next year, we are going to be in an extraordinarily dire situation.

With that, I ask my colleagues sincerely and very fervently to support the Reed-Mikulski amendment. I think that would put us on the track to true national security.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, how much time does our side have?

The PRESIDING OFFICER. There is no divided time. We have a vote scheduled at 11:15 a.m. but no divided time.

Ms. MIKULSKI. Well, I will be quick in my remarks.

First, I just want to comment about real leadership and how blessed we are to have what we have. I compliment both the chairman and the ranking member of the Armed Services Committee. The chairman, Senator MCCAIN, is a graduate of the Naval Academy and is a well-known and well-respected war hero who for his entire life has stood for defending America. Our ranking member, Senator JACK REED of Rhode Island, is a West Point graduate and a paratrooper, so he knows what it is like to make big leaps for the defense of the country. They have done their best to do a bill. They find that their budget allocation is very tight, and we understand that.

What we seek here is parity in what the gentleman from Arizona, Senator MCCAIN, is offering as his amendment, and he has spoken thoroughly and eloquently about it. Senator REED has spoken eloquently about how not all national security is in the Department of Defense, and we need more money for the State Department, Homeland Security. There are others in our part of the bill, the nondefense discretionary part, related to research and development and also investments in health and education.

There are those who would say: Well, Senator MIKULSKI, you know what Senator MCCAIN wants to do.

Yes.

You know what Senator REED wants to do. Not all defense is in DOD.

Yes.

But aren't you being squishy?

No, I am not being squishy at all when we talk about the needed nondefense discretionary for research and others.

Very quickly, when we won World War II, Roosevelt made it clear that it was our arsenal of democracy that enabled one of the greatest fighting machines ever assembled to be successful. We need to continue to have an arsenal of democracy. That arsenal of democracy will always be cutting edge and maintain its qualitative edge because of what we will do with research and development, often in civilian agencies, whether it is the Department of Energy that will produce more trucks, whether it is the National Science Foundation working with others to make us even more advanced in computational capacity so that we have the best computers to defend us, not only in cyber security but in others. There is a new kind of arsenal of democracy, and we need to have a strong economy and we need to have continued research and development to maintain our qualitative edge.

Let's go to the wonderful men and women who serve our military. Only 2 percent of the population signs up, but when they sign up, boy, are we proud of them. We share that on both sides of the aisle. But what GEN Martin Dempsey, the former head of the Joint Chiefs—himself a decorated hero—said to me was this: Senator MIKULSKI, out of every four people who want to enlist in our military, only one is taken because only one will be fit for duty. One category can't pass because they can't pass the physical fitness. They have too many physical problems.

Well, why is that?

Then the other won't be taken by the military because they fail the literacy and the math—a failure of education. Third, there is another category because of issues with either addiction or emotional problems.

So we need to look at our total population. We need a totally strong America to have a strong defense.

I know some people say what I want to do and some of my colleagues want to do—we not only want to maintain parity in the Budget Act consistent with our votes and our principles, but look at that. Also, when we vote, know why we are doing this. We want to maintain our arsenal of democracy. We want to maintain our cutting edge and our qualitative edge. We also want our young men and women to be fit for duty, whether it is for military service or other service to the Nation.

I know the gentleman from Arizona is waiting. I have now completed my remarks, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Maryland. She is tough and principled, a great representative of her State, and she has been a friend for many years. I thank

her for her words. I also respectfully, obviously, disagree.

This vote is obviously one that places domestic considerations on the same plane as national security. As we look around the world, I think it is pretty obvious that since 2011—the world was a very different place when sequestration was enacted. We need to have a military that is prepared to fight and is not unready, planes that can fly, ships that can sail, and men and women who are trained to fight. All of those have been impacted by sequestration.

With the Director of National Intelligence telling the Armed Services Committee and the world that there will be attacks in Europe and the United States of America, we cannot afford an $18 billion cut from last year and an over $100 billion cut since 9/11.

Every one of our military leaders has told us that we are putting the men and women who are serving in uniform at greater risk. That is not fair to them, I say to the Senator from Maryland. It is not fair. So I don't put our domestic needs on the same plane as our national security. I believe our national security is our first obligation, and that is what my amendment is all about.

Mr. President, I ask unanimous consent for 3 minutes on the Democratic side and 3 minutes on my side prior to the second vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, 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. REED. 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

The PRESIDING OFFICER. 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 Reed amendment No. 4549 to the McCain amendment No. 4229 to S. 2943, the National Defense Authorization Act.

Harry Reid, Jack Reed, Richard J. Durbin, Michael F. Bennet, Charles E. Schumer, Patty Murray, Richard Blumenthal, Jeff Merkley, Jeanne Shaheen, Al Franken, Gary C. Peters, Bill Nelson, Barbara Boxer, Robert Menendez, Sheldon Whitehouse, Amy Klobuchar, Barbara A. Mikulski.

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 amendment No. 4549, offered by the Senator from Rhode Island, Mr. REED, to amendment No. 4229 to S. 2943, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

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

The yeas and nays resulted—yeas 43, nays 55, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—43

Ayotte	Gillibrand	Nelson
Baldwin	Heinrich	Peters
Bennet	Heitkamp	Portman
Blumenthal	Hirono	Reed
Booker	Kaine	Reid
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Markey	Stabenow
Casey	McCaskill	Udall
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murphy	
Franken	Murray	

NAYS—55

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	Kirk	Tester
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NOT VOTING—2

Sanders	Warner

The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 55.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, there will now be 6 minutes of debate, equally divided, prior to the vote.

Ms. MIKULSKI. Mr. President, today I will vote against Senator MCCAIN's amendment No. 4229, the $18 billion of additional spending for the Department of Defense.

I support the troops and their mission, especially Maryland's nine military bases. While there are many items I would like to see more money for, I believe we can meet the needs of our national defense within the budget caps. For fiscal year 2017, the Department of Defense appropriations bill reported unanimously by the Appropriations Committee last week did that.

The Defense appropriations bill accomplishes many objectives without a budget gimmick. It uses base funding to provide $600 million to meet Israel's missile defense, an increase of $455 million above the request. The McCain amendment offers only $465 million. Appropriations will add $600 million to Israeli defense.

Let's look at new, modern ships. The McCain amendment authorizes $90 million less for the littoral ships than what we do. We put in $475 million. The McCain amendment adds nothing to an account for the National Guard and Reserve. The Defense appropriations bill adds $900 million for the Guard and Reserve equipment account so they can recapitalize themselves, so they can be part of our fighting military for our Commander in Chief.

Also, we can look at something like the Arctic. There is a threat to the Arctic. Senator MURKOWSKI from Alaska has spoken eloquently about it. We have money in here for polar icebreakers. The Russians have 6, and we have 1 in Antarctica. This helps the shipbuilding industry and so on.

We can do this in Defense appropriations. I urge the rejection of the McCain amendment. We can meet our national defense without a budget gimmick.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, facts are stubborn things. They add $7 billion. We want $18 billion to restore the cuts from last year.

So I say to the Senator from Maryland: Facts are stubborn things. The fact is this amendment increases spending by $18 billion, which brings us up to last year's level.

Look at how the world has changed in the last year. Look at the commitments that this Nation has assumed as a result of a failed Obama foreign policy.

It increases the military pay raise to 2.1 percent. The current administration budgets 1.6. It fully funds our troops in Afghanistan. It stops the cuts to end strength and capacity. For example, it cancels a planned reduction of 15,000 active Army soldiers. It prevents cutting the 10th carrier air wing. It includes additional funding for 36 additional UH–60 Blackhawk helicopters, five Apaches, and five Chinooks. It provides an additional $319 million for Israeli defense programs and $2.2 billion for readiness.

We have ships that can't sail and planes that can't fly and pilots that can't train. Do you know our pilots are flying less hours than Russian and Chinese pilots are, thanks to sequestration?

It addresses the Navy's ongoing fighter shortfall and USMC aviation readiness. It supports the Navy's shipbuilding programs, necessary to fund the additional DDG–51, and restores the cut of 1 littoral ship. That is the job of the authorizers. You are doing the job of the authorizers, I say to the Senator from Maryland, and that is wrong. It is up to us to authorize, not you. It is your job to fund, not to authorize.

So what is a ''no'' vote going to do, my friends?

It is going to be a vote in favor of another year where the pay for our troops doesn't keep pace with inflation. In voting no, you are cutting more soldiers and marines in operational requirements. Voting no will be a vote in favor of continuing to shrink the number of aircraft that are available to the Air Force, Navy, and Marine Corps. Voting no would be a vote in favor of letting arbitrary budget caps set the timeline for our mission in Afghanistan. Voting no is a vote in favor of continuing to ask our men and women in uniform to continue to perform more and more tasks.

As the Chief of the U.S. Army has said, if we continue these cuts, we are putting the lives of the men and women in the military in danger. If you vote no, don't go home and say you support the military, because you do not.

I yield.

CLOTURE MOTION

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

The bill 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 McCain amendment No. 4229 to S. 2943, an act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Roger F. Wicker, Richard Burr, James M. Inhofe, Pat Roberts, Tom Cotton, Thom Tillis, Roy Blunt, Shelley Moore Capito, Dan Sullivan, Lindsey Graham, Lisa Murkowski, David Vitter, 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 amendment No. 4229, offered by the Senator from Arizona, Mr. MCCAIN, to S. 2943, 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. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

THE PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—56

Ayotte	Boozman	Collins
Baldwin	Burr	Cornyn
Barrasso	Capito	Cotton
Bennet	Casey	Crapo
Blumenthal	Cassidy	Cruz
Blunt	Coats	Daines
Donnelly	King	Rubio
Ernst	Klobuchar	Sasse
Fischer	McCain	Scott
Gardner	McCaskill	Sessions
Graham	McConnell	Shelby
Hatch	Moran	Stabenow
Heinrich	Murkowski	Sullivan
Heitkamp	Perdue	Thune
Hoeven	Peters	Tillis
Inhofe	Portman	Toomey
Isakson	Risch	Vitter
Johnson	Roberts	Wicker
Kaine	Rounds	

NAYS—42

Alexander	Franken	Murphy
Booker	Gillibrand	Murray
Boxer	Grassley	Nelson
Brown	Heller	Paul
Cantwell	Hirono	Reed
Cardin	Kirk	Reid
Carper	Lankford	Schatz
Cochran	Leahy	Schumer
Coons	Lee	Shaheen
Corker	Manchin	Tester
Durbin	Markey	Udall
Enzi	Menendez	Warren
Feinstein	Merkley	Whitehouse
Flake	Mikulski	Wyden

NOT VOTING—2

Sanders	Warner

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Arizona.

AMENDMENT NO. 4229 WITHDRAWN

Mr. MCCAIN. Madam President, I withdraw my amendment No. 4229.

The PRESIDING OFFICER. The Senator has that right, and the amendment is withdrawn.

AMENDMENT NO. 4607

Mr. MCCAIN. Madam President, I call up my amendment No. 4607.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 4607.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To amend the provision on share-in-savings contracts)

On page 508, strike line 10 and all that follows through ''(d) TRAINING.—'' on line 15 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) TRAINING.—

Mr. MCCAIN. Madam President, I believe we are waiting for the Senator from Utah.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Madam President, I have five unanimous consent requests for committees to meet during today's session of the Senate. They have the approval of the majority and minority leaders.

I ask unanimous consent that these requests be agreed to and that these requests be printed in the RECORD.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Madam President, for the benefit of my colleagues, until we finish this bill, I don't want anybody doing anything but finishing this legislation.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, while we are waiting, I believe that one of the Senators is coming to the floor for a unanimous consent request.

I would like to talk for a minute with my friend from Rhode Island, the ranking member, about a provision that is being held up, unfortunately, and that has to do with our interpreters, who have literally placed their lives on the line in order to help Americans and literally save American lives. That amendment is being held up for extraneous reasons.

The Senator from New Hampshire, I, and everybody on a bipartisan basis, and with fervent pleas from people such as GEN David Petraeus, GEN Stanley McChrystal, and Ambassador Ryan Crocker—later on I will read all of these individuals' letters that are almost wrenching because, in the words of, I believe, General McChrystal, it is not just a regular obligation, it is a moral obligation. Are we going to not allow these people to come to the United States, these people who literally laid their lives on the line for us and saved American lives, in the view of our military leadership who testified to that? General Petraeus wrote a very compelling letter. All the most respected military and diplomatic leaders have asked for this, and it is being held up for extraneous reasons.

I alert my colleagues that the Senator from Rhode Island and I are going to ask unanimous consent to move to that amendment because there are 99 votes in favor of it.

We cannot do this. We cannot do this to people who are allies. What message does it send to anybody who wants to assist the U.S. military and government—not just the military; the government—in carrying out their responsibilities and missions? If we send the message that we are going to abandon those people, what will happen in the next conflict? What will happen in Afghanistan today?

I hope an objection will not take place. I would like to alert my colleagues that in the next 15 or 20 minutes we will be moving that amendment, asking unanimous consent. Anyone who opposes it, I suggest they come to the floor and be prepared to object. This is really a matter of what America is all about. As important as an amendment that is not connected to that is, I don't know of a higher obligation we have than to care for those who have, as I say for the third time, laid their lives on the line and saved American lives in our pursuit of trying to achieve our goals.

So I would alert my colleagues that in 15 minutes we will be proposing a

unanimous consent agreement to pass that amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I join the chairman. He has very eloquently and passionately described the situation we are in. We have thousands of Afghans who have come forward and helped our forces—not just our military forces but our diplomats and our AID workers. They have been the translators. They have been on the frontlines, and they have exposed themselves to risk. Many of them are in danger of retaliation. What they want and what I think is owed to them is the opportunity to relocate to the United States.

The Senator from New Hampshire has proposed an amendment and has worked incredibly hard to satisfy objections from many different quarters, both technical and substantive, and I think has reached a very principled approach that would recognize our obligations to these individuals. It would, in a very controlled and very careful way, allow them to relocate to the United States.

Again, I thank the chairman for his passionate leadership and the Senator from New Hampshire for her extraordinary and tireless efforts, for the last 24-plus hours and throughout the larger process.

The other point I wish to make, and it does echo what the chairman said, in Afghanistan and elsewhere, but particularly in Afghanistan, if we are going to sustain our presence there, as I believe we must, we have to be able to recruit additional Afghans to help us. If the message they are getting is ''You are going to put your life on the line, and when you are no longer useful to them, they don't even remember you. You are not even a name; you are just a nobody,'' we are going to have a difficult time. If we can't recruit these highly skilled interpreters and other Afghans, our personnel—diplomatic, military, and others—will be in jeopardy. In addition to supporting our troops, some of these interpreters have been involved with FBI agents who were in Kabul and other places on counterterrorism operations. It is very dangerous work. Work that couldn't be done without these interpreters.

Again, the Senator from New Hampshire has done the bulk of the work, and we have done good work in getting to the point where we really need to get this passed.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I join Chairman MCCAIN and Ranking Member REED in the very eloquent remarks they have provided in support of the Special Immigrant Visa Program for Afghans who have assisted our men and women on the ground serving in Afghanistan.

Chairman MCCAIN mentioned the letter from GEN Stanley McChrystal. I would like to read a few sentences from this letter that was sent to all the Members of Congress.

General McChrystal says:

The U.S. military presence in Afghanistan relies on allies who serve as translators, security personnel, and in a multitude of other functions. All of these actors are vital to the U.S. mission, whether [they] work directly or indirectly with U.S. forces. Afghans who served the United States in non-military capacities or in support of the Department of State face serious threats as a result of their service.

He goes on to say:

If this program falls far short of the need, it will have serious national security implications.

We have received similar letters from GEN John Campbell, who was head of the forces in Afghanistan, and from General Nicholson, who is currently the general and commander of resolute support of United States Forces-Afghanistan. Ryan Crocker, a former Ambassador in Afghanistan, has been very eloquent in the need to continue to support this program and make sure those Afghans who have stood with our American soldiers can come to the United States.

Madam President, I ask unanimous consent to have printed in the RECORD these letters and this article from Ryan Crocker.

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

MCCHRYSTAL GROUP, LLC,
Alexandria, Virginia, May 1, 2016.

Hon. Senator JOHN MCCAIN,
Russell Senate Office Building,
Washington, DC.
Hon. Senator JACK REED,
Hart Senate Office Building,
Washington, DC.
Hon. Representative MAC THORNBERRY,
Rayburn House Office Building,
Washington, DC.
Hon. Representative ADAM SMITH,
Rayburn House Office Building,
Washington, DC.
Hon. Senator CHARLES GRASSLEY,
Hart Senate Office Building,
Washington, DC.
Hon. Senator PATRICK LEAHY,
Russell Senate Office Building,
Washington, DC.
Hon. Representative BOB GOODLATTE,
Rayburn House Office Building,
Washington, DC.
Hon. Representative JOHN CONYERS, JR.,
Rayburn House Office Building,
Washington, DC.

DEAR SENATORS AND REPRESENTATIVES: I write today to express my support for the Afghan Special Immigrant Visa (SIV) program and to express my opinion that additional SIVs are desperately needed.

Throughout my service in the U.S. military, I have seen just how important a role our in-country allies play in our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—but have risked their own and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security. I ask for your help in upholding this obligation by appropriating additional Afghan SIVs to bring our allies to safety in America.

It is crucial that Congress act to provide additional visas for the SIV program. The most recent figures from the State Department suggest that at least 10,000 applicants remain in the SIV processing backlog; as our troop presence in Afghanistan continues, we can only expect more endangered Afghan allies to seek our help, adding to the backlog. The Department of State has indicated that an additional 4,000 Afghan SIVs for the year would allow it to continue to process and issue visas in Fiscal Year 2017. If this program falls far short of the need, it will have serious national security implications.

I am also concerned that Congress may limit eligibility for SIV applicants. The U.S. military presence in Afghanistan relies on allies who serve as translators, security personnel, and in a multitude of other functions. All of these actors are vital to the U.S. mission, whether the work directly or indirectly with U.S. forces. Afghans who served the United States in non-military capacities or in support of the Department of State face serious threats as a result of their service. They are currently eligible for the SIV program and their eligibility should remain intact.

Thank you for your support of the Special Immigrant Visa program. Congress must ensure that the SIV program for our Afghan allies—one of the only truly non-partisan issues of the day—meets the needs of those we seek to help.

Sincerely,

STANLEY A. MCCHRYSTAL,
General, U.S. Army (Retired).

HEADQUARTERS,
RESOLUTE SUPPORT,
Kabul, Afghanistan, May 20, 2016.

Hon. JOHN MCCAIN,
Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I would like to express my support for the continuation of the Special Immigrant Visa (SIV) program. It is my firm belief that abandoning this program would significantly undermine our credibility and the 15 years of tremendous sacrifice by thousands of Afghans on behalf of Americans and Coalition partners. These men and women who have risked their lives and have sacrificed much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and honor our commitment to any Afghan who supports the International Security Assistance Force and Resolute Support missions could have grave consequences for these individuals and bolster the propaganda of our enemies.

During my previous three tours in Afghanistan, I have seen many Afghans put themselves and their families at risk to assist our forces in pursuit of stability for their country. The stories of these interpreters and translators are heart-wrenching. They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.

Afghanistan faces a continuing threat from both the Afghan insurgency and extremist networks. We must remain committed to helping those Afghans who, at great personal risk, have helped us in our mission. This is the second year the Afghan National Defense and Security Forces (ANDSF) are in the lead for security. They are fighting hard and

fighting well for a stable, secure Afghanistan. The vast majority of the SIV applicants have served as interpreters and translators for our troops. They have exposed themselves and compromised the safety of their families to provide critical situational awareness and guidance, both of which have helped save countless Afghan, American and Coalition lives.

Thank you for your continued support of American troops in Afghanistan.

Very Respectfully,

JOHN W. NICHOLSON,
General, U.S. Army, Commander, Resolute Support/United States Forces—Afghanistan.

HEADQUARTERS,
UNITED STATES FORCES-AFGHANISTAN,
Kabul, Afghanistan.

Hon. JOHN MCCAIN,
Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I am writing you to express my strongest support for the Special Immigrant Visa (SIV) program.

Since our arrival in Afghanistan, U.S. Forces have relied upon our Afghan partners, especially our linguists, to perform our mission. They have consistently been there with us through the most harrowing ordeals, never wavering in their support for our soldiers, our mission, and their own country. Many have been injured or killed in the line of duty.

Unfortunately, their support of our mission has resulted in our Afghan partners facing threats from insurgent groups throughout the country. They frequently live in fear that they or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

After several ups and downs, the program remains an extremely important way for the United States to protect those who assisted us. By December 2014, the Department of State had issued all 4,000 Afghan SIVs allocated under the Consolidated Appropriations Act for Fiscal Year (FY) 2014. As you know, the FY15 National Defense Authorization Act provides 4,000 additional SIVs for Afghan applicants. The State Department's Status of Afghan Special Immigrant Visa Program report in April 2015 shows there are more than 8,000 SIV applications that have been submitted. Each week, I receive several personal requests and inquiries from linguists and others who have worked with, or continue to work with, U.S. Forces, seeking assistance with the Afghan SIV program. I inform them how we are working closely with Congress to obtain adequate SIV allocations each year. This shows just how important this program remains to our Afghan partners, as well our own forces.

Since I assumed command of the Resolute Support Mission/U.S. Forces-Afghanistan, much has changed and the Afghan National Defense Security Forces (ANDSF) are in the lead to secure the country. We have a willing and strategic partner whose interests are aligned with our own. The ANDSF is taking the fight to the enemy this fighting season and are performing well. Our prospects for long-term success and a strategic partner have never been better. We would not be in this position without the support and leadership of the U.S. Congress, the American people, the men and women who have served here with distinction, and our Afghan partners.

I urge Congress to ensure that continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan. This program is crucial to our ability to protect those who have helped us so much.

Thank you for your support for America's Soldiers, Sailors, Airmen, and Marines.

Sincerely,

JOHN F. CAMPBELL,
General, U.S. Army, Commanding.

[From the Washington Post, May 12, 2016]

DON'T LET THE U.S. ABANDON THOUSANDS OF AFGHANS WHO WORKED FOR US

(By Ryan Crocker)

The House will soon consider the National Defense Authorization Act, an annual piece of legislation that sets policy for the military. If the bill becomes law in its current form, the United States will break faith with the Afghans who served with U.S. troops and diplomats.

This is a very personal issue for me. I was the U.S. ambassador to Iraq from 2007 to 2009 and the U.S. ambassador to Afghanistan from 2011 to 2012. I observed firsthand the courage of the citizens who risked their lives trying to help their own countries by helping the United States. During my time in Afghanistan, I had the pleasure of working with the 859 Afghan staffers at our embassy who risked their lives every day to work for the betterment of their country and ours. It takes a special kind of heroism for them to serve alongside us.

Two men continue to stand out in my memory for their service to our nation. Taj, for instance, worked for the U.S. government for more than 20 years; he returned from Pakistan after the fall of the Taliban as the first local staffer in the reopened embassy. He was there when I first raised our flag in early 2002. His outreach to imams to discuss religious tolerance and women's rights under the Koran has achieved measurable results in fighting extremism. Another, Reza, helped connect embassy leadership with politicians and thought leaders, supporters and critics, to hear their concerns and ideas. To protect these brave men and their families, I can use only their first names here.

As a result of their service, many allies like Taj and Reza have faced—and continue to face—security threats so serious that they are unable to remain in their home countries. From 2006 to 2009, I worked closely with the Congress to establish special immigrant visa (SIV) programs for Afghans and Iraqis that enable our brave partners to come to safety in the United States because of the sacrifices they made on our behalf. Although Iraqi and Afghani ''special immigrants'' do not technically come as refugees under the law, that is exactly what they are, in essence: people persecuted because of their political actions and in urgent need of protection. Reza, for example, faced Taliban death threats for his work assisting our embassy and now lives in the United States.

In an era of partisan rancor, this has been an area where Republicans and Democrats have acted together. Congress has continued to support policies aimed at protecting our wartime allies by renewing the Afghanistan SIV program annually—demonstrating a shared understanding that taking care of those who took care of us is not just an act of basic decency; it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

By welcoming these Afghans, we would offer a powerful counter-narrative to the propaganda of the Islamic State and other extremist groups, which claim that the United States is hostile to Muslims. Turning our backs on people who worked with us would appear to give credence to the extremists' lies.

The need for help is particularly great this year as the U.S. military has reduced its presence in Afghanistan. There are 10,000 Afghans in the SIV application backlog. But the State Department has fewer than 4,000 visas remaining, which would leave more than 6,000 Afghans stranded in a country where their work for the United States means they are no longer safe. State requested 4,000 additional visas so that it can continue to process applications. Yet even these additional visas are not enough to protect all the Afghans and Iraqis who have worked and continue to support the United States abroad.

But the legislation, as it passed the House Armed Services Committee last week, goes in the opposite direction. Despite this backlog, the bill has no provision to increase the number of visas. It restricts the criteria for eligibility to military interpreters and translators who worked off-base and individuals who worked on-base in ''trusted and sensitive'' military support roles, excluding Afghans who worked in non-military roles such as on-base security, maintenance and support for diplomats and other government entities. Neither Taj nor Reza would have qualified under such revised criteria. When deciding whom to kill, the Taliban do not make such distinctions in service—nor should we when determining whom to save.

There is still time to save and strengthen this essential program. This week, the Senate Armed Services Committee is considering the bill. In past years, the bipartisan efforts of leaders like Sens. John McCain (R–Ariz.) and Jeanne Shaheen (D–N.H.) have kept these essential visa programs intact, and I hope they can do the same this year. Congress should both expand this essential program and work to fix the delays in processing that are weakening it.

This is truly a matter of life and death. I know hundreds of people who have been threatened because of their affiliation with the United States. Some have been killed. Today, many are in hiding, praying that the United States keeps its word. We can and must do better.

Mrs. SHAHEEN. Madam President, as Senator REED said, the amendment we have offered has been very carefully crafted. It has been a compromise among those who have had concerns about the program and those of us who believe it is critical we continue to support it. This is something all of those who have been watching this program have now agreed to, and I hope the objection we are hearing from some, that I think is unrelated to this issue, can be addressed.

I close with a story that says to me how important this program is. Senator MCCAIN and I had the opportunity 2 years ago to sit down with a former Army captain, a man named Matt Zeller, and his interpreter, an Afghan named Janis Shinwari, who had just been allowed into the United States. When I asked Matt Zeller how he met Janis and about the help he had provided him, his response was that they had met basically when he and his unit were under attack from the Taliban and he was knocked out in that attack. When he woke up, it wasn't he and fellow unit members of the military who were dead, it was the Taliban, and they were dead because Janis Shinwari was there and had protected Matt and the fellow members of his unit.

I think that says so much about how important these interpreters and those who have provided support to our men and women on the ground in Afghanistan have been. What will we say the next time we want somebody to help, when we need help in a country where our men and women are fighting, if they can look back and say: You didn't keep your word, United States, so why should we help you now?

This is our opportunity to continue to keep our word, to continue to make sure those people who helped us in Afghanistan, who protected our men and women on the ground there, are able to come to the United States when they are threatened, when their families are threatened, and be safe.

I certainly hope we can work out the objection we are hearing from some Members and that we can support this very carefully crafted compromise to make sure we protect those who have helped protect us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

INDUSTRIAL HEMP FARMING ACT

Mr. WYDEN. Madam President, we are working on the very important Defense bill, but I just wanted to take a few minutes to discuss another topic.

For some time, with the support of the Senate majority leader, Mr. MCCONNELL, Senator MERKLEY and Senator PAUL and I have all been trying to change Federal law so farmers across the country can secure the green light to grow hemp in America.

About a year ago, I came to the floor of the Senate with a basket of hemp products to highlight that this is a particularly important time in the debate—a time in history when we have kind of reflected on what this issue has been about. I have talked about how hemp products are made in this country, sold in this country, and consumed in our country, but they are not 100-percent American products. They can't be fully red, white, and blue products because the law says the hemp used to make them cannot be grown on a large-scale basis here at home.

Another year has gone by since the majority leader, Senator MERKLEY, Senator PAUL, and I teamed up, and unfortunately industrial hemp continues to be on the controlled substances list. Because of that unjustified status, hard-working farmers in Oregon and across our country have been deprived of the opportunity and benefits of a crop that has enormous economic potential—all because there has been this misinterpretation that in some way this is affiliated with marijuana.

Industrial hemp and marijuana come from the same plant species. Someone could say they have a similar look, but they are, in fact, very different in key ways. First and foremost, industrial hemp does not have the psychoactive properties of marijuana. You would have about as much luck getting high by smoking cotton from a T-shirt as you would by smoking hemp. In my view, the hemp ban looks like a case of illegality for the sake of illegality.

Four Members of the United States Senate, including the Senate majority leader, want to bring an end to this anti-hemp stigma that has, in effect, been codified in the law. We have talked about a whole host of hemp products—foods, soap, lotion supplements, hemp milk, and you can even use a hemp product to seal the lumber in a deck.

If you just look at the variety of products—the kinds of products I have shown here before—you can certainly see the ingenuity of American producers. You see a growing demand of American consumers for hemp products. My view is our hard-working farmers ought to have the opportunity to meet that demand.

Unfortunately, 100 percent of the hemp used in the kinds of products I brought to the floor have to be imported from other countries. So this ban on hemp is not anti-drug policy, it is anti-farmer policy. I have held this belief. I remember going to a Costco at home, when my wife Nancy was pregnant with our third child, and I saw there were hemp products available there at the local Costco, and I announced what was going to be a guiding principle of mine on this; that is, if you can buy it at a local supermarket, the American farmer ought to be able to grow it. Quaint idea, but I think if you walk through a Costco or any other store, you say to yourself: Must be pretty exasperating for American farmers to not have an opportunity to be part of generating that set of jobs associated with the ag sector because the jobs are coming from people overseas.

There has been a bit of progress. The 2014 farm bill puts the first cracks in the Federal ban. It okayed growth research projects led by universities and agriculture departments in States such as Oregon and Kentucky that take a smarter approach to hemp. These projects have proven successful. Farmers are ready to grow hemp, but the first cracks in the Federal ban do not go far enough, and these projects are still just tied up, tied up, and tied up in various spools of redtape.

In my view, what is needed is a legislative solution. So what we now have, in addition to the four of us—the Senators from Kentucky, the Senators from Oregon—is a bipartisan group of 12 Senators on the Industrial Hemp Farming Act. Once and for all, what we would say is, as a matter of law, let's remove hemp from the schedule I controlled substances list and give a green light to farmers from one end of the country to another who believe they would like to have a chance putting people to work growing hemp.

I urge my colleagues to reflect on the history of this time, to learn more about the safe and versatile crop and the great potential it holds to giving a boost to American agriculture and our domestic economy.

This is a bipartisan bill. The Senate majority leader, MITCH MCCONNELL; my colleague from Oregon, Senator MERKLEY; Senator MCCONNELL's colleague from Kentucky, RAND PAUL—the four of us, both Senators from Oregon, both Senators from Kentucky—say this is common sense. Twelve Members of the Senate are on board. It is time to turn this into law and give our hard-working farmers—and I note the Presiding Officer knows a bit about farming—I want to give our farmers another opportunity to generate profit and revenue for their important enterprises in America, and I hope my colleagues will support the legislation.

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

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

Mr. REED. Madam President, we have been moving very steadily through this authorization bill. I once again commend the leadership of Chairman MCCAIN. It really began months ago when the Chairman decided that he was going to do an in-depth analysis of the Department of Defense, calling upon experts from an extraordinary range of academic, military, and diplomatic leaders. As a result, we became much more knowledgeable than we were previously about things within the Department that we should very carefully review and perhaps change. In fact, because of his leadership, this is the most fundamental revision of the Goldwater-Nichols procedures that were adopted three decades ago. We have spent a lot of time discussing important issues, but I don't think we have given quite enough credit to the work that the Chairman and our colleagues have done with respect to some of these important reforms.

One area that we worked on together is developing statutory authority for cross-functional teams within the Office of the Secretary of Defense. One of the challenges that Goldwater-Nichols faced, and faced successfully, was to try to integrate operational units. They came up with the concept of jointness, which now we assume has always been there, but that was not the case 30 or 40 years ago. Because of the inspiration of the concept and because of the emphasis in the assignment process of moving forward and having an assignment not in your branch of service but in a job that required the integration of other services, that approach made a significant, fundamental change on the effective operations of military forces today, and we take it for granted.

Similarly, we want to take that type of approach not just in the services and

the operational command but within the headquarters of the Secretary of Defense. We have organized cross-functional teams that the Secretary—he or she—can adopt. These cross-functional teams exemplify the real mission of the Secretary. It is not to organize personnel or logistics. It is to achieve an outcome which requires every component to work together. This is just one example of the innovation that is being promoted in this legislation. Again, I think it is not only building on Goldwater-Nichols, but it is really going much further more effectively.

One of the inspirations for this approach is what has been done in private industry. Private industry has faced some of the same challenges as every large institution—and the Department is a large institution. They have lots of functional areas, but they didn't have a common operational technique, a common team, et cetera. Looking at the private sector, this model has become prevalent because it has reduced costs, increased efficiency, and delivered products on time—in fact, even faster than they thought they could do. We hope this approach will similarly provide the kinds of organizational structure and incentives for the Department of Defense that will make the Office of the Secretary of Defense much more efficient. That is just one aspect but there are other aspects that are critical too.

Some of the other aspects involve trying to focus research and engineering in one particular focal point in the Department of Defense. This is in reaction to the phenomenon that we have all observed, and that is that our technological superiority—which we took for granted for decades and decades and decades—is now being slowly eroded because of research that is going on across the globe. Part of our proposal is to have a very centralized figure with significant rank to focus on this research and engineering effort.

Other duties in terms of management of the program, operation of the Department of Defense, and testing issues could be coordinated with other elements. That is another important aspect of these proposals.

Again, we have spent a great deal of time discussing important issues, but I think we should not fail to note these important changes.

In addition to structure changes at the Department of Defense level, we are also creating a much more organizationally streamlined structure in order to more appropriately deliver services.

In addition, we worked closely with the Joint Chiefs of Staff to get their input about how the Chairman of the Joint Chiefs can be more effective as the principal adviser to the President of the United States. That is an important change to be made. We have also been very careful to get feedback from professionals within the Chairman's office so that we are doing things that make sense, that work, and that function appropriately.

Another important aspect to note in talking about very fundamental Goldwater-Nichols reform is the role of the Vice Chairman of the Joint Chiefs of Staff. That person has the responsibility to head the Joint Requirements Oversight Council—JROC—which I am well familiar with. Essentially, the JROC lays out for all the services what types of equipment they need, what requirements they are fulfilling—whether it be an undersea craft or a new aviation platform. After listening to the numerous experts that came before us, our observation was that the Vice Chairman might have been in a sense first among equals, but there were more consensus decisions without a focal point of leadership. What we have done in this legislation is make it clear that the Vice Chairman is indeed the leader of that group, so he or she will someday have the ability to make decisions after getting advice from the other members of the JROC.

But it will not be what is perceived today as a sort of quid pro quo between services: The Navy might want a particular ship, and in return for that particular ship, they will be amenable to a proposal by the Air Force for a particular aviation platform. What we have now is that the Vice Chair will be able—not only as the official formal head of this but also as the chief adviser to the Chairman—to say: No, we have looked at this not from the perspective of the service but from the perspective of the Joint Chiefs and our role as giving advice to the President so that we can go ahead and give a decision that is not based upon anything else.

AMENDMENT NO. 4603 TO AMENDMENT NO. 4607

Mr. REED. Madam President, at this juncture I call up Reid amendment No. 4603.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. REID, proposes an amendment numbered 4603 to amendment No. 4607.

Mr. REED. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, add the following:

This Act shall be in effect 1 day after enactment.

Mr. REED. Madam President, to continue briefly, we are again spending a great deal of time on an important issue, and we have more important issues that will emerge. But I think it is long overdue to cite what we have done in just a small part under the leadership of the chairman to make fundamental changes to the operation of the Department of Defense. I am confident that years from now, when they talk about Goldwater-Nichols, they will talk about MCCAIN, what the McCain amendments did and what the McCain bill did. I think that is a fitting tribute to the chairman. I also think it is ultimately what we are all about here. It is going to make sure that the men and women in the field who wear the uniform of the United States have the very best leadership, from the Secretary's level, to the Chairman's level, all the way down to their platoon leader and commander.

I want to make sure we noted that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, may I say to my very modest friend from Rhode Island that anything that has the MCCAIN name on it has a hyphened name and the REED name on it because what we have accomplished in the Senate Armed Services Committee would be absolutely impossible without the partnership we have. I cannot express adequately my appreciation for the cooperation and the friendship we have developed over many years. As I have said probably 200 times, despite his poor education, he has overcome that and has been a very great contributor to——

Mr. REED. Will the chairman yield? If I had the opportunity to go to a football school and not an academic institution, I would be better off today.

Forgive me, Mr. Chairman.

Mr. MCCAIN. Madam President, hopefully we are going to pass the resolution that will allow interpreters to come to the United States under a special program.

I have received letters, and correspondence from literally every military leader and diplomatic leader who has served in Iraq and Afghanistan.

I ask unanimous consent to have printed in the RECORD copies of those letters and correspondence.

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

HEADQUARTERS,
RESOLUTE SUPPORT,
Kabul, Afghanistan, May 20, 2016.

Hon. JOHN MCCAIN,
Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I would like to express my support for the continuation of the Special Immigrant Visa (SIV) program. It is my firm belief that abandoning this program would significantly undermine our credibility and the 15 years of tremendous sacrifice by thousands of Afghans on behalf of Americans and Coalition partners. These men and women who have risked their lives and have sacrificed much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and honor our commitment to any Afghan who supports the International Security Assistance Force and Resolute Support missions could have grave consequences for these individuals and bolster the propaganda of our enemies.

During my previous three tours in Afghanistan, I have seen many Afghans put themselves and their families at risk to assist our forces in pursuit of stability for their country. The stories of these interpreters and translators are heart-wrenching. They followed and supported our troops in combat at

great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.

Afghanistan faces a continuing threat from both the Afghan insurgency and extremist networks. We must remain committed to helping those Afghans who, at great personal risk, have helped us in our mission. This is the second year the Afghan National Defense and Security Forces (ANDSF) are in the lead for security. They are fighting hard and fighting well for a stable, secure Afghanistan. The vast majority of the SIV applicants have served as interpreters and translators for our troops. They have exposed themselves and compromised the safety of their families to provide critical situational awareness and guidance, both of which have helped save countless Afghan, American and Coalition lives.

Thank you for your continued support of American troops in Afghanistan.

Very Respectfully,

JOHN W. NICHOLSON,
General, U.S. Army,
Commander, Resolute Support/United States Forces—Afghanistan.

HEADQUARTERS,
UNITED STATES FORCES—AFGHANISTAN,
Kabul, Afghanistan.

Hon. JOHN MCCAIN,
Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I am writing you to express my strongest support for the Special Immigrant Visa (SIV) program.

Since our arrival in Afghanistan, U.S. Forces have relied upon our Afghan partners, especially our linguists, to perform our mission. They have consistently been there with us through the most harrowing ordeals, never wavering in their support for our soldiers, our mission, and their own country. Many have been injured or killed in the line of duty.

Unfortunately, their support of our mission has resulted in our Afghan partners facing threats from insurgent groups throughout the country. They frequently live in fear that they or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

After several ups and downs, the program remains an extremely important way for the United States to protect those who assisted us. By December 2014, the Department of State had issued all 4,000 Afghan SIVs allocated under the Consolidated Appropriations Act for Fiscal Year (FY) 2014. As you know, the FY15 National Defense Authorization Act provides 4,000 additional SIVs for Afghan applicants. The State Department's Status of Afghan Special Immigrant Visa Program report in April 2015 shows there are more than 8,000 SIV applications that have been submitted. Each week, I receive several personal requests and inquiries from linguists and others who have worked with, or continue to work with, U.S. Forces, seeking assistance with the Afghan SIV program. I inform them how we are working closely with Congress to obtain adequate SIV allocations each year. This shows just how important this program remains to our Afghan partners, as well our own forces.

Since I assumed command of the Resolute Support Mission/U.S. Forces-Afghanistan, much has changed and the Afghan National Defense Security Forces (ANDSF) are in the lead to secure the country. We have a willing and strategic partner whose interests are aligned with our own. The ANDSF is taking the fight to the enemy this fighting season and are performing well. Our prospects for long-term success and a strategic partner have never been better. We would not be in this position without the support and leadership of the U.S. Congress, the American people, the men and women who have served here with distinction, and our Afghan partners.

I urge Congress to ensure that continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan. This program is crucial to our ability to protect those who have helped us so much.

Thank you for your support for America's Soldiers, Sailors, Airmen, and Marines.

Sincerely,

JOHN F. CAMPBELL,
General, U.S. Army, Commanding.

From: David Petraeus
Date: May 12, 2016.

DEAR CHAIRMAN, I write to express my support for the Afghan Special Immigrant Visa (SIV) program and to state that additional SIVs are desperately needed.

Throughout my time in uniform, I saw how important our in-country allies are in the performance of our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—they have risked their own and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security. I ask for your help in meeting our obligation by appropriating additional Afghan SIVs to bring our allies to safety in America.

It is crucial that Congress act to provide additional visas for the SIV program. The most recent figures from the State Department suggest that at least 10,000 applicants remain in the SIV processing backlog; as our troop presence in Afghanistan continues, we can expect more endangered Afghan allies to seek our help, adding to the backlog. The Department of State has indicated that an additional 4,000 Afghan SIVs for the year would allow it to continue to process and issue visas in Fiscal Year 2017. If this program falls far short of the need, it will have serious national security implications.

I am also concerned that Congress may limit eligibility for SIV applicants. The U.S. military presence in Afghanistan relies on local partners who serve as translators, security personnel, and in a multitude of other functions. All of these individuals are vital to the U.S. mission, whether they work directly or indirectly with U.S. forces. Afghans who served the United States in non-military capacities or in support of the Department of State face serious threats as a result of their service. They are currently eligible for the SIV program and their eligibility should remain intact.

Thank you for your support of the Special Immigrant Visa program. Congress must ensure that the SIV program for our Afghan allies—one of the only truly non-partisan issues of the day—meets the needs of those we seek to help.

Sincerely,

DAVE PETRAEUS.

Mr. MCCAIN. For the sake of illustration, I would like to quote from a couple of the letters I have. One is from General Nicholson, who today is our commander of resolute support, United States Forces-Afghanistan. I won't read the whole letter, but I would like to quote it because I think it is very compelling.

General Nicholson says:

During my previous three tours in Afghanistan, I have seen many Afghans put themselves and their families at risk to assist our forces in pursuit of stability for their country. The stories of these interpreters and translators are heart-wrenching. They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.

I would like to repeat General Nicholson's last sentence: ''Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.''

I could not put it any better than General Nicholson did.

Finally, I would like to quote from a letter by General Campbell, who was his predecessor. General Campbell said:

I am writing you to express my strongest support for the Special Immigrant Visa (SIV) program.

Since our arrival in Afghanistan, U.S. Forces have relied upon our Afghan partners, especially our linguists, to perform our mission. They have consistently been there with us through the most harrowing ordeals, never wavering in their support of our soldiers, our mission, and their own country. Many have been injured or killed in the line of duty.

Unfortunately, their support of our mission has resulted in our Afghan partners facing threats from insurgent groups throughout the country. They frequently live in fear that they or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

Again, those are two compelling statements.

I will not go further because I see the distinguished Senator from Georgia waiting, but I would like to quote from correspondence from an individual who I think is the finest military leader among the many outstanding military leaders whom I have had the opportunity of knowing. This is from GEN David Petraeus, Retired. It is a letter he wrote. He said:

Throughout my time in uniform, I saw how important our in-country allies are in the performance of our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—they have risked their own and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security. I ask for your help in meeting our obligation by appropriating additional Afghan SIVs to bring our allies to safety in America.

It is signed ''Sincerely, David Petraeus.''

Both of the individuals I just quoted served multiple tours—not one, not two, sometimes as many as five—in Iraq and Afghanistan over the last 14 years. These leaders know what the service and sacrifice of these Afghans and Iraqis have provided to our military at the very risk and loss of their lives since they are the No. 1 target of the Taliban in Afghanistan.

I hope my colleagues, by voice vote, will agree to increase the visa program so that we can allow these people to come to the United States of America.

I will end with this. I know that some people come to our country whom we have some doubts about—their citizenship, their commitment to democracy, their adequacy, the kind of people they are.

Well, these people have already proven their allegiance to the United States of America because they have put their lives on the line. Some of them had their family members murdered. I have no doubt as to what kind of citizens of this country they will be.

I believe that an overwhelming majority of my colleagues agree that, as General Nicholson said in his letter, it is a moral obligation. I think we will all feel better after we get this done.

I note the presence of probably the most well-informed Member of the U.S. Senate on budgetary issues, the Senator from Georgia.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Georgia.

Mr. PERDUE. Mr. President, first, I want to thank the distinguished Senator from Arizona, the chairman of the Armed Services Committee, and the ranking member, Senator REED, for their tireless work in doing God's work here, and that is making sure we provide for the needs of our men and women in uniform around the world.

There are only 6 reasons why 13 Colonies got together in the first place. One of those six was to provide for the national defense. That is what we are talking about this week.

As we debate the National Defense Authorization Act this week, I personally would like to add a little different perspective to this debate.

In my opinion, today the world is more dangerous than at any time in my lifetime. We have major threats from various perspectives. No. 1, we see the rise of traditional rivals—Russia, China—and ever-more aggressiveness from both. We see the rise of ISIS and attendant networks around the country supporting terrorism and the Islamic State. We see the proliferation of nuclear capability among rogue nations, such as North Korea and Iran. We see the hybrid warfare, including cyber warfare, that is being perpetrated today. What we are not talking about is the growing arms race in space. All this adds to a very dangerous world and makes it very mobile and puts people right here in the United States in danger, as we have seen already.

As we face these increasing threats, though, at the very time we need our military to be strongest, we are disinvesting in our military.

You can see from this chart that over the last 30 years or so, we have had three Democratic Presidents, and all have disinvested in the military for different reasons. First we had President Carter, then we had President Clinton, and now we have President Obama. We have disinvested in the military to the point that today we are spending about 3 percent of our GDP on our military. That is about $600 billion in round numbers. The 30-year average is 4 percent. That difference, that 1 percentage point of difference, is $200 billion.

What I am concerned about is that as we sit here facing these additional threats today, we have the smallest Army since World War II, the smallest Navy since World War I, and the oldest and smallest Air Force ever. According to the Congressional Budget Office, the current plan is even worse than that. It says that in the next 10 years we will continue to disinvest in our military down to 2.6 percent of our GDP. That is another estimated $100 billion of reduction. This is a new low that I believe we cannot allow to happen.

As we look at our overall defense spending authorization levels today in this NDAA bill, we are falling short of where we need to be based on the threats we face. Don't just take my word for it. The last defense budget that Secretary Bob Gates actually proposed was in 2011. That was the last one proposed before sequestration took place, and that was the last defense budget that was based on the actual assessment of the threats against our country, not arbitrary budget limitations. His estimate at that time for this year, fiscal year 2016, was $646 billion. As for 2017, our top-line estimate right now—what we are trying to get approved—is $602 billion. That is a far cry.

By the way, Secretary Gates' estimate was before ISIS, before the Benghazi attacks on our Embassy, before Russia seized Crimea, before Russia went into the Ukraine, and before China started building islands in the South China Sea. I can go on. How did we get here?

Today, financially, we have an absolute financial catastrophe. In the last 7 years, we have borrowed about 30 percent of what we have spent as a Federal Government. It is projected that over the next 10 years we will again borrow about 30 percent of what we spend as a Federal Government.

My argument has been that we can no longer be just debt hawks; we have to also be defense hawks. By the way, those two can no longer be mutually exclusive.

In order to solve the global security crisis, I believe we have to solve our own financial debt crisis. We all know we have $19 trillion of debt today. What is worse, though, is that CBO estimates that is going to grow to $30 trillion over the next decade unless we do something about it.

This chart shows the real problem. Right now, the problem is not discretionary spending, which is actually down from around 2010—about $1.4 trillion—down to about $1.1 trillion today. So discretionary spending—now, we may have gotten there the wrong way. We used the sequestration to do that. But I would argue that discretionary spending is not where the major problem is today. The major probably is in the mandatory spending—Social Security, Medicare, Medicaid, pension and benefits for Federal employees, and the interest on our debt.

We have been living in an artificial world where interest rates have been basically zero. We are paying fewer dollars on the Federal debt today—fewer dollars than we were in 2000 when our debt was one-third of what it is today.

To deal with the global security crisis, we need to be honest about what our military needs. That gets difficult sometimes. Today we have national security priorities that aren't getting properly funded, and yet we know we are spending money inefficiently.

First of all, we have missions that we are not able to maintain. Take a look at the marine expeditionary units around the world. These are the MEUs around the world. I visited a couple of these, by the way. Because of defense cuts, there aren't enough amphibious ships for the marines to have what is known as theater reserve force, also known as MEUs. As a result, for missions like crisis response and Embassy protection in Africa, for example, we now have a Special Purpose MAGTF covering this task based on the ground in Moron, Spain.

I personally visited with those people. The best—I mean the very best of America is in uniform around the world taking care of our business and protecting our interests and our freedom here at home. Even this force in Moron, Spain, is seeing a cut in their fleet size of airplanes. They are self-contained. They can get themselves from where they are to the point of crisis very quickly, but we are cutting their ability to do that because of limitations from a financial standpoint.

Another example is the recapitalization program for the Joint Surveillance Target Attack Radar System, or what we call JSTARS, the No. 4 acquisition priority for the Air Force and a critical provider of ISR ground targeting and battlefield command and control to all branches of our military in almost every region of the world.

As the old fleet is reaching the end of its service life, we will have to have a new fleet come online quickly. The problem is we are seeing a projected gap of 7 years where that capability will no longer be available in full force for the people who need it the most—people on the ground and in harm's way.

We are not able to fund the military at the force size we need either. As a

result, we are putting greater pressure on personnel, burning up our troops, putting pressure on families, and elongating our deployments. They spend more time on rotations internationally and not enough time with their families at home, and it is causing problems. It is causing turnover, problems with families, and so forth.

The forces we have are not getting the training they need. For example, two-thirds of Army units are only training at the squad and platoon levels, not in full combat formations. We have Air Force pilots actually leaving the service today because they cut back so dramatically on training flights. These examples highlight why we need to scrutinize every dollar we spend on defense so we can ensure these dollars go to our critical requirements of protecting our men and women around the world.

To that end, we need to improve fiscal accountability at the DOD and highlight the needs we are not currently fulfilling. For example, our Department of Defense has never been audited. Even today, we cannot dictate to the DOD that they provide an audit.

Can you imagine Walmart doing that? First of all, the answer is this: We are too big, too complicated, and it is just too difficult to do. Can you imagine Walmart calling the SEC and saying: Sorry, we are not going to comply with your requirements. The DOD is not that much bigger than Walmart.

I think we should withhold funds to the accountable agency until a plan is produced that would also allow the Pentagon to keep track of its military equipment. It has been 13 years since that law was passed, and yet they are still not in compliance. This is all just about funding our military, but we also have to be responsible. The men and women in uniform and on the frontlines deserve that.

Finally, to address a critical need we discussed earlier, JSTARS, Senator ISAKSON and I have been working to get the replacement fleet ready to go sooner rather than later to eliminate this gap. This fleet must get online faster than the current plan or we face a potential 7-year gap.

I am committed to ensuring that we have what we need to support our service men and women around the world. These efforts will make the Pentagon accountable and focus funds on critical priorities. This debate is all about setting the right priorities, not just here at home with the military but also with other domestic programs and mandatory expenditures. This debate is all about setting the right priorities to make sure we can do what the Constitution calls on us to do, and that is to provide for the national defense.

The national debt crisis and our global security crisis are interlocked inextricably. We are not going to solve the dilemma of providing for national defense until we solve this national debt crisis. Our servicemen, servicewomen, and combatant commanders don't have and will not have the training, equipment, and preparation they absolutely need to fulfill their missions as they face growing threats. It is time that Washington faces up to this crisis.

This is not just about the NDAA. This is about the defense of our country and the future of our very way of life. We simply have to come to grips with this NDAA, pass it, and make sure we find a way to address this debt crisis so every year going forward we don't have this drama of finding a way to fund our military to protect our country. We simply have to come to grips and set the right priorities required to defend our country.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, for more than 23 years, I had the great honor of serving in the Army Reserve and National Guard. It was during this time that I was able to gain firsthand experience of working alongside the unbelievable men and women in uniform, whose character, honor, and love of our country has led them to sacrifice so selflessly for it. During my time in the military, I had the honor of serving a tour in Kuwait and Iraq.

As a company commander during Operation Iraqi Freedom, what was so important to me, other than bringing everyone home, was ensuring my troops received what they needed when they needed it. Unfortunately, given the nature of war and the learning curve our military had in its first large-scale military deployment since Operations Desert Shield and Desert Storm, that did not always happen. However, as the war went on, our military adapted and our troops were able to receive the equipment they needed to do the job.

Even though I am now retired from the military, I still have the privilege of serving our men and women in uniform, just in a different capacity, as a Senator and a member of the Armed Services Committee. It has been an honor to work with Chairman MCCAIN, Ranking Member REED, and the other distinguished members of the committee on another vital annual Defense bill.

Over the past year, my colleagues and I have worked to produce a bill that enhances the capabilities of our military to face current and future threats. This bill will impart much needed efficiencies in the Department of Defense that will result in saving American taxpayer dollars and allow the Department to provide greater support to our warfighters through eliminating unnecessary overhead, streamlining Department functions, reducing unnecessary general officer billets, and modernizing the military health care system.

Furthermore, we have found ways to enhance the capabilities of our warfighters, ensuring our troops have the training opportunities in order to be prepared to execute their assigned missions. This means more rotations to national training centers and more effective home station training for our troops who are being sent into harm's way around the world.

Our military leaders have stressed that readiness is their top priority. Adequately funding their request for readiness keeps faith with our servicemembers and ensures that our men and women in uniform have the best chance to come home to their loved ones. However, while we have adequately funded the Department's readiness needs, sequestration has led us to prioritize readiness over DOD modernization. I believe this is a risky proposition with respect to ensuring our servicemembers will have the advanced equipment, vehicles, ships, and aircraft to confront technologically advanced adversaries, such as Russia and China, in a potential future conflict.

Unfortunately, I believe many have taken our decades-long technological dominance for granted. If we continue to fail to adequately fund modernization, our servicemembers may pay the price for that decision with their lives, something none of us want.

While I fully agree with the need to identify and reduce government spending—and especially to eliminate fraud, waste, and abuse in the DOD—we must also ensure funds are allocated in the proper areas so our troops have the resources they need so they are not outclassed by our adversaries, who are currently modernizing their capabilities with aims to defeat our country in a potential conflict.

Due to sequestration and the Bipartisan Budget Act, this bill is short of what our troops need to defend our country next year and in future years. I believe it is important to keep that in mind while we consider this bill.

I was sorely disappointed that the Senate did not come together in a bipartisan fashion and stop shortchanging our troops and their families through the arbitrary caps set through sequestration. That was a missed opportunity. The threats the Nation and our troops face are too great for partisan bickering, shortsightedness, and the abdication of one of our core responsibilities, which is to provide for our military.

I wish to talk also about a few of the provisions included in the NDAA that I crafted. During the process, I was able to author nearly two dozen provisions ranging from improving the professionalism of military judge advocates and military intelligence professionals to making retaliation against sexual assault victims its own crime and enhancing DOD program management.

As I stated repeatedly, one area of focus for me is working to prevent sexual assault in the military. While we have seen progress, there are still steps that must be taken to improve the system and the overall culture. One of my provisions would help enhance the military prosecutors and JAGs to better ensure that victims of sexual assault and other crimes will know their

case is in good, well-trained, and experienced hands.

Also included in this bill is a provision I authored with Senator MCCASKILL of Missouri, which combats retaliation within our military. We cannot allow any retaliation against survivors who come forward seeking justice, and this provision will work to curb the culture of retaliation in our ranks.

Other provisions I pushed to have included in the committee report seek to bring greater military intelligence support to our warfighters by ending growth in headquarters elements and pushing that support down to those military intelligence units providing direct support to our warfighters. Not only do these report language provisions seek to enhance support to our men and women defending our Nation on the frontlines, but they would also create safeguards which will help ensure your taxpayer dollars are being spent properly within the DOD.

This bill also includes my Program Management Improvement Accountability Act, which is a bipartisan piece of legislation that solves problems with program and project management that have plagued the Federal Government for decades, especially in the Department of Defense. We have read about these failures in the media, IG reports, and the GAO High Risk List. Many projects are grossly overbudget, delayed, or do not meet previously stated goals.

Ultimately, by strengthening its program management policies, the DOD and other Federal agencies will better account for and utilize taxpayer dollars. It will also improve its ability to complete projects on time and on budget, which leads to getting our troops the advanced equipment and weapons they need as soon as possible.

In closing, I want to thank again my colleagues for their work on this bill, but most of all, I thank our men and women in uniform, and I want them to know that we stand with them in their defense of this great country and all that it stands for.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, as we continue to debate this year's National Defense Authorization Act on the floor this week, I want to take a few minutes as the ranking member of the Armed Services Strategic Forces Subcommittee to discuss provisions of the bill that relate to our Nation's nuclear deterrent and nonproliferation programs, missile defense, and space programs.

I want to start by thanking all the members of the Strategic Forces Subcommittee for putting in another year of hard work. I would especially like to thank our Subcommittee Chairman, my colleague from Alabama, Senator SESSIONS, for the strong partnership we have built over the past 2 years in leading this committee together. I want my colleagues to note that Senator SESSIONS and his staff worked closely together with me and my staff in developing elements of the bill pertaining to the Strategic Forces Subcommittee.

Together with our colleagues on the subcommittee, we have built bipartisan consensus on some of the most important issues in this bill—no small feat when we are talking about things like nuclear weapons and defending against missile threats from Iran and North Korea.

I also thank the tremendous professionals on our staff, both Republican and Democratic, whose expertise and dedication to serving the national interest are essential to this bill's success.

In developing the base language for the NDAA, the Strategic Forces Subcommittee held five hearings and a number of briefings on topics ranging from nuclear policy and deterrence, to missile defense, to protecting our satellites in space during a time of increasing threats from potential adversaries who seek to exploit the fragile nature of these assets.

In the area of nuclear forces, our subcommittee has prioritized the need to update our Nation's nuclear command and control infrastructure to ensure our ability to communicate with our nuclear forces in times of national crisis.

We have also examined the role of our Nation's deterrence policy toward Russia and made available $28 million to shore up our NATO nuclear mission, over and above the funding for the European Reassurance Initiative. These funds will help provide much needed upgrades to the readiness of our dual-capable aircraft and other activities to exercise our nuclear mission in support of NATO.

Within the Department of Energy's National Nuclear Security Administration, we continue to fully authorize the W–76 submarine missile warhead life extension program, where upward of two-thirds of our deterrent will exist upon full implementation of the New START Treaty.

We also continue to life-extend the B61 gravity bomb in support of our NATO allies, and we have fully authorized the life extension of the W80 cruise missile warhead, which will support the air leg of our triad.

The subcommittee has continued full support for the Nunn-Lugar Cooperative Threat Reduction Program, which marks its 25th anniversary this year. I would like to thank Senator Lugar and Senator Nunn for their extraordinary service to this Nation. This program, named for my fellow Hoosier predecessor, Senator Richard Lugar, combats nuclear proliferation by helping nations detect nuclear materials crossing their borders and by securing nuclear materials in their countries to keep them out of the hands of terrorists.

In addition to working with nuclear material, the program also addresses biological threats, helping other nations secure dangerous pathogens. In the case of the Ebola epidemic, the program was able to help the 101st Airborne Division develop rapid field diagnostics to quickly screen infected patients from those who simply had a fever unrelated to the disease. Many have credited this program's quick response, combined with the capabilities of the 101st Airborne, with reversing the tide of the Ebola epidemic before it spread to large cities.

In the area of cutting-edge hypersonic systems, the bill provides full funding for programs like conventional prompt strike that aim to even the global playing field on hypersonic systems development.

According to public reports, Russia and China are prioritizing the development of hypersonic weapons and making troubling progress relative to our own. If we are to maintain our Nation's technological edge over our potential adversaries, we need to invest in this critical area of research and development.

While the House authorizers and appropriators have also fully funded conventional prompt strike, I am surprised and troubled to see that the Senate Appropriations Committee has proposed cutting this program by almost half. I hope to work with my colleagues on both sides of the aisle to address this issue and restore full funding to conventional prompt strike in the coming months.

In the area of electronic warfare, our subcommittee has required the Commander of U.S. Strategic Command to coordinate and develop joint execution plans to operate and fight in a domain that includes electronic jamming and other means that disrupt our fragile electronic systems. Russia has a long-established doctrine in this area, but ours has been lacking. This provision will help reverse that trend.

In the area of missile defense, the subcommittee has fully authorized the President's budget request for the Missile Defense Agency and authorized additional funding for key development areas, including the redesigned kill vehicle, the multi-object kill vehicle, and an improved ground-based interceptor booster.

The NDAA also requires a review of DOD's strategy and capabilities for countering cruise and ballistic missiles before they are launched, and it directs the MDA to conduct a flight test of the GMD system at least once each fiscal year. The bill provides funding above and beyond the President's budget request for our collaborative missile defense programs with Israel, including Iron Dome, David's Sling, and Arrow systems. However, given the threat posed by Iran's growing ballistic missile arsenal, I believe these programs require additional funding, particularly for procurement related to David's Sling and the Arrow systems. These programs are more important than ever and have my full support.

In the area of space, the NDAA addresses a number of important issues

related to our critical satellite-based capabilities. This week we commemorated the 72nd anniversary of D-day. Anyone who knows the history of the Normandy invasion knows how critical a role weather forecasting can play in the success or failure of a mission. This year's bill pays close attention to DOD's ability to provide weather data to our troops around the world, particularly in CENTCOM's area of responsibility. Our current fleet of weather satellites is aging, and our subcommittee has taken DOD to task for its failure to adequately plan for the upcoming gap in cloud cover data over the Indian Ocean.

Whether we are talking about GPS, weather surveillance, or communications, our Nation's space-based capabilities are fundamentally dependent on our ability to get to space. There is no question that we must maintain the ability to send national security satellites into space with launch systems that are affordable and, above all, supremely reliable.

We learned a hard lesson on reliability in the late 1990s when we lost three national security satellites to launch failures. Those failures cost the taxpayer more than $3 billion and lost our Nation a critical communications capability that we didn't replace for more than a decade. Subsequently, years of monopoly in DOD space launch taught us a hard lesson about the necessity of competition for keeping costs down.

While we all agree on the need to maintain what is known as assured access to space, how we best meet that goal has become a topic of debate, particularly since our deteriorating relationship with Russia put a spotlight on the fact that DOD uses Russian rocket engines in many of its space launches. We need to end our Nation's reliance on Russian engines with the development of an American-made alternative. We have studied the facts on this issue in painstaking detail on the Strategic Forces Subcommittee for not just months, but years. The fact is, if we want to end our reliance on Russian engines without jeopardizing the reliability and affordability that are essential to a successful launch program, it is going to take another few years.

I am not satisfied with that. I want to see it happen faster. In the meantime, though, we have to take seriously the warnings of our military and intelligence community that eliminating access to the RD–180 engine prematurely, before a replacement is ready to fly, would seriously undermine our national security interests. As it currently stands, the NDAA would ban the use of RD–180 engines years before a replacement is ready and instead rely on the more expensive Delta rocket to fill the gap. I respect the careful thought behind this proposal and the effort to ensure that we don't create a capability gap. Ultimately this approach, though, would cost the taxpayer an additional $1.5 billion and divert funds from developing an American-made replacement engine and launch system to paying for these more expensive Delta launches. At a time when we continue to face budgetary challenges in defense and domestic spending, this is a cost and a risk we don't need.

With that in mind, I support the bipartisan amendment No. 4509 offered by my colleagues Senator NELSON and Senator GARDNER. This amendment grants DOD access to only those Russian engines it needs between now and 2022, when the Department has said a replacement will be ready. I believe this is the most responsible approach to a very difficult issue.

Let me close by again thanking Senator SESSIONS for the productive and bipartisan relationship we have had on the subcommittee. I also thank our full committee chairman, Senator MCCAIN, and our ranking member, Senator REED, for their leadership and their dedication to strengthening our national security and caring for our military.

I look forward to working with my colleagues to pass this important legislation and to see it signed into law.

Mr. President, I yield back any remaining time that has been allotted.

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

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

REMEMBERING CASSANDRA QUIN BUTTS

Mr. DURBIN. Mr. President, almost a year ago exactly I met with a remarkable woman. She was wise, gracious, and funny, but I think what struck me the most about her was her idealism. Cassandra Quin Butts believed in the revolutionary promise on which our Nation was founded; that all men and women are created equal. She spent her entire working life trying to expand that premise.

On the day we met, her nomination to serve as U.S. Ambassador to the Bahamas had been blocked for more than a year for reasons entirely unrelated to her qualifications. That did not make her cynical. It did not diminish her desire to serve. She just wanted to know if there was anything she could do to help. It was typical. Cassandra Butts asked the question, How can I help?

Sadly, Ms. Butts will never receive the vote she deserved on her nomination to be Ambassador. She died over a week ago at the far-too-young age of 50. She felt ill for a few days, had seen a doctor, and died peacefully in her sleep before learning of her diagnosis, acute leukemia.

Cassandra Butts was a longtime friend of President Obama and First Lady Michelle Obama. Ms. Butts and the future President met during their first days of Harvard Law School in the financial aid office. Neither one of them came from families that could simply write checks for tuition. In a statement mourning her passing, the President and First Lady remembered Ms. Butts and said as ''a citizen, always pushing, always doing her part to advance the causes of opportunity, civil rights, development, and democracy.''

''Cassandra,'' the Obama's wrote, ''was someone who put her hands squarely on that arc of the moral universe, and never stopped doing whatever she could to bend it toward justice.''

They continued. ''To know Cassandra Butts was to know someone who made you want to be better.'' Ms. Butts began her distinguished career in public service about a year after graduating law school. She worked as legal counsel to U.S. Senator Harris Wofford. After the Senate, she went to the NAACP Legal Defense and Education Fund, following in the footsteps of one of her heroes, former U.S. Justice Thurgood Marshall.

She returned to Capitol Hill in 1996 as a senior adviser to House Majority Leader Dick Gephardt and the House Democratic policy committee. From 2004 to 2008, she served as Senior Vice President for Domestic Policy at the Center for American Progress—with a few breaks in service to help her old friend. When Barack Obama was elected to the Senate in 2004, Cassandra Butts was there, helping him to get his office up and running.

Later, she helped her old friend the President launch his historic Presidential campaign. When he won, Cassandra Butts was there again to offer advice on transition. She stayed on to serve the President as Deputy White House Counsel. Among the lasting marks she leaves on our democracy, Cassandra Butts helped shepherd through this Senate the nomination of the first Latina ever to serve on the U.S. Supreme Court, Justice Sonia Sotomayor.

Ms. Butts was a remarkably humble person, especially for one who worked so close to power. She left the White House in November 2009 to serve as Senior Advisor at the Millennium Challenge Corporation. During her time there, she kept an exhausting schedule, traveling to some of the poorest places on Earth, searching for innovative ways to use America's leadership and ingenuity to help lift desperately poor people, especially women and children, out of crushing poverty.

It saddens me that Ms. Butts never had the opportunity to serve as Ambassador because she could have had so many ideas that she would have brought to represent America's values and help the people of the Bahamas.

She had hoped that being an African-American woman, it would help to underscore America's commitment to equality. While he waited for a vote on her nomination, Cassandra Butts represented our Nation well on the world

stage in a different capacity. She served with distinction as Senior Advisor to the U.S. Mission to the United Nations.

Accounts of her life will always lead off with the fact that she was a close friend of the President and First Lady, but that was only part of the story. Cassandra Butts was a friend to countless people around the world, from the famous to the voiceless. She was a seeker of truth and justice. She was also warm and funny, smart and passionate, deeply decent. She loved jazz, the UNC Tar Heels, fast cars, especially her BMW.

She left this world too soon and she will be missed. Loretta and I wish to extend our condolences to her many friends and family, especially her mother Mae Karim, her father Charles Norman Butts, her sister and brother-in-law, Deidra and Frank Abbott, her two nephews whom she adored, Austin and Ethan Abbott.

It is a sad reality that as I stand here today and pick up this publication on the desk of every Senator, the Executive Calendar for the Senate of the United States, and turn to look at it closely, I find in this calendar, on page 5, the name of Cassandra Butts, waiting for the Senate to approve her position as the Ambassador to the Bahamas.

She waited and waited and waited. Eventually she passed away, waiting on the Senate Calendar to serve this country. When the Senators who had a hold on her for all this period of time were asked: Why? Why did you hold up this woman, one of them was very candid and said: We knew she was close to the President, and if we stopped her, we knew the President would feel the pain. I hope today we all feel the pain that this lady can no longer have the distinction of ending her fabulous public career as our Ambassador representing the United States to the Bahamas.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I come to the Senate floor to talk about an issue I have worked on for a number of years and something I feel very strongly about; that is, our detention and interrogation policy. Since this administration has gotten into office, based on a campaign promise, the President has sought to close Guantanamo Bay.

This administration has continued to release individuals held at Guantanamo—dangerous terrorists, with backgrounds, whether it is involvement with Al Qaeda or involvement with the Taliban or other groups. Just recently, they have released another 11 individuals from Guantanamo Bay. One of the issues that has troubled me most about this is that I think it is very important the American people know what is going on, but so much of this is happening in the cloak of darkness. So much of it is an unwillingness of this administration to level with the American people about the terrorist affiliations and activities of current and former Guantanamo Bay detainees.

We have seen the most recent example of that which is troubling. On March 23 of 2016, Paul Lewis, the Special Envoy for Guantanamo Detention Closure, testified before the House Foreign Affairs Committee that there have been Americans who have died because of Guantanamo Bay detainees. He was asked about this in this House hearing. My assumption is one of the reasons he was asked about it is because 30 percent of those who were held at Guantanamo—terrorists who have been released from Guantanamo—are suspected or confirmed of reengaging in terrorism. Apparently, Mr. Lewis was asked, and he said there have been Americans who have died because of Guantanamo detainees who have been released.

So a fair question—a very important question—is to understand what these former detainees have done in terms of attacking Americans or our NATO allies who have worked with us to fight terrorists in places around the world. That was a question I posed to this administration. Based on what Mr. Lewis, who is the Special Envoy for Guantanamo Detention Closure said, I asked the administration for information about those who have been killed by Guantanamo detainees. On May 23 the administration responded to me, but their answers to my questions were classified in such a way that even my staff with a top secret security clearance could not review the response. I was able to review the response.

What I want to be able to do is to give information to the American people so they can understand the response, because this administration continues to push to close Guantanamo. They continue to release terrorists from Guantanamo to countries around the world, and they continue to refuse to tell the American people—hiding behind classification—who the people are who are being released in terms of their backgrounds and in terms terrorist affiliations. They have been releasing a name and the country they are transferred to—but no information to the American people about the terrorist background of these individuals, no information to the American people about how these individuals have been released, what they have been engaged in, and whether they have been engaged in prior attacks on Americans or our allies. I believe the American people have a right to know.

On Tuesday I also wrote a followup letter to the President urging him to provide without delay an unclassified response to understand how many Americans and our NATO partners have been killed by former Guantanamo detainees and which former detainees committed these terrorist attacks, so we can understand what we are facing.

Unfortunately, we don't know. But in the Washington Post today there was an article that reported that 12 former Guantanamo detainees were involved in attacks on Americans after their release. The estimate in the Washington Post report says that these detainees have killed about a half dozen Americans.

Why should the American people have to rely on the ability of the Washington Post to talk to people off the record to try to find out exactly what the activities are of these terrorists whom the administration continues to release without full information to the American people? I appreciate the reporting of the Washington Post, but I believe the American people deserve an answer directly from this administration. Since Mr. Lewis testified that Guantanamo detainees have been involved in killing Americans, the administration has released 11 more detainees from Guantanamo, with more than two dozen likely to be released in the coming months. Again, 30 percent are suspected or confirmed of reengaging in terrorism—people such as Ibrahim al-Qosi, affiliated with Al Qaeda in the Arabian Peninsula, who was released by this administration in 2012 to Sudan. He has joined back up with Al Qaeda in the Arabian Peninsula, which is headquartered in Yemen.

Previously, what has been revealed about him publicly is that he trained at a notorious Al Qaeda camp as a member of Osama bin Laden's elite security detail.

What is more troubling is that he is now back with Al Qaeda in the Arabian Peninsula. He is a leader and a spokesman for this group, and he is urging attacks on American and our allies. That is what is at stake when we think about the security of the American people. Yet the policy that this administration and this President keep pushing is to close Guantanamo. They are trying to take de facto steps to close Guantanamo by releasing people without information to the American people.

In this Defense authorization bill that is pending on the floor, in the Armed Services Committee I have included a provision that would prohibit international release or transfer of any detainee from Guantanamo until the Department of Defense submits to Congress an unclassified report on the individual's previous terrorist activities and affiliations, as well as their support or participation in attacks against the United States or our allies.

The administration keeps claiming that it is in the best interests of the United States—in our national security interests—to close Guantanamo.

I fully disagree with that argument. But if that is what they really believe, why have they not told the American people, when they release the terrorists who are held at Guantanamo, whom these people have been involved with and whether they have been involved with attacks on Americans or our allies. Instead, they give the name and

the country they are going to. That is all they are telling the American people. If it is in our national security interests, they will fully tell the American people why they believe in transferring or releasing these terrorists to third-party countries, and they will tell the American people the truth about who is being released and what they have been involved in. I think the American people, if they know that information, will side with my view of this, which is that to close Guantanamo—especially by releasing dangerous individuals who are there, with 30 percent of them suspected or confirmed of getting back into battle—is against our national security interests and makes us less safe.

I ask, no matter where you stand in this body on the closure of Guantanamo, don't we owe it to the American people to tell them? When they are releasing individuals from Guantanamo, doesn't the administration owe to the American people what terrorist group this person is affiliated with? Has this person ever been involved with the attack of Americans or our allies? Don't the American people deserve this basic information?

The American people need to know who is being released, why they are dangerous, and what is happening in terms of our national security interests, because I believe they are being undermined greatly by continuing to release terrorists who get back in the fight. The last thing our men and women in uniform or any of our allies should see is a terrorist whom we had previously captured and was at Guantanamo.

I hope the administration will live up to its transparency policy, because when it comes to releasing dangerous detainees from Guantanamo—some of whom have gotten back in the fight, and 30 percent are suspected or confirmed of getting back in the fight of terrorism against us—the American people deserve information about what is happening and what danger these individuals pose to us and our allies.

I yield the floor.

Mr. MCCAIN. Mr. President, 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. Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I think it is very obvious that in the authorization bill we placed limitations on the use of Russian rocket engines. It is already known that in the appropriations bill there is basically an unlimited purchase of Russian rocket engines, much to the testimony of the military-industrial-congressional complex.

I will be showing how Russians who have been sanctioned by the United States of America, under Vladimir Putin, will directly profit from the continued purchase of these Russian rocket engines. And in the negotiations that I have been trying to move forward so I could satisfy the appropriators, there is no doubt who has the veto power. We know who they are talking to—the people I am negotiating with—Boeing, Lockheed, and the outfit called ULA, which is the two of them.

This is a classic example of the influence of special interests over the Nation's priorities. But more importantly, they are so greedy that they were willing to put millions of dollars into the pockets of these individuals, two of whom have been sanctioned by the United States of America and one of whom has been sanctioned by the EU—cronies of Vladimir Putin. It is really remarkable, this nexus of special interests that end up profiting for these individuals millions of dollars, which I will talk about in a minute.

Really, my friends, I say again that this is why we see the American people being cynical about Washington—this tight relationship between this conglomerate of two of the biggest defense industries in America—Boeing and Lockheed—and we end up with an expenditure of tens of millions of taxpayer dollars. It is really remarkable.

In the authorization bill we put a strict limit on it, and in the Committee on Appropriations, which we already know about, it is basically an open door. So that is why I was trying and will continue to try to have a simple amendment which says that we will not provide money to any company or corporation that would then profit these people who have been sanctioned by the United States of America in two cases, and in one case by the European Union. Why have they been sanctioned? Because of their invasion of the Ukraine.

So when we talk about things that are unsavory, this is probably one of the most unsavory issues I have been involved in during my many years here. It was 2 years ago when Vladimir Putin began his campaign in Eastern Europe, dismembering a sovereign nation. Today, we are facing an increasingly belligerent Russian Government, and we know that Putin continues to occupy Ukraine, he threatens our NATO allies, and he bombs U.S.-backed forces in Syria that are fighting against Bashar Assad's murderous regime. His tactical fighter jets buzz, with impunity, U.S. ships in the Baltic, putting the lives of U.S. personnel at risk, and all the while American taxpayers continue to spend hundreds of millions of dollars to subsidize Russia's military industrial complex.

You don't have to take my word for it. You don't have to take my word for it. Here is a letter I received a few days ago. And let me tell you who has signed it before I read it: The Honorable Leon Panetta, former Secretary of Defense; GEN Michael Hayden, former Director of the Central Intelligence Agency, former Director of the National Security Agency; Michael J. Morell, former Deputy Director and Acting Director of the Central Intelligence Agency; Michael Rogers, former chairman of the House Permanent Select Committee on Intelligence; ADM James Stavridis, former Supreme Allied Commander at NATO. These individuals have some credibility—more on this issue, I think, than almost anybody else.

Let me tell you what they write. And this letter is to Senator REED and me:

> We write to endorse the bipartisan effort you both have led to include language in the National Defense Authorization Act to phase out U.S. reliance on Russian technology for the space launch systems that deliver our vital and most sensitive satellites.

They go on to talk about how important reliable access to space is. I am continuing to quote now from their letter:

> Fortunately, we now have an American industrial base with multiple providers that can produce All-American-made rocket engines.

And these are people such as the head of the Central Intelligence Agency saying, ''There is no need to rely on Putin's Russia for this sensitive, critical technology.''

The letter goes on to talk about Russia's aggressive intervention in Ukraine and Crimea, and meddling in Syria. Quoting again from the letter:

> The threat from Russia is rising, as the committee knows well. Last summer, Chairman of the Joint Chiefs of Staff General Joseph Dunford said that Russia poses an ''existential'' threat to the United States, calling Russia's actions ''nothing short of alarming.''

The list goes on and on about other things. But here is a very important point from these experts:

> For years, Russia has helped fund its growing military with capital derived from the sale of rocket engines to the United States. Russian officials have referred to U.S. purchases of these engines as ''free money'' for modernizing its missile sector, and have frequently leveraged the Department of Defense's dependence on these engines as a bargaining chip in unrelated foreign policy disputes.

They go on to talk about the Defense authorization bill for the last 2 years passing new legislation to address this national security challenge. And they say:

> Under a proposed congressional transition plan, the Russian engine would be phased out no earlier than 2020.
>
> We believe this proposed policy is wise and would prevent unnecessary expenditures on Russian-made rocket engines in support of Russia's industrial base. This policy guarantees assured access to space by increasing reliance on existing, American-made systems, providing an eminently reasonable solution to ending Russia's involvement in the Department of Defense's space launch program.

I want to tell my colleagues that this comes from both sides—Republican and Democrat administrations—and from some of the most reliable intelligence people we have ever had serve our country: Leon Panetta, General Hayden, Michael Morell, Michael Rogers,

Admiral Stavridis. I have heard from many others in the same way.

So here we are with a clear influence of ULA, which is Lockheed and Boeing—two of the largest defense industries in America with, guess what, their launches in Alabama and, guess what, their headquarters in Illinois. Guess who is leading the charge to continuing to place basically unending dependence on Russian rockets. Guess who. You can draw your own conclusion.

So let me go on. Let's talk about these individuals for a minute. I would like to discuss how continuing to buy these RD–180 engines would have us do business with a Russian Government and directly enrich Putin's closest friends who are a group of corrupt cronies and government apparatchiks, including persons the United States and the European Union have sanctioned in relation to Russia's invasion of Ukraine and the annexation of Crimea.

With the swift stroke of a pen just a few days ago, on May 12, 2016, Putin signed a decree that reorganized Russia's entire Russian space industry and consolidated all of its assets under a massive ''state corporation'' called Roscosmos. Under Putin's directive, Roscosmos swallows up these other outfits—the Russian launch company that supplies the rockets to, guess who, United Launch Alliance. This new state-owned space corruption, in fact, swallows up dozens of other Russian companies.

To be clear, Roscosmos is not a privately owned corporation facilitating business with the Russian Government. It is the Russian Government. As a state corporation, it furthers state policy and is controlled by apparatchiks who have agency authority from Putin to do his bidding. So there should be no confusion; Roscosmos is part of the very same military industrial base that conducts bloody operations in Ukraine and Syria.

Under Roscosmos, Putin is no longer using Russian shell companies or offshore corporations to sell Russian rocket engines to line the pockets of his most trusted friends. Roscosmos is directly controlled by many of them. If you look at their highest level, the individuals who control the company look like a who's who of U.S. sanctions—officers and directors who have been individually sanctioned by the United States or the European Union or control other companies that have been similarly sanctioned in connection with Russia's invasion of Ukraine.

Let's start with Sergey Chemezov. There he is. Sergey Chemezov is the man at the very top of this chart. Chemezov is the most influential member of the Roscosmos supervisory board and appears to finance operations of Roscosmos through a bank he controls as part of his giant, state-owned defense corporation, Rostec.

As CEO of Rostec, Chemezov controls roughly two-thirds of Russia's defense sector and employs more than 900,000 people, which is approximately 1.2 percent of the whole Russian workforce. This has led some in the Russian government to refer to him as the ''shadow defense industry minister.''

More importantly, Sergey Chemezov is a former KGB agent who was stationed with Putin in Communist East Germany during the 1980s. The two lived together in an apartment complex in Dresden. Chemezov is said to be Putin's KGB mentor. Chemezov acknowledges that his ties to Putin gave him a competitive business advantage, but the truth is that his meteoric rise was fueled by a series of Kremlin-backed takeovers of prominent Russian companies, and now Roscosmos has been added to the list. Both Chemezov and his state-owned defense corporation Rostec are targeted by U.S. sanctions. I repeat, they and his company are targeted by U.S. sanctions, as is the Rostec-owned bank Novikombank, which finances Roscosmos's operations.

Next in the organizational chart we have Igor Komarov, who will serve as Roscosmos' chief executive officer. He has been sanctioned by the European Union. Recently, he was the head of Russia's largest car manufacturer. This car manufacturer also happened to be taken over by Chemezov's behemoth defense corporation Rostec, and Chemezov later served on the company's board as both chairman and deputy chairman. Komarov is Chemezov's protégé.

To put it simply, Chemezov handpicked Komarov—a man with little or no experience in the space industry—to run Roscosmos. Chemezov leveraged his position as CEO of Rostec and his access to Putin to make sure that Roscosmos's new head is someone he can control. This gives Chemezov the ability to manage Roscosmos from the shadows, much as he has done with Russia's defense industry. Think of Komarov's relationship to Chemezov as Dmitry Medvedev's relationship to Putin.

Finally, we have Dmitry Rogozin. Yet another target of U.S. sanctions, Rogozin has served as Deputy Prime Minister of the Russian Federation and as the so-called space czar since 2011. Remember, he has been sanctioned by the United States of America; he is now the space czar in Russia. He is also the chairman of Roscosmos's board of directors and has overseen the transition of Roscosmos into its new form, a massive state-owned corporation.

Not surprisingly, during his tenure, Rogozin has been part of a period of unprecedented corruption. He has publicly acknowledged ''a systemic crisis from which the space agency is yet to emerge.'' He also attributes recent financial scandals and criminal activities to a ''moral decline of space industry managers.'' I want to emphasize this. These are Rogozin's words, not mine. The Russian space czar, who has overseen the restructuring of Roscosmos, publicly admits that individuals running the state-owned corporation are hopelessly and fatally corrupt.

In May 2015, the Russian Audit Chamber reported that in fiscal year 2014 alone, Roscosmos misallocated approximately $1.8 billion. In fact, the money wasn't misallocated; it simply disappeared. The report cited gross financial violations, such as improper use of funds, misuse of appropriated funds, and violations in financial reporting methods. The number was so high that Russian auditors at first thought they must be wrong. They finally concluded that ''[the original Roscosmos organization] is among the biggest and least disciplined [of government agencies] that blatantly ignore regulatory requirements and best practices in state procurement orders.'' And this is from Russia's own internal government watchdog, the rough equivalent of the U.S. Government Accountability Office, GAO.

My friends, as conscientious Americans, we simply cannot continue to do business with this group of self-admitted swindlers and crooks. We cannot support a Russian space agency that is financed by a sanctioned Russian bank, owned by a sanctioned Russian defense company, and controlled by a sanctioned Russian CEO who also happens to be a former KGB agent and close personal friend of Vladimir Putin's.

It is time we found the moral courage to end our reckless dependency on Russian technology before the Russian Government ends it for us. Rogozin has already threatened to cut off our access to space. Just last year, he declared:

> We are not going to deliver the RD–180 engines if the United States will use them for non-civil purposes. We also may discontinue servicing the engines that were already delivered to the United States.

Despite these threats, we still manage to funnel hundreds of millions of dollars to Chemezov, Komarov, Rogozin, and countless other Russian stooges just like them. We continue to supply Vladimir Putin with the very capital he needs to wage his deadly shadow war in Europe and the Middle East. We don't need to buy any more engines from Russia. The Secretary of Defense, the Secretary of the Air Force, and the Director of National Intelligence have all testified to that point before the Senate Armed Services Committee. Former Secretary of Defense and Director of the CIA Leon Panetta, former CIA Director and NSA Director Michael Hayden, former Deputy CIA Director Mike Morell, and others, including the former European Command commander and others, all endorse our efforts in this bill to responsibly end our reliance on Russian rocket engines.

I am here to tell you that we are subsidizing the Russian military industrial complex at the expense of our own national interests, and we must end this dangerous addiction before it is too late.

So here we are, my friends, with a blatant, incredible story of people who

are so involved in the Russian invasion of Ukraine that they were sanctioned. They were sanctioned by the United States of America and other countries. They are now in charge of the Russian rocket program. They are the ones into whose pockets go the hundreds of millions of dollars we spend on these Russian rockets.

We have this incredible alliance of Boeing and United that is unbelievable in this consortium of the two biggest defense industries in America that has such control over this body that we will continue to subsidize and pay hundreds of millions of American dollars to corrupt crooks—people and money that will fuel Putin's activities. And we all know that his indiscriminate bombing in Syria is slaughtering thousands of innocent people and driving thousands into refugee situations. It is Vladimir Putin who is bombing the people we train and equip.

By the way, as we might have seen in the last couple of days, Bashar al-Assad has said that there is going to be no peace, that he is going to regain control of the entire country of Syria, making a farce and a joke out of the so-called ceasefire that was orchestrated by our Secretary of State, who went to Moscow on bended knee to beg his buddy Lavrov to agree to a ceasefire that really never existed.

The point is, we do have a supply of rocket engines. Admittedly, they are more expensive. I will freely admit that. But we also have a number of other corporations—not just SpaceX but Blue Origin, and there are a number of others—that are developing rocket engines. If we look at what SpaceX just did, they were able to land a rocket for the first time so it is reusable. Their space launch—they were reusing it. There will be other breakthroughs thanks to these entrepreneurs like Elon Musk and Jeff Bezos and others who are taking charge, when this old consortium, this old military industrial complex called ULA, is running things and we are paying them $800 million a year to do nothing but stay in business.

My friends, I would also point out one other aspect of this. The Appropriations Committee's job is to appropriate. It is the authorizing committee that does the authorizing. What was in the appropriations bill in numerous places was a gross violation of the area of responsibility of the authorizing committee.

I don't know exactly what we can do about this creeping policymaking on the part of the appropriators, but I hope that at some point—the majority on both sides are not members of the Appropriations Committee, but they are members of various authorizing committees. Sooner or later, they are going to get tired of authorizing certain programs and authorizing after debate and hearings and all the things that—for example, I guarantee you that the Senate Armed Services Committee has had 10 times the number of hearings and debates and amendments and markups that the Defense Appropriations Subcommittee has had. I guarantee you that. So they take it upon themselves on an issue such as this to put in their own version, which is obviously controlled by Alabama and Illinois.

So that is what is wrong with this system. That is what is wrong with this body. That is what is wrong. And the American people are beginning to figure it out, and they don't like it, and they shouldn't like it.

I pointed out yesterday—and lost a vote—that in 1992 we spent $20 million on medical research out of the Defense appropriations, out of American tax dollars. Today, it is $1 billion worth of medical research, most of which has nothing to do with the men and women who are serving this country.

I note the presence of the Senator from Colorado. I am sure he may even know these individuals. I would like for him to meet them, because they are crooks. They are crooks, they are corrupt, and they are butchers. So I would like for him to meet them as he continues to advocate for the status quo, which is a totally unacceptable expenditure of American tax dollars which, indeed, are used to kill Americans. That is a heavy responsibility, I would say to my new friend in the Senate, the Senator from Colorado. That is a heavy responsibility. These guys are killing people, and we are subsidizing these murderers and thugs. That is not something I would be proud of.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I have great respect for my colleague from Arizona. The service he has given to this country and the sacrifices he has endured are tremendous, and nobody can underestimate what he has done for this Nation.

I don't think anybody here would ever think they have done that in whatever legislative action they take. So while we may disagree on certain issues or agree with a different course of action, I believe everybody wants to do what is best for their Nation.

When it comes to this particular issue of having access to space, having reliable access to space, maintaining competition in our industry so that we can provide the best value and cost savings to the American taxpayer while achieving the level of security we need, that is where I believe this debate is rightfully focused, and that is also where the debate from our own Department of Defense is focused.

Nobody in this Chamber wants to continue the status quo. In fact, I have filed an amendment with Senators NELSON, BENNET, HATCH, INHOFE, and SESSIONS—a number of people who believe we should end the status quo and go in a new direction. In fact, that is what this entire debate is about, to make sure we no longer have to rely on the rocket as we do today. But we cannot leave the security of this country blind to capacities that we would lose if we pursued the direction of the Defense Authorization Act as it is written today, because if we pass this legislation, there are assets that will protect the people of this country that we may not be able to put into space. And if we do, in this bill is language that will cost up to $1.5 billion because that is what this bill will force to be done—legislation that will result in a $1.5 billion to $5 billion tax increase.

I just supported an amendment to add dollars to our defense and security because I believe it is important that the men and women of this country have the tools and the resources they need to protect and defend themselves. I supported that—billions of new dollars. Yet the actions under this bill would cost the American taxpayers somewhere between $1.5 billion and $5 billion in more money. While we are adding more money, we are taking it away with passage of this act, while reducing reliability, reducing access to space, and reducing competition. I believe as organizations like the Tea Party Patriots, organizations like AEI, organizations across the country that believe we can do better, that we should keep competition, that we should keep reliability—those are the things we believe in.

Let me read comments by Defense Secretary Ash Carter, the Secretary of Defense, who is truly interested in making sure we protect the people of this Nation from bad actors:

> We have to have assured access to space, so we have to have a way to launch our national security payloads into space so our country's security depends on that. One way to do that which is reflected in our budget is to continue to use the Atlas booster including a limited, but continuing number of RD–180 engines.

Air Force Secretary Deborah Lee James on January 27, 2016:

> Maintaining at least two of the existing systems until at least two launch providers are available will be necessary to protect our Nation's assured access to space.

This is coming from somebody who believes we need to protect this country and the people of this country from bad actors. She goes on to say:

> As we move forward, we respectfully request this committee allow the Department the flexibility to develop and acquire the launch capabilities our warfighters and Intelligence Community need.

Assistant Secretary of the Air Force, William LaPlante, July 16, 2015:

> We believe authorization to use up to 18 RD–180 engines in the competitive procurement and award of launch service contracts through Fiscal Year 2022 is a reasonable starting point to mitigate the risk associated with assured access to space and enable competition.

This is somebody who is interested in protecting the people of this country from bad actors—people who would do harm, people who would do evil acts to this country and our allies.

Assistant Secretary of Defense for Acquisition, Katrina McFarland, June

26, 2015, talks about the need for this program.

Intelligence Director James Clapper and Defense Secretary Ash Carter on May 11, 2015, together said:

> We are working diligently to transition from the Russian-made RD–180 rocket engine onto domestically sourced propulsion capabilities, but are concerned that section 1608 presents significant challenges to doing so while maintaining assured access to space.

They care about the security of this Nation. They care about the secure future of this Nation.

In fact, just a few days ago, in an article from former General Shelton, four-star commander in the U.S. Air Force, he talked about the need to move away from these rockets to transition to an American-made rocket but in the meantime not allow our capacity, our capability, or our competition to suffer.

Here is what it would cost. This is what it would cost. Here is the graph. This is what the American taxpayers would be paying—35 percent more, $1.5 billion to a $5 billion increase in spending if the language of the bill, as it is written today, goes into law. That is not some staffer in the cloak of darkness in the mailroom trying to come up with figures. That is what the experts agree will happen.

While this body is talking about there is not enough money to fund defense, while this body is voting on amendments to increase spending on defense, the same policies enshrined in this bill would cost up to $5 billion more. If we truly want to make sure we have the resources needed to defend this country, let's not self-inflict $5 billion worth of harm when we all agree to transition to an American-made system. Let's do so in a way that relies on the ability to do what is right with competition, with reliability, instead of transitioning to a system that can't even reach 60 percent of projected NSS needs—national security space mission needs—unless you use a 35 percent more expensive rocket.

General Shelton believes we should keep this rocket—a five-star general in the U.S. Air Force, Russian rocket engines are essential for now. General Shelton begins: ''The U.S. Senate is debating the 2017 National Defense Authorization Act.'' An amendment proposed ''would provide relief'' from restrictions that we are facing right now, ''recognizing that the current draft legislation would significantly harm the national security space program.''

A four-star general in service to our Nation has said that if we don't change the bill as it is written, it would significantly harm the national security space program. General Shelton is the former commander of Air Force Space Command. I think he knows what he is talking about. I think he is an expert.

I could read more quotes from others. The NASA Administrator believes that without this language, we are going to increase costs in NASA, not just the Department of Defense, and we are going to hurt our ability to access space and access launches.

You talk to the intel communities—intel communities that believe they would lose the capacity to launch satellites that provide missile launch detection that can protect our people and our country.

Yes, let's make sure we transition, yes, let's make sure we change the status quo, but let's do it in a way that is smart, good policy, and protects the interests of the American people. That is what this amendment is about, and we can all agree to that.

Mr. President, I would like to change topics quickly, if I could.

MARION KONISHI AND CAMP AMACHE PILGRIMAGE

Mr. President, just a couple of weeks ago in Colorado, Channel 9 News in Denver reported that a bus was going to leave Denver to make a 4-hour drive to a place called Amache. It is where some 7,000 people lived, worked, and called home during much of World War II. Ten weeks after the Japanese bombed Pearl Harbor, President Franklin Roosevelt signed Executive Order 996, creating internment camps for people of Japanese descent. One of those camps was in Colorado.

Just a couple of weeks ago marked the 40th year that Japanese Americans have made a formal pilgrimage to that camp. Those 7,000 people lived in barracks, formed their own schools, planted gardens, and had beauty parlors and Boy Scout troops. Their sons volunteered to fight and die for the country that imprisoned their parents. Many of the visitors to the camp were elderly, in their nineties. There were some college students who made the visit as well, but amongst the people who visited Camp Amache just a couple of weeks ago was the valedictorian of the 1943 Amache Senior High School class. Her name is Marion Konishi. It was her first visit to Camp Amache since she left the camp more than 70 years ago. She was a valedictorian, and 73 years ago she gave a speech as the head of her class. Just a few weeks ago, she returned to Camp Amache where she reread that speech again for the first time.

I thought I would read excerpts of that speech today, her speech titled ''America, Our Hope is Anew,'' June 25, 1943.

> One and a half years ago I knew only one America—an America that gave me an equal chance in the struggle for life, liberty, and the pursuit of happiness. If I were asked then—''What does America mean to you?''—I would answer without any hesitation and with all sincerity—''America means freedom, equality, security, and justice.''
>
> The other night while I was preparing for this speech, I asked myself this same question—''What does America mean to you?'' I hesitated—I was not sure of my answer. I wondered if America still means and will mean freedom, equality, security, and justice when some of its citizens were segregated, discriminated against, and treated so unfairly. I knew I was not the only American seeking an answer.
>
> Then I remembered that old saying—all the answers to the future will be found in the past for all men. So unmindful of the searchlights reflecting in my windows, I sat down and tried to recall all the things that were taught to me in my history, sociology, and American life classes. This is what I remembered.
>
> America was born in Philadelphia on July 4, 1776, and for 167 years it has been held as the hope, the only hope, for the common man. America has guaranteed to each and all, native and everyone foreign, the right to build a home, to earn a livelihood, to worship, think, speak, and act as he pleased—as a free man equal to every other man.
>
> Every revolution within the last 167 years which had for its aim more freedom was based on her constitution. No cry from an oppressed people has ever gone unanswered by her. America froze, shoeless in the snow at Valley Forge, and battled for her life at Gettysburg. She gave the world its greatest symbols of democracy: George Washington, who freed her from tyranny; Thomas Jefferson, who defined her democratic course; and Abraham Lincoln, who saved her and renewed her faith.
>
> Sometimes America failed and suffered. Sometimes she made mistakes, great mistakes, but she always admitted them and tried to rectify all the injustice that flowed from them. . . . Her history is full of errors but with each mistake she has learned and has marched forward onward toward a goal of security and peace and a society of free men where the understanding that all men are created equal, an understanding that all men whatever their race, color, or religion be given an equal opportunity to save themselves and each other according to their needs and abilities.
>
> I was once again at my desk. True, I was just as much embittered as any other evacuee. But I had found in the past the answer to my question. I had also found my faith in America—faith in the America that is still alive in the hearts, minds, and consciences of true Americans today—faith in the American sportsmanship and attitude of fair play that will judge citizenship and patriotism on the basis of actions and achievements and not on the basis of physical characteristics.
>
> Can we the graduating class of Amache Senior High School, still believe that America means freedom, equality, security, and justice? Do I believe this? Do my classmates believe this? Yes, with all our hearts, because in that faith, in that hope, is my future, our future, and the world's future.

To Marion Konishi, today Marion Kobukata, her husband Kenneth, who served in the 442nd, thank you for sharing these words 73 years later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, you have a choice here. You can believe the Senator from Colorado where there is substantial presence of ULA—an outfit that makes a lot of money—or you can believe Leon Panetta, former Secretary of Defense, former Director of the Central Intelligence Agency; Gen. Michael Hayden, former Director of the CIA, former Director of the National Security Agency; Michael Morrell, former Deputy Director and Acting Director of the Central Intelligence Agency; Michael Rogers, former chairman of the House Select Committee on Intelligence; ADM James Stavridis, and there are many more. All of them are saying they support what I am trying to do. It is interesting that the

Senator from Colorado would completely ignore the view and position of the most respected people in America.

I respect the Senator from Colorado. I do not compare his credentials to that of the former Secretary of Defense. By the way, Americans for Tax Reform is in opposition to the proposal to lift the ban on the rocket engines. They point out America has spent over $6 billion—$1 billion that they have spent on this.

Also, there was an interesting incident that happened maybe a couple of months ago where an individual who is an executive from this outfit called ULA made a speech that had a lot of interesting comments in it. He obviously didn't know that it was being recorded. The interesting thing is that this man, Brett Tobey, vice president of engineering for ULA, said during a lecture at the University of Colorado in Boulder, CO, last week that the Department of Defense had ''bent over backwards to lean the field to ULA's advantage in a competition with new market entrant SpaceX.'' An executive of ULA alleges that the Defense Department bent over backwards to lean the field in favor of ULA. If that isn't a graphic example of what is going on here, then I don't know what is. He also said that because of the SpaceX competition, they were going to have to make cuts in their workforce and change the way they do business. For all of these years they have not had any competition, but the Defense Department has bent over backwards to lean the field to ULA's advantage in a competition with the new market entrant Space Exploration Technologies.

I wish to remind the Chair that about 10 years ago there was an idea for Boeing to build a new tanker. It smelled very bad. I, my staff, and others pursued it, and it ended up with executives from Boeing going to jail. Unfortunately, this is another one of those examples that contributes to the profound cynicism of the American people about how their money is spent.

My colleagues have a choice. They can believe the Senator from Colorado, and I am sure that the Senator from Illinois will come to the floor because that is where Boeing is headquartered. They will talk about all of these things, and then you can compare that with Leon Panetta—probably one of the most respected men in America and one of the great Secretaries of Defense—General Hayden, Michael Morell, Michael Rogers, James Stavridis, and all of these people who have no dog in this fight. They don't have anything based in their State that would affect their State's economy. They have a wealth of experience. I would imagine there is at least a century worth of experience in defense amongst these individuals. In no way do I disparage the experience of the Senator from Colorado, but I will match these guys against his any day of the week. They have no dog in this fight nor do they have a corporation based in their State.

After all of these years on the Senate Armed Services Committee, I know when something smells bad, just as I did with the Boeing tanker, and people ended up in jail. This stinks to high heaven.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Colorado.

Mr. GARDNER. Mr. President, I will continue to state the number of people who believe it is important that we approach this from the standpoint of an amendment that Senator NELSON and I have filed, along with a bipartisan group of legislators.

I will begin with Gen. Mark Welsh, Air Force Chief of Staff. This is testimony before the Senate Appropriations Defense Subcommittee in 2015.

> [V]irtually everybody agrees that we would like to, as the United States of America, not be so reliant on a Russian engine going forward into the future. . . . But the question is how to do it and when will we be ready, because we don't want to cut off our nose to spite our face. . . . all of the technical experts with whom I've consulted tell me this is not a one or two or three-year deal. You're looking at maybe six or seven years to develop an engine and another year or two beyond that to be able to integrate.

Of course, our amendment would cut it off at 2022 because we believe that is the transition we would need in order to provide the kind of security that the people of this country expect.

Let me show some of the national security missions that will be delayed if we don't have the ability to use all of the components of our current rocket set today.

The space-based infrared system warning satellites that are designed for ballistic missile detection from anywhere in the world, particularly countries like North Korea, would be delayed. I had the opportunity to go to South Korea just last week where I met with General Brooks who talked about the need for us to provide more intelligence over North Korea. The day we were there, North Korea once again tried to launch a ballistic missile. Thankfully it failed, but what happens if it doesn't fail? Are we going to be able to have the space-based infrared system in place that we need to be able to protect the people of this country? Because if they succeed and we don't know, that is catastrophic.

The Mobile User Objective System and Advanced Extremely High Frequency satellite system designed to deliver vital communications capabilities to our armed services around the world would both be delayed. According to a letter dated May 23 from the Deputy Secretary of Defense—again somebody who is very much interested in the future and current security of this country—''losing/delaying the capability to place position and navigation, communication, missile warning, nuclear detection, intelligence, surveillance, and reconnaissance satellites in orbit would be significant.''

The Administrator of the National Aeronautics and Space Administration said before the Senate when asked about what would happen with the loss of these rockets: They are counting on these rockets to be able to get the number of engines that would satisfy the requirements for NASA to fly the Dream Chaser when it comes around in 2019.

The Dream Chaser already has a resupply service contract for the International Space Station. It is designed to fly on top of one of these rockets. If we were to change that, it would no longer have that rocket available, and they would undergo significant cost and delay in trying to retrofit the rocket just like the Orion space program.

We can talk about more experts. In April of 2015, the Under Secretary of Defense for Acquisition, Technology and Logistics said:

> There's going to be a period of time where we would like to have the option, possibly, of using RD–180s if necessary. There are much more expensive options available to us but we prefer not to go that way.

We have shown the chart of how expensive it would be, and now I want to show one final chart.

When we talk about how much money is being spent on rocket engines, I would like to point out this chart. If we are concerned about cronies from Russia, then let's talk about other areas where we are importing from Russia.

This is from 2013. If you look at where we are, engines and motors represent .32 percent of this pie chart. That is how much money is being spent on importing engines and motors from Russia. Let's look at something like nickel. Nickel is .59 percent of our imports from Russia. Arms and ammunition are .56 percent, more than engines and motors. Here is an interesting one. Fish, crustaceans, and aquatic invertebrates are 1.2 percent of our imports from Russia. Engines and motors represent only .32 percent of that.

We are going to continue to have a very good debate in this body. I think Members can come at this from a different approach, and I look forward to working out a solution that all Members can be proud that we have done what is best for our country, our taxpayers, and our security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I know the Senator from Utah is waiting.

We have a choice: Believe those who have a vested interest in continuing this purchase of Russian rocket engines or believe some of the most respected people in America who say we don't need to do it. That is what the choice is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise today to discuss and urge my colleagues to support amendment No. 4448, the due process guarantee amendment.

This amendment addresses a little known problem that I believe most Americans would be shocked to discover even exists. Under current law, the Federal Government has proclaimed the power—has arrogated to itself the power to detain indefinitely, without charge or trial, U.S. citizens and lawful, permanent residents who are apprehended on American soil.

Let that sink in for just a minute. If you are a U.S. citizen or a U.S. green card holder and you are arrested on American soil because you are suspected of supporting a terrorist group or other enemy of the United States, the Federal Government has claimed the power to detain you indefinitely without formally charging you or without offering you a trial.

I am not talking about American citizens who travel to foreign lands to take up arms against the United States military and are captured on the battlefield. I am talking about U.S. citizens who are apprehended right here in the United States of America.

Under current law, even they can be imprisoned for an unspecified—in fact, unlimited—period of time without ever being charged and without the benefit of a jury trial to which they are entitled.

You don't need to be a defense attorney to recognize what an outrage this is. Arresting U.S. citizens on American soil and then detaining them indefinitely without charges or a trial are obvious deviations from the constitutional right to due process of law.

The last time the Federal Government exercised such power and did so without congressional authorization was during the internment of Japanese Americans during World War II. Congress responded by passing a law to prevent it from happening again. Of course, such legal protection should not need to be codified into Federal statute in the first place, but they did it anyway.

The Fifth Amendment of the Constitution states in no uncertain terms that no person shall be deprived of life, liberty, or property without due process of law. Then again, as James Madison reminded us, if men were angels, no government would be necessary.

In the wake of World War II, Congress passed and President Nixon signed the Nondetention Act of 1971, which states: ''No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress.'' Those last few words are absolutely crucial: ''except pursuant to an Act of Congress.'' The Nondetention Act of 1971 recognized, as I believe most Americans do, that in some cases—in some grave, treacherous, unfortunate cases—indefinite detention of U.S. citizens may, in the eyes of some, be deemed necessary, but the point is that the Federal Government does not inherently possess the power of indefinite detention. The extent to which such power can even be said to exist within our constitutional framework at all is a question that many of us would regard as at least debatable.

Certainly only an act of Congress, such as an authorization for the use of military force, or AUMF, or perhaps a declaration of war can give the Federal Government that power. Fast forward 40 years, and this important legal protection has eroded.

In 2011, 40 years after the passage of the Nondetention Act of 1971, Congress passed its annual National Defense Authorization Act for fiscal year 2012, the predecessor of the bill that we are considering today. In that version of the NDAA, there was a provision, section 1021, giving the Federal Government the power to detain U.S. citizens indefinitely without trial, even those who were apprehended on American soil. It may sound as though section 1021 meets the ''Act of Congress'' threshold established by the Nondetention Act of 1971, but importantly it does not. It does no such thing. Here is why: The language of section 1021 merely presumes that the 2001 AUMF gives the Federal Government the right to detain U.S. citizens indefinitely without having to prove anything, even though an explicit grant of such power appears nowhere at all in the 2001 AUMF.

My amendment would resolve this problem. In clear and straightforward language, my amendment clarifies that a general authorization to use military force, a declaration of war, or any similar authority on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States. This means that if Congress believes it is necessary to have the power to indefinitely detain U.S. citizens who are captured in the United States, then Congress must expressly say so in any authorization it passes.

My amendment recognizes that the due process protections of U.S. citizens are far too important to leave up to implied legal contemplation.

The 2001 AUMF does not expressly state that the Federal Government has the power to indefinitely detain U.S. citizens who were apprehended on American soil. It just doesn't say it. You can look at the 2001 AUMF and you will not find that. For those who believe it is somehow in the national security interests of the United States for the Federal Government to have that power, they should file an amendment to the AUMF that says so explicitly, and then we can see what the American people think and we can find out, just as importantly, what their elected representatives in the House and in the Senate think, or they can file an entirely new AUMF that expressly provides such authority.

This amendment—the one I am discussing today—should not be controversial. In fact, in 2012—just a year after the initial offending provision that I described a moment ago was passed—the Senate passed this amendment with 67 votes, in large part thanks to the tireless efforts of my distinguished colleague, the senior Senator from California, Mrs. FEINSTEIN, who today joins me as a cosponsor of the amendment.

Unfortunately, the due process guarantee amendment was stripped from that version of the NDAA passed in 2012 for 2013 during the conference process. At the time, some opponents of the amendment were under the impression that it would extend due process provisions to citizens outside of the United States, but that is undeniably false. The due process guarantee amendment applies only to U.S. citizens and lawful permanent residents who are apprehended on U.S. soil.

It has been 4 years since that misunderstanding prevented Congress from passing this commonsense bipartisan reform. That is more than enough time for this institution to gain clarity on what this amendment does do and, just as importantly, on what this amendment does not do. So it is time that we finally pass this amendment, and I urge each of my colleagues to do so.

Mr. PAUL. Will the Senator yield for a question?

Mr. LEE. Yes.

Mr. PAUL. Four years ago we passed legislation under the Defense authorization that allows the American Government to detain an American citizen without a trial. Think about that. One of our basic rights, one of our most important rights is the right to a trial, to be represented, to have a jury of our peers.

You say: Well, it will never be used. Well, President Obama recognized this. He said: This is a terrible power, and I promise never to use it. Any power that is so terrible that a President says he is not going to use it should not be on the books.

As the Senator from Utah said, it is not about having laws that require angels to be in charge of your government. Someday there will be someone in charge of the government who makes a grievous mistake, like rounding up the Japanese. So we have to be very careful about giving power to our government. That is what the challenge is here.

Many will say: Well, we are at war, and when at war you have to have the law of war.

What is the law of war also known as? Martial law. But this is a war that does not seem to have an end. They are not asking for a 1- or 2-year period in which there won't be trials; they are asking you to relinquish your right to trial for a war that may have no end.

I want you to imagine this. Who could these enemy combatants be who may not get trials? Imagine you are an Arab-American in Dearborn, MI, and you send an email to someone overseas. Maybe that person is a bad person and maybe there is a connection, but shouldn't a person in Dearborn, MI,

have a right to defend themselves in court and say: I was just sending an email to them and I said a few stupid things, but I am not a terrorist. Shouldn't they get the right to defend themselves?

We need to be very careful that, as we fight this long war, we don't wake up one day and say we won the war, but we lost what we stood for. We lost the Bill of Rights. We lost it to our soldiers. I know soldiers who lost two arms and a leg fighting for us, and they come back and say they were fighting for the Bill of Rights. That is what this should be about—protecting the Bill of Rights while they are gone.

So the question I have for my esteemed colleague is—some will say: Well, they get a hearing. They get a habeas hearing. They go before a judge. Isn't that due process?

Is a habeas hearing equivalent to due process?

Mr. LEE. No. No. Due process can include habeas, but someone might say habeas corpus is the beginning of due process, not the end. Sometimes it occurs at the beginning, sometimes at the end, but regardless of when in the process it occurs, a habeas proceeding does not represent the sum total universe of what due process means.

You can't read the Fourth, Fifth, Sixth, and Eighth Amendments of the U.S. Constitution to see that what happened in the version of NDAA that we passed in 2011 was an affront to the constitutional order. It was an aberration.

We are not asking for anything drastic. All we are asking here is that before the government takes this step—the type of drastic step you are describing—that at minimum we require Congress to expressly authorize that. Is that really too much?

For those who would say that we are at war, we are in danger—and I understand that. There are those who don't like our way of life. They even perhaps want to do us harm. For those who would say that we are at war and we have to take that into account and consider that, my response is, OK, if that is the case, then let's at least do it the way we are supposed to do it. Let's at least have that discussion rather than doing it by subterfuge, rather than doing it under a cloud of uncertainty, rather than doing it by implication. We need to do so expressly. That is all this amendment does.

Mr. PAUL. Let me clarify in a followup question. If an American citizen goes to Syria and fights with ISIS and is captured on the battlefield, this amendment would not mean they get a trial.

Mr. LEE. No.

Mr. PAUL. They could still be held as an enemy combatant.

Mr. LEE. That is correct. This wouldn't cover them at all because that person is outside the United States. That person is captured on a battlefield outside the United States. That person wouldn't be covered under this amendment.

Mr. PAUL. Let's also be clear on what we are talking about. People who have been defined as enemy combatants are not always holding a weapon. You can have a propagandist. We have had propagandists who have been killed overseas who were propagandists for the enemy. So it is conceivable that an American citizen could be exchanging information and saying something derogatory about us or something in favor of the enemy, and that could be considered to be—that person is now a propagandist.

My point is, shouldn't they have a day in court to determine the facts and have representation as opposed to being plucked up and saying: You are going to Guantanamo Bay for the rest of your life because you made some criticism, and now the state has deemed you an enemy.

Mr. LEE. That is absolutely right, and that is precisely why we need these protections. That helps illustrate the slippery-slope nature of this problem. And it also emphasizes why it is that there are some in our body who want to make sure this power exists in the government, that we must pass legislation affirmatively making it so, expressly providing that power rather than doing it indirectly. That is all our amendment does.

This is indeed a slippery slope. If all you have to do to indefinitely detain someone without charge, without trial, suspending their rights under the Fourth, Fifth, Sixth, and Eighth amendments—if that is all you have to do, is charge them in a certain way, then our constitutional protections have become weakened, indeed, to a dangerous degree.

Mr. PAUL. Is it currently true that this amendment is being blocked by one Senator from gaining a vote?

Mr. LEE. We are trying to get a vote. This got a vote in 2012. It received 67 votes from people of both parties, votes from some Members—including at least one person whom you may be thinking of who has objections to it now. We need this to get a vote. If we are voting on other amendments, which we should be doing, this should get a vote. Nobody has explained to me why this should not at a minimum receive a vote. If somebody doesn't like this, fine, let them vote against it. But we should have a vote on this because this is relevant to the National Defense Authorization Act. It was the National Defense Authorization Act passed in 2011 that was the vehicle for enacting this into law.

Mr. PAUL. One concluding point I would make would be that we have time in the Senate body to vote about which rockets we are going to use, made in which State and in which country. Shouldn't we take time to vote about the abrogation or possible abrogation of the Bill of Rights, of the right to a trial by jury?

I think this is an eminently important issue, should not be pushed under the rug, and that no one should be afraid to take a stand. Not everyone will agree, but we should be allowed to take a stand on the Senate floor, openly debate, and have a vote on whether you will have your right to trial by jury or whether we are going to abbreviate that right and say we are at war. But realize that if you think your rights can be abbreviated in times of war, this is a war—that the people who tell you they are going to abbreviate your rights are also telling you that this war has no end, that there is no conceivable end to this war, and that the diminishment of your liberty, the loss of your right to trial by jury, will go on and on without end.

I wholeheartedly support the amendment by my fellow Senator from Utah, and I advocate for having a vote on the Senate floor.

Mr. LEE. I agree.

I note the presence of my distinguished colleague from California, and I yield the floor so that she can address the body.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Senators, and I thank the Presiding Officer.

I have listened to this debate, and I rise to urge my colleagues to allow a vote on this due process guarantee amendment.

Senator LEE has filed it, I am a cosponsor, and I am delighted to be a cosponsor. We actually voted on an earlier version of this amendment in 2012, so this is nothing new. What Members may not recall is that it passed with 67 votes as an amendment to this bill for fiscal year 2013.

I would also note that thanks to then-Chairman LEAHY, the bill on which this amendment is based had a hearing in the Judiciary Committee on February 29, 2012.

So this bill has come before this body before. It got 67 votes, and it had a hearing in the Judiciary Committee 4 years ago. Unfortunately, the amendment was taken out of the NDAA in conference that year.

It is my hope that the Senate will pass this amendment again this year and that the House will support it so that the law will clearly protect Americans in the United States from indefinite detention by their own government.

Members may say: Well, this isn't going to happen. We are not going to do this.

But we have done it. I remember as a small child going just south of San Francisco to a racetrack called Tanforan. It was no longer a racetrack; it was a detention center for Japanese Americans during World War II, and there were hundreds of families housed there for years against their will.

To prevent this from ever happening again, Congress passed and President Nixon signed into law the Non-Detention Act of 1971 which clearly states: ''No citizen shall be imprisoned or otherwise detained by the United States

except pursuant to an act of Congress.'' That sounds good, but it didn't go far enough.

Despite the shameful history of the indefinite detention of Americans and the legal controversy since 9/11, some in the Senate have advocated for the indefinite detention of U.S. citizens during debate on the Defense authorization bill in past years. These Members have argued that the Supreme Court's plurality decision in the 2004 case of Hamdi v. Rumsfeld supports their view. However, the Hamdi case involved an American captured by the United States military on the battlefield in Afghanistan. Yaser Esam Hamdi was a U.S. citizen who took up arms on behalf of the Taliban. He was captured on the battlefield in Afghanistan, not on United States soil. That is the difference. While the Supreme Court did effectively uphold Hamdi's military detention, the Supreme Court did not accept the government's broad assertions of executive authority to detain citizens without charge or trial.

In fact, the Hamdi decision says clearly that it covers only ''individuals falling into the limited category we are considering,'' and did not foreclose the possibility that indefinite detention of a U.S. citizen would raise a constitutional problem at a later date.

Since Hamdi was decided in 2004, decisions by the lower courts have contributed to the legal ambiguity when it comes to the detention of U.S. citizens apprehended in our very own country. You can look at the case of Jose Padilla. He is a U.S. citizen arrested in Chicago in 2002. Padilla was initially detained by the Bush administration under a material witness warrant based on the 9/11 terrorist attacks and was later designated as an enemy combatant who allegedly conspired with Al Qaeda to carry out terrorist attacks, including a plot to detonate a dirty bomb inside our country.

Padilla was transferred to a military brig in South Carolina, where he was detained for 3½ years while seeking his freedom by filing a writ of habeas corpus in Federal court. Now, it is important to note that Padilla was never charged with attempting to carry out the dirty bomb plot. Instead, he was released from military custody in November 2005 and transferred to civilian Federal custody in Florida, where he was indicted on other charges in Federal court related to terrorist plots overseas.

In a 2003 decision by the Second Circuit known as Padilla v. Rumsfeld, the court of appeals held that the 2001 authorization for use of military force, which we call the AUMF, did not authorize Padilla's military detention. The decision stated: ''We conclude that clear Congressional authorization is required for detentions of American citizens on American soil, because 18 U.S.C. Section 4001(a), the Non-Detention Act, prohibits such detentions absent specific Congressional authorization.''

So the Padilla case bounced back and forth from the Second Circuit up to the Supreme Court and then to the Fourth Circuit. The legality of his military detention was never conclusively resolved. Thus there remains ambiguity about whether a congressional authorization for the use of military force permits the indefinite detention of United States citizens arrested on United States soil.

So let me say that 12 years—let me repeat, 12 years—after Padilla was initially arrested and detained, he was finally sentenced to 21 years in prison in 2014.

The simple point is that we can protect national security while also ensuring that the constitutional due process rights of every American captured within the United States are protected.

That is what this amendment would do. Like the amendment that passed here in 2012 with 67 votes on this floor, this amendment would prevent the government from using a general authorization for the use of military force to apprehend Americans at home and detain them without charge or trial indefinitely. So no one could be picked up and not charged and held indefinitely.

It states very simply in our legislation: ''A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.''

The amendment also modifies the existing subsection (a) of the Non-Detention Act, so it covers lawful permanent residents of the United States and ensures that any detention is consistent with the Constitution.

So new subsection (a) will read: ''No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.''

Now, let me explain the impact of these changes to the law. First, the U.S. Government will continue to be able to detain U.S. citizens or lawful permanent residents on a foreign battlefield pursuant to an authorization to use military force, like what we passed after 9/11. That AUMF provides the authority to detain Al Qaeda, ISIL, and affiliated terrorist fighters.

In other words, if the government needs to detain an enemy combatant on a foreign battlefield under a post-9/11 congressional authorization to use force, that is not barred, even if the enemy combatant is, in fact, a U.S. citizen. Indeed, the Supreme Court held in Hamdi that the AUMF is ''explicit authorization'' for that limited kind of detention. So the amendment does not disturb the Hamdi decision.

Second, when acting with respect to citizens or lawful permanent residents apprehended at home, the amendment makes clear that a general authorization for the use of military force does not authorize the detention, without charge or trial, of citizens or green card holders like Padilla, who are apprehended inside the United States. Instead, they should be arrested and charged like other terrorists captured in the United States.

Now, the simple point is that indefinite military detention of Americans apprehended in the United States is not the American way and must not be allowed. In the United States, the FBI and other law enforcement and intelligence agencies have proven time and again that they are up to the challenge of detecting, stopping, arresting, and convicting terrorists found on United States soil.

Our law enforcement personnel have successfully arrested, detained, and convicted literally hundreds of terrorists, both before and after 9/11. Specifically, there were 580 terrorism-related convictions in the Federal criminal courts between 9/11 and the end of 2014. That is according to the Department of Justice.

More recently, Federal prosecutors have charged 85 men and women around our country in connection with ISIL since March of 2014. Suspected terrorists can still be detained within the U.S. criminal justice system using at least the following four options: One, they can be charged with a Federal or State crime and held. Two, some can be held for violating immigration laws. Three, they can be held as a material witness as part of a Federal grand jury proceeding. Or, four, they can be detained under section 412 of the PATRIOT Act, which provides that an alien may be detained for up to 6 months if their release ''will threaten the national security of the United States or the safety of the community or any person.''

Simply put, there is no shortage of authority for U.S. law enforcement to take the necessary actions on our soil to protect the homeland. Some may ask why this legislation protects green card holders as well as citizens. Others may ask why the bill does not protect all persons apprehended in the United States from indefinite military detention.

Let me make clear that I would support providing the protections in this amendment to all persons in the United States, but the question comes: is there political support to expand it to cover others besides U.S. citizens and green card holders? We went through this in 2012, I believe, before the Presiding Officer was here. The overriding situation is to prevent the Federal Government from moving in and picking up Americans and holding them without charge or trial, as was done with Japanese Americans after World War II.

Finally, with the passage of this, we will close out that chapter once and for all. So this is not about whether citizens apprehended in the United States,

like Jose Padilla or others who would do us harm, should be captured, interrogated, incarcerated, and severely punished. They should be to the fullest extent the law allows, but not an innocent American picked up off the street and held without charge or trial—perhaps because of the person's name or looks or heritage.

So what about how a future President might abuse his or her authority to indefinitely detain people militarily here in the United States? Our Constitution gives everyone in the United States basic due process rights. The Fifth Amendment provides that ''no person shall be deprived of life, liberty, or property without due process of law.'' This is a basic tenet of our Constitution and our values.

People are entitled to notice of charges, to an opportunity to be heard, and to a fair proceeding before a neutral arbiter. In criminal cases, the accused also has a right to a speedy and public trial by a jury of their peers. So these protections are really a sacred part of who we are as Americans. I think it is something we all take great pride in, and now it is, once again, the time. We did this in 2012, in the fiscal year 2013 NDAA bill.

It received 67 votes on this floor. I would hope that we would not be blocked from taking another vote on this. We experimented with indefinite detention during World War II. It was a mistake we all realize and a betrayal of our core values. So let's not repeat it.

I want to thank Senator LEE, Senator TOM UDALL, Senator PAUL, Senator CRUZ, and others who have worked with us on this issue over the years. I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, when we ask the men and women of this country to go to war on our behalf, we make a solemn promise to take care of them, to support them while they are abroad, and take care of them when they come home. As a daughter of a World War II veteran, this is a promise I take very seriously, and I know that my colleagues do too.

One aspect of this promise that I have been proud to fight for is the idea that we should help warriors who have sustained grievous injuries achieve their dream of starting families. This is something that is hard for many people to think about, but it is a reality for far too many men and women, people like Tyler Wilson. He is a veteran I met who is paralyzed and nearly died in a firefight in Afghanistan.

After years of surgeries and rehab and learning an entirely new way of living, he met Crystal, the woman he wanted to spend the rest of his life with. Together, they wanted to start a family. I believe we have an obligation as a nation to help them. That is why I have been fighting to expand VA care to pay for IVF treatments for people like Tyler. It is why I was so encouraged that 6 months ago the Pentagon announced a pilot program to allow servicemembers who are getting ready to deploy—the very men and women who are willing to put their lives on the line in defense of our country—an opportunity at cryopreservation.

That is a practice already widely used among the general population. It gives our deploying members not only the ability to have options for family planning in the event they are injured on the battlefield, but it gives them peace of mind. It says they don't have to worry about choosing between defending their country or a chance at a family someday. As Secretary Ash Carter said himself, this was a move that ''honors the desire of our men and women to commit themselves completely to their careers, or to serve courageously in combat, while preserving their ability to have children in the future.''

I couldn't agree with that sentiment more. While the pilot program was not groundbreaking and, in fact, has been used by the British Armed Forces for years, I believe the Pentagon's announcement spoke volumes about having respect for servicemembers who are willing to risk suffering catastrophic injuries on our behalf to tell them: No matter what happens on the battlefield, your country will be there for you with the best care available.

I applaud Secretary Ash Carter for his leadership. It is the right thing to do for our young men and women who have big plans after their service is complete. That is why I was so shocked by one line in this massive NDAA bill before us, a line that brings me to the floor today. Blink and you will miss it. On page 1,455 of the 1,600-page bill, in one line in a funding chart, you will find an attempt to roll back access to the care members of our military earned in their service to our country.

That line—that simple little line—will zero out the very program that helps men and women in our military realize their dreams of having a family, even if they go on to suffer catastrophic injuries while fighting on our behalf. The very program that Secretary Carter got off the ground just 6 months ago, the promise the Pentagon made, this bill throws in the trash.

Taking away that dream is wrong. It is not what our country is about. While I don't know how or why that line got into this bill, I am here today to shine a light on it in the hopes that we can get this fixed before it is too late.

In the past day, I have talked to both the chair and ranking member, and I am hopeful that we can change course. We simply cannot allow this provision or others like it to slip through the cracks and continue to chip away at the care that these servicemembers deserve. That is not what this country is about. Many of my colleagues are so quick to honor our military members with their words, but our servicemembers need to see that same commitment with their actions.

That is why I am here today urging my colleagues to keep this vital service intact for members of our military. We can take action that truly shows our servicemembers and our veterans that we understand this service is a cost of war and it is a cost that we, as a country, are willing to take on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I am going to try to make sense out of some of the discussion that has been going on, which has been quite detailed and very esoteric, with regard to the Russian rocket engine which is the main engine in the tail of the Atlas V rocket—the first stage of the Atlas V.

Why is there a Russian engine? In the early 1990s, at the time of the disintegration of the Soviet Union, the United States went in to try to help secure the nuclear material and nuclear weapons. It was clearly in the interests of the United States and her allies that loose nukes not get into the hands of rogue nations or rogue groups.

At the same time, it was clearly in the interests of the United States that we try to prevent all of the experts, the Russian scientists and engineers that had been involved in the Russian or the Soviet Union's rocket program—and it was an exceptional program—from going to rogue nations or to rogue groups. Read: Iran.

Thus it became apparent, when U.S. scientists, engineers, and space pioneers visited the Russian engine plant, that it was this extraordinary engine that had this high compression with liquid oxygen as a fuel and also kerosene. As a result, it was clearly in the interests of the United States not only to prevent loose nukes and scientists leaving but to keep them interested and employed. Remember, this was in a Soviet Union that was disintegrating at the moment. Therefore, it was in the interest of keeping that Russian rocket engine manufacturing facility employing those engineers and scientists. In one instance, that facility has been called Energomash, and in another instance, it has been made reference to as Roscosmos.

Therefore, private companies in the United States arranged to buy the Russian engines and keep them employed and, at the same time, to obtain the plans with the idea that down the road the United States would manufacture the same Russian engine, but its manufacture would be done in the United States. That intention was never carried out.

As a result, that leads us to where we are today. Today, we still buy the Russian engines. On average, that is costing us $88 million a year. How much is that of the total expenditures that we buy from Russia in other goods? It is less than a percent. In fact, that $88 million a year, on average, is one-third of 1 percent that is purchasing this excellent engine. That excellent engine happens to be the workhorse engine of

the Atlas V, which is our most reliable rocket for military launches, as well as future NASA launches, as well as commercial launches of communications satellites in orbit.

The whole fracas that has been engulfing this Defense bill here is because now that same Russian Federation, where it was so important for us to keep employing its scientists and engineers 25 years ago,—today is being led by a former KGB agent, Vladimir Putin. He is doing things that we don't like. He runs over Ukraine and he takes a part called Crimea. He is pushing into eastern Ukraine and he is doing all kinds of bad things there that is threatening the freedom of the people of Ukraine.

As articulated by Senator MCCAIN, naturally we would not want to continue to buy those Russian engines, which is basically helping Vladimir Putin, even though it is minuscule—less than one-third of 1 percent of the total goods that we buy from Russia.

So that brings us to this point: How do we get out of the mess? How we get out of the mess is that we build our own engine. We should have done that years ago. But now we can actually build a better engine and not plug into the same rocket, because if it is a different engine you cannot plug into the same rocket in the Atlas V. You have to basically plug it into a different rocket. As we speak, there is now a competition going on to develop a replacement engine. In one case, it is called the BE–4. In another case it is called an Aerojet Rocketdyne engine. That competition is going to continue, but we can't do it overnight. So it is going to take some time.

An optimistic estimate might say that the engine is ready in about 2019, and then you have to test-fire in the new rocket that you have developed. So a realistic time of when the new engine is available is at the end of the year 2022.

So what do we do to make sure we have the rockets to have assured access to space between now and the end of 2022? That is what all this discussion is on the floor.

On the one hand, there is a very successful company called SpaceX. They are now certified with a rocket called the Falcon 9, and that rocket has won some competitions and has put payloads in space, including one defense payload that I know of. There may be more, but I do know that they have been certified for the Department of Defense.

Its competitor is the other company, United Launch Alliance, which is a combination of Boeing and Lockheed. They have been successfully launching the Atlas V without a miss for years and years. I think the successful number of rocket launches is something in excess of 50 or maybe 60. Thus, it is a proven workhorse.

We never want to get to the position where we have just one rocket company, because if something happened, you want to have a backup because we have to get satellites into space to protect our national security, and we have to do it over this period of time from now until the end of 2022. Therefore, how do you keep them going alive if you eliminate the ability of being able to buy the Russian engine?

That is what all of the very emotional and very well-meaning speeches on the floor have been about—in one case, United Launch Alliance, and in another case, SpaceX. For the good of the country, we have to have both until we can develop, test, and successfully fly the replacement engine for the Russian engine.

As we speak, these discussions, by the way, that have been going on over the past several weeks, and with intensity over the past few days, continue. It is certainly my hope that we are going to get resolution and can get an agreement on this and a way to go forward so that we can get this issue behind us and move on with a defense bill that is so important to the future of this country.

Mr. President, I wanted to lay out the predicate of what this is all about. When you start getting into the weeds about this number of launches and that number of launches, all of it boils down to what this Senator has just shared. So I hope we get resolution. And since I am basically an optimist, I think we will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, just to continue—and I do with some reluctance—on this whole issue of rocket engines, as I mentioned earlier, there is an individual who is one of the head executives of ULA who was recorded, and in the recording he talks about ULA and the relationship and how they have an ''in'' with the Department of Defense, and I just want to quote from his recording. He was talking about the rocket engine. He said:

> But unfortunately, it's built by the Soviet Union, and there's a couple of people, one person in particular, this guy right here, John McCain, who basically doesn't like us.

Remember, this is an employee of ULA.

He continues:

> He's like this with Elon Musk, and so Elon Musk says, why don't you guys go, why don't you go after United Launch Alliance and see if you can get that engine to be outlawed. So he was able to get legislation through that basically got our number of engines down that we could use for national security space competitions down to four; we needed nine. . . . And so, then, we got his friend, I told you about that big factory down in Alabama, in Decatur, and basically this is Richard Shelby, Senator Richard Shelby, from Alabama, both Republicans, and he basically at the last minute, at December of last year, they were doing an omnibus bill to keep the government running. And what he did is talk to John McCain and parachuted in, in the middle of the night, and added some language into the appropriations. . . . Shelby's in charge of appropriations. He says ignore McCain's language and basically allowed United Launch Alliance to pick any engine they want from any country abroad.

Then he goes on to say:

> But we can't afford that any more because the price points are coming down as low as 60 million dollars per launch vehicle, and on the best day you'll see us bid at 125 million dollars, or twice that number, and if you were to take and add in that capabilities cost, it's closer to 200 million dollars. . . . SpaceX will take them to court if they don't, so they have demonstrated ability to say, if you do not allow us to compete on an apples-to-apples basis, that we will take you to court, and you will lose.
>
> So if you saw just recently, they bid the second GPS–III launch, ULA opted to not bid that. Because the government was not happy with us not bidding that contract because they had felt that they'd bent over backwards to lean the field in our advantage.

I repeat, this is what an executive of ULA said. ''Because the government was not happy with us not bidding that contract because they had felt that they'd bent over backwards to lean the field in our advantage.'' That is from an executive of ULA. Is there any better evidence of what he said?

Continuing the quote from the recording:

> But we even said we don't bid, because we saw it as a cost sheet up between us and SpaceX, so now we're going to have to take and figure out how to bid these things much lower cost. And the government can't just say ULA's got a great track record, they've got 105 launches in a row, and 100 percent mission success and we can give it to them on a silver platter even though their costs are two or three times as high.

Two or three times as high. Mr. President, this is what makes the American people cynical about the way we do business.

Before I suggest the absence of a quorum, let me just say that we are going to be moving the amendments on interpreters and Guantanamo, and so I alert my colleagues that we will be doing that shortly.

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. SULLIVAN. 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. SULLIVAN. Mr. President, I rise to speak in support of what we have been doing on the Senate floor the past 2 weeks—moving forward on the National Defense Authorization Act. I wish to pay a compliment and my deepest respect to the chairman of the Armed Services Committee, to the ranking member, and to all the members of the Armed Services Committee who have been focused on this bill that we have been putting forward in this Congress and every Congress for the last half century.

Our forces are under strain at a time when Henry Kissinger said before the Armed Services Committee that ''the United States has not faced a more diverse and complex array of crises since the end of the Second World War.''

Here is what some of our top military officials have told our committee about the threats that are rising globally and the dramatic reduction in our military forces. Chief of Staff of the Army, GEN Mark Milley, recently stated that due to cuts and threats, our Army is at a state of ''high military risk'' when it comes to being ready enough to defend our interests. That is a very serious statement by the Chief of Staff of the Army, ''high military risk'' for our military and the ability of the U.S. Army to do its mission. He also said that when it comes to Russia and its new aggressiveness, we are ''outranged and outgunned.''

Let me spend a little bit of time on the new challenge from Russia. There are many provisions in this bill—which is why it is so important—that will strengthen our military threat with regard to Russia—something that, as a Senator from Alaska, I am very concerned about.

Nobody spoke more eloquently and compellingly about our country's credibility than President Reagan when he stated that his philosophy of dealing with our potential adversaries was that ''we maintain the peace through our strength; weakness only invites aggression.'' And he matched his rhetoric with credible action. That is what we need to do with regard to the NDAA, and that is why it is so important that we move forward and pass this bill.

But the Russian threat is not just in Europe, it also in the Arctic, and those threats—we are hearing more and more in committee testimony on and what the Russians are doing. For example, there are 4 new Arctic brigades; a new Arctic command; 14 operational airfields in the Russian Arctic by the end of this year; up to 50 airfields by 2020; a 30-percent increase in Russian special forces in the Arctic; 40 Russian Government and privately owned icebreakers, with 11 additional icebreakers in development right now, including 3 new nuclear-powered icebreakers; huge land claims in the Arctic; increased long-range air patrols with Bear bombers—the most since the Cold War—and pilots in Alaska are intercepting these Russian bombers on a weekly basis; and a recent deployment of two sophisticated S–400 air defense systems again to the Arctic. Why are they doing this? Because it is a strategic place, new transportation routes, enormous resources.

Our own Secretary of Defense stated in testimony that he realized we were late to the Arctic given how strategic and important it is. Right now we have no Arctic port infrastructure; two icebreakers—that is it; no plans to increase Arctic-capable special forces; and a lack of surveillance capabilities in this strategic region of the world.

Why do I mention this? Because in this NDAA we start to address the problem. Just as we did in last year's NDAA, we start to lay the foundation for having a strategic vision of what is going on in the Arctic, the way the Russians are, and we are beginning to be prepared in an area of the world that is absolutely critical to U.S. security. Provisions include the first steps to build up an appropriate strategic Arctic port. We will also build up our Arctic domain awareness, and we will have a much better sense of what is going on in this region not only with regard to the Russians but what the Chinese are doing in this critical area of the world.

Make no mistake—America is an Arctic nation. We are an Arctic nation because of my State, the State of Alaska. This NDAA begins the important process to start addressing the strategic concerns we are seeing in the Arctic and securing our Nation in a way that is important for all of us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, after discussions with the Senator from New Hampshire, the Senator from Missouri, the Senator from South Carolina, and the Senator from Kansas, I ask unanimous consent to have a colloquy with these Senators.

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

Mr. MCCAIN. We are going to propose a unanimous consent request that the Senate take up and pass both the issue of the interpreters to our Afghan allies and the issue of Guantanamo Bay. I know there is objection, so we will await those individuals since it would require their presence on the floor.

I will say a few words about the SIV Program. The fact is, the Senator from Colorado, maybe the Senator from Alabama, maybe the Senator from someplace else, has an axe to grind here: They didn't get a vote on their amendment. They didn't get their vote, so, by God, nobody is going to get a vote.

Do you know what they neglect here? We are talking about our men and women in the military who literally saved their lives. And they are using their parochial reasons, because they didn't get their vote, to object. My friends, that is not what the job of a United States Senator should be.

GEN David Petraeus:

Throughout my time in uniform, I saw how important our in-country allies are in the performance of our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—they have risked their own lives and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security.

So the Senators who have come and objected disagree with an effort we are making on the issue of American national morality, in the eyes of GEN David Petraeus.

General Nicholson is over there now. He says basically the same thing:

They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interests, it is a testament to our decency and long-standing tradition of honoring our allies.

That is from General Nicholson, who is over there now.

There is no more admired diplomat in America than Ryan Crocker. He states:

This is a very personal issue for me. I was U.S. Ambassador to Iraq from 2002 to 2009 and to Afghanistan from 2011 to 2012. I observed firsthand the courage of the citizens who risked their lives trying to help their own countries by helping the United States. It takes a special kind of heroism for them to serve alongside of us.

GEN Stanley McChrystal:

I ask for your help in upholding this obligation by appropriating additional Afghan SIVs to bring our allies to safety in America. They have risked their own and their families' lives in the line of duty.

I will stop with this. General Campbell says the same thing:

They frequently live in fear that they are or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

I would hope that a Senator who comes to object to this act of humanitarian—a moral obligation, as stated by these respected military leaders, that they wouldn't object because they didn't get a vote on their amendment. That would be a reason to stop this act that is a moral obligation of this country? Well, if they come over and object, then they have their priorities badly screwed up. If these people are killed, they will have nobody to answer to but their families.

I hope we will pass this by unanimous consent and not have—for a parochial, their own selfish reason—some Senator come and object.

I yield to the Senator from New Hampshire, Mrs. SHAHEEN.

Mrs. SHAHEEN. I say thank you to Senator MCCAIN. Thank you for your leadership and thanks to Senator JACK REED for his leadership on this issue. As the Senator points out, there are real lives at stake. If we are not able to continue the Special Immigrant Visa Program for those Afghans who have helped us during the conflict in Afghanistan, then—we know the Taliban has already murdered a number of them, their family members. As the Senator points out, to have someone object to going forward with this amendment—not related to the program at all but because people have other personal issues they want to address—it would be unfortunate and not in this country's interest.

What we are actually hoping we can vote on today is a carefully crafted amendment. It addresses the legitimate concerns that people have raised about this program. We spent hours over the last few days and last night

trying to come to some agreement to address those issues, and I think the legislation before us does that.

The concern, as I understand, isn't about this program and about what is in this program; it is about individuals who have their own issues unrelated to this program that they want to see addressed. I understand that. We all have our issues, but that is not what we ought to be voting on at this point.

The Senator pointed out that Ryan Crocker, who served both in Afghanistan and Iraq, has talked about the importance of this program, as have so many of our generals and those who have served. I want to quote from an op-ed piece he wrote last month about the importance of Congress addressing this program. He said:

In an era of partisan rancor, this has been an area where Republicans and Democrats have acted together. Congress has continued to support policies aimed at protecting our wartime allies by renewing the Afghanistan SIV program annually—demonstrating a shared understanding that taking care of those who took care of us is not just an act of basic decency; it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

As we all know, this country owes a great debt to the Afghans who provided essential assistance to the U.S. mission in Afghanistan. Thousands of brave men and women put themselves and their families at risk to help our soldiers and diplomats accomplish their mission and return home safely. We must not turn our back on these individuals. We must not imperil our ability to secure this kind of assistance in the future, and a ''no'' vote today would do exactly that.

I urge this body to move forward to allow a vote on a compromise that has been supported by everybody who was raising concerns about this program.

I would like to yield to my colleague from South Carolina.

Mr. MCCAIN. Senator MORAN first.

Mrs. SHAHEEN. Sorry. Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, thank you very much, and I appreciate the opportunity to be here on the Senate floor today with my colleagues.

I, too, have an amendment to strike section 1023 of this bill, the national defense authorization bill, S. 2943. This is amendment No. 4068. We will seek unanimous consent for this amendment to be considered, but what it does is strike section 1023, which provides for the design and planning related to construction of a facility in the United States to house detainees. This is part of the constant effort by some to close Guantanamo Bay and bring the detainees to the United States.

In my view, it is essential for the United States to maintain the ability to hold terrorists, both those who were captured in 2002, as well as those whom we may find on the battlefields of terrorism with ISIS today. Since 2008, the effort has been to close Guantanamo Bay with the objective of bringing those detainees to the United States. This Congress, this Senate has spoken time and time again both in the predecessors' legislation to this bill we are considering today, NDAA of past years, as well as the appropriations process in which we prohibit those detainees from being brought to the United States and housed in a facility in the United States.

In fact, the Attorney General and the Secretary of Defense have, on numerous occasions, confirmed that the President has no legal authority to close Gitmo or to transfer detainees to the United States. For some reason, the national defense authorization bill, as it came out of the committee, provides for the planning and designing related to construction of a facility here.

This amendment strikes that language, and it reaffirms what we have said before. In fact, in last year's national defense authorization bill, we said there had to be a plan provided by the administration that outlines, in significant criteria and detail, what would be involved in bringing those detainees to the United States. I am opposed to that in the first place. I am opposed to that in the second place. I would add that plan that we keep looking for, it has yet to be, in any specificity, granted to us to see in Congress.

Mr. President, I would ask my colleagues to allow, at the appropriate time, that this bill be made in order for consideration for a vote by the Senate as an amendment to this bill.

Mr. MCCAIN. There are a number of Members on both sides of the aisle who have had the honor of serving in Iraq and Afghanistan, and particularly some of the newer members have added enormously to the Armed Services Committee. There is also one member of the committee who I believe, in his many years of Active Duty, has served in Afghanistan as many as 33 times. He has had an up close and personal relationship with these brave interpreters who literally put their lives on the line in assisting people like Colonel Graham and all others as they were able to accomplish their mission, which they would not have been able to do if it had not been for the outstanding service and sacrifice of these interpreters.

Senator GRAHAM.

Mr. GRAHAM. Thank you. I compliment Senator SHAHEEN and all those involved in trying to get to yes. The people who had concerns about your amendment, I understand their concerns. You are able to find a way to accommodate those concerns. This is sort of how the legislative process works. You get to yes when you can. But why this is important to America and particularly to me—Senator SULLIVAN served some time in Afghanistan as a marine working in the Embassy dealing with detainee operations.

I did about 140 days on the ground in Iraq and Afghanistan, mostly in Afghanistan, as a Reservist. I did my Reserve duty, 1 week, 2 weeks at a time, with Task Force 435 that was in charge of detainee operations at Bagram prison. That unit's job was to advise the commanders about who to put in Bagram, what requirements there were to hold somebody in Bagram prison under U.S. custody, and also to build up the rule of law, where the rule-of-law field forces would go out to different parts of Afghanistan and work with the police and the judiciary to try to build capacity.

During my experience in Afghanistan, I learned something that is, quite frankly, overwhelming to this day, how brave some people in Afghanistan are to change their country. There was one interpreter—and I am certainly not going to use his name—who was there the entire time I did my Reserve duty. I retired last year. This man was invaluable. It is not just interpreting the language and repeating what we said. It is the context that he made over time to make sure the coalition forces could accomplish their mission. Of all the people we owe a debt to as Americans, it is these interpreters and those who have assisted our forces. They have come out of the shadows. They have taken a skill set we did not have, which is local knowledge, and they have applied that skill set to helping our efforts to protect America but, equally important, to protect their homeland, Afghanistan.

All the letters from those who were in command can say it better than I can. I had a small glimpse as a military lawyer over about a 5-year period coming in and coming out, and all I can tell you is what I saw was amazing, and it moved me beyond measure. I got to meet their family. The interpreters had families. I got to know them. They have children. They have wives. All the ones I know were male, but I know there were females who were helping too. I can tell you, if there is any way for this body to pass Senator SHAHEEN's amendment, you would be doing our country and those who helped us under the most dire situation a great service.

As to how the body works, I wish I could get everything I wanted. I have not been able to do that in life or in the Senate. I wanted to have a vote on the Ex-Im Bank because the Ex-Im Bank is not operating because we don't have a quorum. I asked for an amendment on this bill to change that to get us back in the game in terms of the Ex-Im Bank because it shut down. It was objected to because it is not germane. I understand that. I am disappointed, but I am not going to stop the whole bill because I didn't get what I want.

There are other people who are offering amendments that are very important to them. Ex-Im Bank is very important to people of South Carolina, but there is a process. The Ex-Im Bank is about jobs that are important to Americans. This is about lives. This is about the here and now. This is not

about what might happen one day. Maybe if something happened, maybe we will do this or maybe we will do that. This is about people who have already stepped out. This is the here and now. There is nothing hypothetical about this debate. There are thousands of people in Afghanistan who have risked their lives to help us, and we are trying to get some of them out of Afghanistan to the safety of the United States, honoring their service to make sure other people in the future would also want to do the same.

The one thing I tell my colleagues, the war is not over. Since 2012, 2011, the last time we had some of these debates, has it gotten better? The world is on fire right now. The threats to our country are at an alltime high, in my opinion. In 2012, ISIL didn't even exist. Today they are trying to penetrate the homeland. The Homeland Security Secretary said what keeps him up at night is homegrown terrorism.

The enemy is actively involved in trying to get people on their side who live among us. All I can say is, the things that have changed over the last few years are all for the worse, not the better, and this amendment is literally life and death. I honest to God beg and plead with the Members of this body, if you can't get everything you want, please don't stop this. I did not get everything I want. This really matters.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. GRAHAM. Yes.

Mr. MCCAIN. Suppose this unanimous consent request is objected to by a Member. Would my colleague say the blood of these interpreters who will be killed and their families murdered is on their hands? Would my friend say that just because they didn't get their amendment—by the way, I offered Senator LEE the chance to bring up his amendment on the issue of women in the Selective Service, and he turned that down. He said he wanted to take up his other amendment first.

Let the record be clear that I immediately approached him and asked: When do you want to take up the amendment on Selective Service? He said: That is not my priority. My priority is this one here, which apparently he will object to.

If we don't do this and those people are killed by the Taliban because they have to stay in Afghanistan—the Senator from South Carolina would agree they are the No. 1 target—wouldn't you say that those who objected to their having freedom in the United States of America have blood on their hands?

Mr. GRAHAM. Mr. President, the first thing I would say is I blame the Taliban. They are the ones who are doing the killing. What I would say to Senators is, where you can help people who make our country safer, you should. All of us should try to find a way to get to yes at least sometimes if you can't do it all the time.

I can tell the Members of this body that I have been to Iraq and Afghanistan 37 times—probably 20 times in Afghanistan. I spent close to 100 days on the ground in Afghanistan. I have seen in person what they do. They get outside the wire, make the mission possible, risk their lives, and Senator SHAHEEN has been able to navigate a very thorny issue and get a solution that is not 100 percent of what she wanted. She had to give up thousands of visas just to find a way to move forward.

All I can say is that this really is a big deal. People's lives are at stake. This is not a hypothetical issue. All I can say is that I hope we can find it among ourselves to get to yes on this and what Senator MORAN is trying to do. If we can't, we can't, but let me tell you this: Senator LEE objected to my Ex-Im Bank amendment in committee. He had every right to do so. It wasn't germane. It is very important to me. We are losing thousands of jobs. South Carolina is losing hundreds of jobs because the Bank shut down. I will still fight to get the Ex-Im Bank operating, but what I will not do to help the people of South Carolina is to put the lives of those in Afghanistan at risk. I don't think I am helping the people in South Carolina by making it harder for us to fight and win a war we can't afford to lose. I can't live with myself knowing what is coming their way.

This is not a matter of ''what if'' to me. I have been there, I have seen it, and people are literally going to die. My amendment is important to me, and it is important to the economy of South Carolina and the Nation. I did not get my way, but I am not going to stand in the way of people being able to avoid being killed.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, will my colleague from South Carolina yield for a question?

Mr. GRAHAM. Mr. President, I would be glad to.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, the Senator from South Carolina talked about the fight against ISIL and how that is spreading across the Middle East. What kind of message does it send to the Taliban, ISIL, and other terrorist groups, should they hear that we are defeating this program that was designed to help those people who helped us?

Mr. GRAHAM. Mr. President, that is a great question. They are called night letters. Let me tell you how this works. I was in Kandahar with the rule of law field forces, and we were trying to build up the capacity of their judges in Kandahar. The judges were being killed in large measure, so it was pretty hard to find anybody who wanted to be a judge.

We hardened the site, and we put some American troops, along with Afghan soldiers, to try to get a judiciary up and running in a really hot spot. We had a couple of police stations that were being overrun, and we tried to get people to go back to the police stations.

The night letter was delivered to some of the leaders who were buying into what we were doing. I don't speak Pashto, but these night letters were from the Taliban saying: We are watching. The Americans will leave you. They will leave you, and we will remember you.

I know what the night letter looks like because I saw one, but here is the difference—I never got one. Imagine what it would be like if you woke up tomorrow and the enemy of your country, which is trying to take your country down, is telling you and your family: We are watching you. We are coming after you. You are hiding behind the Great Satan, and the Great Satan will abandon you.

I can tell you what it would do. It would make those letters real, and they will take this failure to help people who helped us and make it really hard in the future for us to defend our Nation.

The night letters are going to increase. We had to sit down with these people and say: No, we are not going to abandon you.

It is funny the Senator from New Hampshire mentioned that. I have a resolution that Senator REED has agreed to which urges the President, if he chooses, to keep troops at 9,800 based on conditions. If he felt that was the right thing, we would all support him and let the next President find out if we need to go down in size. I am all for leaving. I just want to make sure the conditions are right to leave, and I don't think it is right to go from 9,800 to 5,500.

All I can say to Senator SHAHEEN is that these night letters will be larger in number, and the people who get the letters are watching what we are doing.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments be in order to be offered: Shaheen No. 4604 and Moran No. 4068; I further ask there be 5 minutes equally divided between the managers or their designees and that the Senate then proceed to vote in relation to the amendments in the order listed with no second-degree amendments to these amendments in order prior to the votes.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I sat here and I heard some fairly hyperbolic arguments—arguments suggesting somehow that anyone who has other amendments they would like to have considered are somehow unpatriotic or unsympathetic if they don't allow these amendments to go through.

The fact is, I have no problem with either of these amendments. I will gladly not only allow a vote on them, but I will also vote for the amendment from Senator SHAHEEN and the amendment from Senator MORAN. I support

both of them, but I would like a vote on my amendment as well. This is an issue I have worked on for 5 years. This issue arose 5 years ago when a provision was slipped into the NDAA that we passed that year that I think raises significant concerns.

I have worked with my colleague, the senior Senator from California, and Senators on both sides of the aisle, and put together a proposal to deal with that language. We put that in and had a vote on it in 2012, and 67 Members of this body voted for it, including some of the people who have spoken in the last few minutes. This is an issue that became a part of our law because of the NDAA 5 years ago. It is appropriate to bring this up now.

Moments ago, the Senator from South Carolina made reference to an objection I made to an amendment of his within the Senate Armed Services Committee on which he and I serve. It is true that I made an objection because in the committee we have some jurisdictional rules. There are reasons why certain amendments aren't jurisdictionally proper within the committee. There was a reason I didn't bring up the amendment that I wanted to vote on within the committee because of a jurisdictional issue. I was told last year and this year that if this is an amendment you want to bring up, the appropriate time to do so is on the floor and not in committee. The reason I did that is that there are jurisdictional issues present within the committee.

Again, I don't have a problem with the Shaheen or Moran amendments. I will support both of them. All I am asking for is to give me a vote on my amendment as well.

Therefore, I ask that the unanimous consent be modified to include my amendment—amendment No. 4448.

The PRESIDING OFFICER. Does the Senator from Arizona so modify his request?

Mr. GRAHAM. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, No. 1, I will object, and let me tell you why. The last time we had a hearing about the issue of whether or not an American citizen can be held as an enemy combatant if they collaborate with Al Qaeda was 2012. Since 2012, things have changed all for the worse.

To my friend from Utah, your amendment should be in the Judiciary Committee. That is where primary jurisdiction exists. I am chairman of the Crime, Terrorism Subcommittee. I promise that we will have a hearing about your idea that never made it in the NDAA, and we will see what has changed from 2012 till now. I think that is much better than having a debate on the floor of the Senate about something this important that will last 30 minutes or an hour.

I would argue to the American people that the rise of ISIL has changed the game. If you read their literature, they are talking about how it is easier to penetrate America than it is to get somebody to come here. When you listen to the FBI and Homeland Security director, their No. 1 fear is homegrown terrorism.

Here is my view: We will debate the substance of this later. I think the best thing we can do is pass these two amendments. The Ex-Im Bank was brought up by Senator SCHUMER, and Senator SHELBY objected. He has every right to do so. Senator LEE came on the floor and talked about what a bad idea the Bank is, and he has every right to do so.

In order to allow these two people to go forward, the Senator has to get a vote on his amendment. That is what this is all about. I didn't get my amendment. I wish that we could have had a vote on the Ex-Im Bank reauthorization. It really does matter to me. I didn't get that.

Mr. LEE. Mr. President, will the Senator yield?

Mr. GRAHAM. Mr. President, if I could finish my thought, what I would suggest to Senator LEE is that the prudent thing for us to do is to have another hearing because the last one we had was in 2012. Listen to the FBI Director and Homeland Security Secretary and see why they feel so strongly about homegrown terrorism and see if we can find a way to move forward. But what the Senator from Utah and others have said—there is not one American being held as an enemy combatant today. There are thousands of people who have helped us in Afghanistan who will be killed if we don't do something about it.

The Senator from Utah and I will never agree on this issue, and I respect my friend greatly. I believe we are fighting a war, not a crime. I will never agree that because you are an American citizen, you can collaborate with the enemy and work actively with Al Qaeda and ISIL to attack your homeland and not be held under the law of war, which we have been doing for decades in other wars.

I do believe in due process. As the law is written today, if our military or intelligence community picks up someone they believe is collaborating with ISIL or Al Qaeda, someone covered as an enemy combatant, they can be held, but they can be held only if a Federal judge allows the continued holding. You do get a hearing under the habeas corpus statute. The government has to prove you are, in fact, an enemy combatant.

The last time we had this debate, it was suggested this was a slippery slope. What prevents you from being held as an enemy combatant if you went to a tea party rally? That was pretty offensive to me then, and it is really offensive to me now. The idea that somehow American soil is not part of the battlefield blows me away.

Mr. MCCAIN. Mr. President, will the Senator yield for a question?

Mr. GRAHAM. Mr. President, I will in a moment.

Let me make this real to you. We will have a big debate. I would love to have a hearing.

This guy pictured here is Anwar al-Awlaki. He is dead, thank God. He was an American citizen and head of Al Qaeda in Yemen. President Obama put him on the kill list, and we killed him. That is good. Well done, Mr. President.

If you are an American citizen and you go to Yemen and join Al Qaeda, I hope you get killed too. If we capture you, you will have your day in court to argue that you are not part of Al Qaeda, that we have it all wrong, and the government has to prove that you in fact are. But if the government can make that argument, the last thing I want somebody like this to hear is ''Hey, you have a right to remain silent.'' I don't want these people to remain silent; I want to hold them as enemy combatants and gather intelligence. I don't want to torture them. I don't want to beat them up. But I don't want to put them in Federal court and act like it is not part of the war. I don't want to criminalize the war; I want to make sure you have due process consistent with being at war.

What Senator LEE and others are suggesting is that if this guy made it to America, came back to his homeland, and we shot him on the steps of the Capitol and he survived, we would have to read him his Miranda rights and we couldn't hold him to find out under military interrogation what he knows about this attack and future attacks. So what you do when you go down this road is you stop the ability to gather intelligence at a time we need more information, not less.

I am not going to belabor this point any more. As you can tell, I strongly disapprove of having this debate now without another hearing, going down this road, because so much has changed. And I hope you respect where I am coming from. I respect your passion. I hope you respect my passion on this.

Here is the point: I didn't get all I want, and I am not going to stop the process for others who have done a good thing. Here is what you are going to do because you are worried about something that is not real at this moment because nobody is in custody. You are objecting to finding a solution for something that is real for the moment.

Senator MORAN, what you are worried about is real.

So all I am asking is that before we can get to yes, let's get to yes, and if you can't get everything you want because somebody is passionate on the other side, don't stop everybody else from getting what they want. That, to me, just makes a stronger country, a better Senate.

As you know, I respect you, but I am never going to agree with you, ever, because I have been a military lawyer for 33 years. What you are saying makes

no sense to me. I am sure you are sincere about it. I think it weakens the ability to defend this Nation at a time when we need all the defenses we can get.

I am not suggesting that you would be rounded up by your government, thrown in jail, accused of being an Al Qaeda or ISIL member, and nobody ever hears from you again and you never get a chance to speak. That is not the law, and it has never been the law.

I plead with the Senator, please, please, let's take this issue to the Judiciary Committee where it belongs. Let's have a hearing, mark up the bill in Judiciary, and then do whatever you want to do. Don't stop these two amendments. That is all I am asking.

Mr. MCCAIN. Mr. President, let me also mention a couple of facts. As of 10 o'clock this morning, there were 537 amendments that had been filed—537 amendments—which is always the case with the Defense authorization bill. I am sure that every Member who filed those amendments wanted a vote and a debate on every single one of them, as is their right, but the fact is that we can't do that for a whole variety of reasons, including objections, et cetera. So if every Senator blocked every vote because his or her amendment is not being considered, obviously we would never do anything, which is why we have done so little here on this bill.

Now we are talking about the lives of men who have put it on the line for the men and women who are serving. Don't we have some sense of perspective and priority here? People are going to die, I tell the Senator from Utah. They are going to die if we don't pass this amendment and take them out of harm's way. Don't you understand the gravity of that? Can't you understand that your issue on extended detaining is an important one, but don't you understand these people's lives are in danger as we speak? They have been marked for death. They have been marked for death. Why do you think General Petraeus and General Nicholson and Ryan Crocker and all our most respected military leaders say with great urgency—they say with urgency that we have to do this because they are going to die. They are going to be killed. Doesn't that somehow appeal to your sense of compassion for these people?

Mr. LEE. If the Senator will yield, I will answer——

Mr. MCCAIN. Let me finish.

Don't you understand what is at stake here? Do you respect General Petraeus, General Nicholson, and General McChrystal? Every one of them has written to us and said that these people's lives are in danger and that this is a moral issue.

So you are going to object because your amendment is being blocked, as so many amendments are blocked. Many, many amendments are blocked. If that is good or bad, I don't know, but people object.

Now we are talking about a compelling humanitarian issue that is far more important than humanitarian because we abandon these people, and you can't expect people in future conflicts or in these conflicts we are in to cooperate and help the United States of America if we are going to abandon them to a cruel and terrible death.

This is a serious issue. This is not something that we like to maneuver around what the steering committee wants and how we are going to do all these kinds of things we get mired down in, and we will have the Heritage Foundation write a letter or something like that. This is a matter of life and death, and that issue and challenge is immediate.

So I appeal to the Senator from Utah's humanity, for his compassion, for his ability to save lives here, and let this go through, as the most respected military and diplomatic leaders in the world have urged us to do. I appeal to the life-or-death situation that will entail a lot of deaths if you block this legislation.

Mr. GRAHAM. I object to the modification.

The PRESIDING OFFICER. Objection to the modification is heard.

Is there objection to the original request?

Mr. LEE. I object to the original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I have been asked by a couple of my colleagues why it is that I couldn't just have the good sense to let their amendments go through. I say let's do it. Let's have it right now. I support the amendment. Let's vote on it right now. Let's vote on Senator MORAN's amendment right now, and let's vote on mine right now.

Now the comparison has been made by the Senator from South Carolina that because he didn't get his vote because someone objected this morning to his amendment dealing with the Export-Import Bank, that I should also have my amendment blocked.

It is important to realize that the Export-Import Bank was not created by a previous iteration of the National Defense Authorization Act. The provision I am objecting to here and the provision I am trying to address here was, in fact, created by a previous iteration of the National Defense Authorization Act. It was passed in 2011 with, I believe, far too little consideration, without the American people being aware of what they were doing, and it remains on the books to this day.

The next argument made by my friend from South Carolina is an interesting one, which is that this needs more of an airing, needs more of a hearing. He has promised me now a hearing on the Judiciary Committee which he chairs. As much as I appreciate that gesture, that is not enough.

Let me replay a couple of things. First of all, I have been working on this for 5 years. I got a vote on it 4 years ago, and 67 Senators voted for it. It was removed in a conference committee. Someone said there was confusion as to why it was removed in a conference committee; regardless, it was removed. I have been trying ever since then, in subsequent iterations of the Defense authorization act, to get another vote on it.

I served on the Armed Services Committee, and I was told by the chairman, my distinguished colleague, the senior Senator from Arizona last year—I told him I wanted to bring it up in committee. He said: You can't bring it up in committee because there is a jurisdictional issue with the Judiciary Committee. That is better dealt with on the floor.

I said: OK. I will deal with it on the floor.

We got to the floor. I was blocked from operating on the floor. It didn't happen.

So this year I was told: You can't bring it up in committee. There is a jurisdiction issue. You are best served waiting for the floor for that.

I said: OK. I will wait for the floor.

I brought it up again this year. Now I have been told by the chairman of the Armed Services Committee, the senior Senator from Arizona, that we will deal with it next year. I have been told by the Senator from South Carolina that he will deal with it at some unknown point in the future in a hearing—not markup, just a hearing—in a subcommittee of the Judiciary Committee which he chairs.

So we are talking about an issue now that was brought up 5 years ago, and I am being told again and again to wait, to wait, to wait more. This is an issue that got the vote of 67 Members of our body 4 years ago. This is an issue that was brought about by a previous iteration of the National Defense Authorization Act. This is the appropriate vehicle in which to address this.

This is not a frivolity. This is not just some nicety. This is not some parochial interest. This is a basic human rights interest. This is an interest that relates to some of the most fundamental protections in the U.S. Constitution.

When you say that you want to lock up American citizens detained on U.S. soil without charge, without trial, without access to a jury, indefinitely, for an unlimited period of time, you are implicating at a minimum the Fourth, the Fifth and the Sixth and Eighth Amendments to the Constitution. These are very significant.

My friend from South Carolina says we just need to take a deep breath and deal with this another day. Why does the status quo—the status quo which is insulting to the history, the traditions, the text, the context of the U.S. Constitution—why should that be the status quo? Why should we wait to deal with this? Why should the status quo be one that is insulting to the American people, one that is insulting to the

descendents of those Japanese Americans who were interned in World War II indefinitely without charge, without access to trial, without access to the jury system, without access to their fundamental rights under the Fourth, Fifth, Sixth, and Eighth Amendments under the Constitution, among others? Why should that status quo prevail?

Why, moreover, should someone who is concerned about these issues—these fundamental human rights issues, these fundamental constitutional rights issues—why should someone who is concerned about those be maligned and accused of not caring about individuals who would be harmed by the non-passage of another amendment? Why should that person be blamed when that person—I—is willing to allow a vote on the Shaheen amendment, on the Moran amendment, as long as they give me a vote on my amendment—an amendment that was allowed a vote 4 years ago, an amendment that received 67 votes—a veto-proof supermajority—only 4 years ago?

So, having been told again and again n, wait until next year, wait until next year, wait until the next committee process, wait until the next floor process, after a while, one begins to discern a pattern. That is a pattern that I am discerning.

There is another pattern that I discern, which is a pattern in which when you allow government to exercise a certain power, even if it might not being exercised at the moment, eventually it will. That is why we put precautionary language within our laws. That is why we have rights in our laws. What are rights, after all, but statements of law that restrict action by the government?

As Madison noted in Federalist 51, the government is a reflection of human nature. To understand government, you have to understand human nature. If men were angels, we would have no need of a government. And if government could be administered by angels, we would have no need for these external constraints on government, on its ability to exercise power. But we have learned through sad experience that when human beings get power and when they get excessive power, sometimes they abuse that power, so we have to constrain it. And it is important that we decide that we are going to constrain it before the moment arrives, lest we see another Korematsu moment, lest we see the internment of more American citizens without charge, without trial, on an indefinite basis, on the basis of mere accusations—accusations unproven, accusations untested by a jury.

The whole reason for having a Constitution rests on this understanding. This fundamental understanding is that when government power grows, when it expands, it does so at the expense of individual freedom, and it sometimes does so at great risk to the human soul, at great risk to the ability of an individual to remain free.

I am all in favor of the Shaheen amendment. I am all in favor of the Moran amendment. Let's have a vote on those two amendments and on the amendment that I have proposed, an amendment that is limited and an amendment, I should note here, that would not foreclose the ability of this body down the road to identify the changed circumstances of the sort that some of my colleagues have referred to. It simply says that if the government is going to do this, there has to be a plain statement, a clear statement; that it has to do so expressly; that Congress must expressly authorize this kind of action either in a declaration of war or an authorization for the use of military force. I don't think that is too much to ask, especially given the types of constitutional protections we are dealing with.

If, in fact, we are going to call the American homeland—if, in fact, we are going to call the territorial jurisdiction of the United States of America part of the battlefield, ought we not to have a declaration of war, an authorization for use of military force that identifies it as such? I mean, after all, the precedents that we are talking about, the precedents upon which this theory is based are premised on this idea that you have enemy combatants who become part of an enemy's fighting force, as was the case of Ex parte Quirin, where you had American citizens going over to Germany, putting on a German uniform, and fighting for the Germans. That was part of that war. They were enemy combatants on the battlefield.

There was Ex parte Milligan, where you had Confederate rebel soldiers who were enemy combatants on the battlefield fighting against the United States. So if we are willing to do that, we need a declaration of war. We need an authorization for the use of military force that states so expressly. That is the sole purpose of my amendment. I don't think that is unreasonable. In fact, I think that is necessary.

So I would like to get this done. I would like to get this done. We can get this done today. Let's have votes on all three amendments.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I guess, finally, I woke up in the middle of the night last night thinking about this issue. It made me think of a long time ago when I saw a lot of brave Americans die, some of them in aerial combat. Several times I thought that perhaps I could have prevented their deaths by being a better airman or taking certain actions. It bothers me to this day.

I can't imagine how it must bother someone who is literally signing the death warrants of some people who in their innocence decided they would help the United States of America. I could not bear that burden. I believe that what we are doing here by blocking this amendment that allow would these wonderful people, as described by all of our leaders, to leave a place where death is almost certain—at least in the case of some of them—because of some exercise that would have no immediate effect, is that we are blocking this ability to save lives. I do not understand.

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. ROUNDS. 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. ROUNDS. Mr. President, as the Senate continues to consider the National Defense Authorization Act, the NDAA, I rise today to discuss an amendment in support of my constituents who are military retirees, as well as military retirees in many other States.

My amendment would change a provision being proposed in this bill that requires military retirees and their families who don't have easy access to a military treatment facility, such as on a base, to unfairly pay higher copays for their prescription medications. TRICARE provides health care services for our servicemembers, our military retirees, and their families.

Using TRICARE, military retirees can get free prescription drugs at a military treatment facility. In other words, our military retirees who live close to a base have no copays for their prescription drugs. However, if they draw these prescriptions from a retail pharmacy or through the TRICARE-approved mail order system, they are required to make a copayment.

My amendment deals with a provision in today's bill that directs the Department of Defense, or DOD, to increase these copayments that military retirees obtain from a retail pharmacy or through mail order rather from a military treatment facility. The provision will require those military retirees who live far away from a base, without easy access to a military treatment facility, to get their prescriptions and to pay more for their use of retail pharmacies and mail order.

Why would anybody seek to make it more expensive for our military retirees to receive a benefit they have been promised just because they live far away from a military treatment facility? The answer is simple. It is sequestration. We are making cuts to an existing budget. This provision was inserted as a cost-savings measure, one that tries to balance and measure out the costs based upon or demanded by sequestration.

But we are doing it on the backs of military retirees. It is being done to try to make some tough budget decisions. But this arbitrary cost-cutting measure is estimated to cost our military retiree families in rural areas—

and I emphasize ''in rural areas''—$2 billion over the next 10 years. I don't think it is fair for us to make those who live in rural areas—rural years like South Dakota—to pay a higher copay because of where they live.

We have made promises to these men and whom who made incredible sacrifices to protect our country that they would be able to have adequate health insurance coverage, including access to prescription drugs and medicines. It is not fair to make them bear a $2 billion cost for prescription drugs simply because of where they live. My amendment would stipulate that if a military retiree lives more than 40 miles from a military treatment facility, they would not be saddled with this additional copay.

Further, my amendment would require an assessment by the Department of Defense of the added costs that would be borne by these military retirees and their families as a result of increased TRICARE prescription drug copays. This will enable Congress to make reasonable future decisions with regard to increased TRICARE prescription drug copayments that may have a disproportionate impact on those living distant from military treatment facilities.

I appreciate the opportunity to discuss my amendment, which would rectify a serious effect on military retirees and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

FOREIGN POLICY

Mr. BARRASSO. Mr. President, like many people in this body, I was home last week in Wyoming honoring the sacrifice of America's veterans. Every day we see evidence of just how much America relies on our men and women in uniform to keep us safe, to keep us free, to fight for our freedoms, to fight for our safety. Every day we get fresh reminders that the world continues to be a very dangerous place.

So to me it is disturbing that the Democrats in Washington have done so much to slow down our efforts to provide for America's troops—troops we need for our national defense. The National Defense Authorization Act that we are debating here sets important policies and priorities that have a great effect on our national security.

A strong American military is absolutely essential—essential as we need to address the world's dangers that we face overseas before they become direct threats here at home.

So when I consider legislation like this, I try to keep one thing in mind: If we want to make America safe and secure, then we need to provide the greatest possible security for our country while maintaining the greatest possible freedom for the American people and also at the same time improving America's standing in the world.

So when I look back over the past 7 years, I have to ask the Obama administration—ask of the Obama administration and ask all Americans and anyone listening in today—how the Obama administration's foreign policies have met the goals of greatest possible security, greatest possible freedom, and improving our standing in the world.

I just think that in far too many cases, in too many parts of the world, the only honest conclusion is that the policies of the Obama administration have actually failed. Now, I am not the only one that thinks so. I found it very interesting when you take a look at what former President Jimmy Carter has to say when he was asked about this. He said this about President Obama: ''I can't think of many nations in the world where we [the United States] have a better relationship now than we did when he [President Obama], took over.''

He went on to say that the United States' influence, prestige, and respect—think about this: influence, prestige and respect—in the world is probably lower now than it was 6 or 7 years ago. This is a former President of the United States, a Democratic President of the United States, Jimmy Carter.

So let's look at some examples. It has been more than 5 years since the start of the uprisings in Syria. In August of 2011, President Obama responded by calling on Bashar Assad to step aside. A few months later, Secretary of State Hillary Clinton said that it was only ''a matter of time before the Assad regime would fail.'' Well, that was more than 4 years ago. Assad is still there. ''A matter of time,'' she said.

The Obama administration did not back up its words, and any meaningful support for the moderate opposition in Syria was not there. They did nothing. The President did nothing to enforce the so-called redline that he drew on Assad's use of chemical weapons against his people. Assad used the chemical weapons, and the President of the United States did nothing.

The administration's weak response in Syria essentially gave a green light for Assad to continue and a green light for Russia to come in and pump up and protect Assad. So I find it interesting when you take a look at what the President of the United States has done. If you go to the Washington Post for Tuesday, June 7, this was the headline:

> Empty words, empty stomachs.
>
> Syrian children continue to face starvation as another Obama administration promise falls by the wayside.

That is what we see with Barack Obama, another Obama administration promise falling by the wayside. Thousands and thousands and hundreds of thousands killed. The President's redline became a green light. So the invitation came for Russia to come in. They have done that.

Well, what else has Russia done over the past 7 years? Remember how the Obama administration launched its so-called Russian reset? President Obama was so intent on resetting the U.S. relations with the Kremlin that he showed a complete lack of resolve. He gave Russia one concession after another in the new START treaty. That was in 2010. He had only become President in 2009. In 2010, there was one concession after another.

President Obama showed Vladimir Putin that the American President, Barack Obama, could easily be pushed around. Under this treaty, America is cutting our nuclear arsenal while Russia is expanding theirs. It was allowed by the treaty. This is the President's ''best he could do.'' Russia responded to the reset. We remember Hillary Clinton there pressing the reset button. Russia responded to the reset of relations by sending troops into Ukraine, by annexing Crimea. Russia moved.

President Obama shows weakness, and Russia moves. Yes, Vladimir Putin is a thug. When President Obama shows weakness, Putin does the things that thugs do. But that is the Obama administration for you. The administration's policy on Russia has not provided the greatest possible security for America—not at all.

But let's look at Iran. Last week President Obama gave a very political speech at the graduation ceremony at the U.S. Air Force Academy in Colorado Springs.

He criticized Republicans for questioning the treaties he negotiates. To me, it seems more like capitulates rather than negotiates. While President Obama negotiated a major treaty with Iran over their illicit nuclear weapons program, he said it was this or war. He thought the treaty was so great he didn't want the Senate to have a chance to review it. That was it, his way or no.

In his State of the Union Address in January, he said that because of the nuclear deal with Iran, ''the world has avoided another war.'' These are President Obama's words.

This is complete fiction, complete fiction. The choice was never between his deal and another war. It was a choice between a bad deal and a better deal, and President Obama chose a bad deal.

As they say in the military, if you want it bad enough, you get it bad. And that is what we got, a lesson President Obama apparently never learned.

We have learned from an interview with one of the President's top advisers that this was something the administration knew all along. This adviser, Ben Rhodes, bragged about creating an echo chamber to help deceive—intentionally designed to deceive the American people about the agreement.

Let's go back. Before the nuclear deal, there was actually an international ban on Iran testing ballistic missile technology. A ban was in place. What is happening today? Well, Iran is right back to doing the tests.

I remember the administration promising the inspectors would get access to

Iran's nuclear facilities. They said anywhere, anytime, 24/7. That is what Ben Rhodes said. It turns out it is more like 24 days, not 24/7. That is the kind of notice that now is needed prior to access.

So how is it working for Iran? Well, the Iranian economy is benefiting from access to $100 billion because the Obama administration gave them sanctions relief. What are they going to do with the money—build roads, build hospitals, help educate the young? Don't count on it because even the President's National Security Advisor admits some of this money is going to be used by Iran to keep supporting terrorist groups. We see it. We know it—Hamas, Hezbollah, and the Houthis in Yemen.

President Obama wanted to get a deal with Iran so badly that he got a very bad deal, a bad deal—not for him—for the American people, for our country. The President and his foreign policy team were willing to say anything to sell this deal to the American people. The administration's policy in Iran has not provided the greatest possible security for America.

I could go on and on talking about more places around the world. Members of this body are fully aware. The American people are fully aware of the failures of this administration. There are so many places where America does not have a better relationship now than we did when President Obama came into office—just like Jimmy Carter said: ''I can't think of many nations in the world where we have a better relationship now than when [President Obama] took over.''

So President Obama is going to spend the rest of his time in office trying to create an echo chamber. He will try to convince people around the world that his foreign policy has been a success, but The Economist magazine recently noted America, under President Obama, has been a foreign policy—in their words—''pushover.''

As the Senate considers this vital national security legislation, the National Defense Authorization Act, I think it is important that we honestly evaluate what the President's record really is, and today the world is less safe, less secure, and less stable than it was 7 years ago. The President and all the people who have been a part of his foreign policy team over the years will say whatever it takes to try to hide and disguise the facts. It is time to block out the echo chamber. It is time to ignore the spin. We need to make sure we are providing the greatest possible security for America while maintaining the greatest possible freedom for the American people and improving America's standing in the world. That is our responsibility as a legislative body.

For decades upon decades, America has been the most powerful and respected Nation on the face of the Earth. Under President Obama, American power has declined and respect around the world has evaporated.

President Obama was given the Nobel Peace Prize in 2009. It was completely undeserved, and it deserves to be removed from him if something like this could actually be done. Unfortunately, it is not possible to revoke a Nobel Peace Prize. In this case it should be. That prize remains undeserved.

American men and women in uniform deserve better than what they have gotten from their Commander in Chief. It is now up to Congress to make sure they receive the support, the equipment, and the technology they need to protect our country and our citizens.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, the Federal Government's No. 1 responsibility is to protect the American people. As the Obama administration approaches its final months, the American people still do not feel, with any degree of confidence, that Washington is taking the proper steps to carry out that responsibility. The Islamic State terror group has repeatedly encouraged sympathizers in the West to launch domestic attacks. In the group's self-declared caliphate in Syria and Iraq, it continues to carry out atrocities on a daily basis.

ISIS has no intention of letting up, and the President's strategy of scattered attacks is doing little to slow the terror groups' strength. A group President Obama once dubbed the JV team has become a clear and serious threat during his watch.

That is just one of the many failures during this administration's foreign policy which is rooted in wishful thinking rather than grounded in reality. The idea that we can wish away the Nation's threats that our Nation faces by passively withdrawing from the international stage is a dangerous approach. It is this mentality that the President and his aides used to justify not calling jihadi attacks what they are, radical Islamic terrorism. The President has convinced himself that radical Islamic terrorism will not be a threat if we just call it something else. Clearly, this is not true.

It is the same mindset that thinks closing Gitmo and moving dangerous terrorists to U.S. soil is the right thing to do, and it is how we ended up with a deal that does nothing to prevent Iran from going nuclear but instead emboldens it to belligerently threaten the United States, our allies like Israel, and its neighboring Arab States.

The regime in Tehran acts as if it is virtually untouchable as a result of the Obama administration's agreement. Iran has no intentions of being a responsible, peaceful player in the international community. Even before the deal's implementation, Iran shamelessly violated U.N. Security Council mandates. Now, free from sanctions, the Iranians are flush with resources to build an arsenal to fund terror across the region. None of this seems to matter to the White House, which was bent on making this deal the cornerstone of its foreign policy.

The administration was so determined to sell this deal that it engaged in a propaganda campaign, enlisting outside groups to create an ''echo chamber'' and feeding material to a press corps that White House staffers said ''knew nothing'' about diplomacy. The administration even took extreme steps to keep the uncomfortable truths from the American people by removing a damaging exchange about whether officials lied about secret talks with Iran in 2012.

All of this just adds to the perception that the Obama administration was willing to go to any length to get this deal done, no matter how bad it is for our national security.

Senate Republicans have tried to correct this, of course. We wanted to stop this ill-advised Iran deal, but the minority leader forced his caucus to protect the President's legacy.

We have taken efforts to force the President to present a coherent plan to defeat ISIS abroad and to protect Americans here at home. That plan is still nonexistent.

We have inserted language into law after law to prevent the closure of Gitmo. In fact, the President is once again threatening to veto the bill we are currently considering, in part, due to the language that prevents closure of the facility.

We shouldn't be moving dangerous terrorists out of Gitmo. If anything, we should be moving more terrorists into Gitmo. The state-of-the-art facility is more than serving its purpose for detaining the worst of the worst, obtaining valuable intelligence from them, and keeping these terrorists who are bent on destroying America from returning to the battlefield.

A report from the Washington Post yesterday indicates that the Obama administration has evidence that about a dozen detainees released from Gitmo have launched attacks against the United States or allied forces in Afghanistan that have resulted in American deaths.

As the threat posed by ISIS grows, Gitmo remains the only option to house these terrorists. Any facility on U.S. soil is not an option. It never was with Al Qaeda terrorists, nor can it be with ISIS terrorists.

The President has failed to understand the gravity these terrorists pose to our homeland. Radical Islamic terrorists around the globe are pledging allegiance to the group and, as we have seen in Paris, Brussels, and San Bernardino, they are committed to and capable of hitting Westerners at home.

The President has never presented a strategy to Congress for eliminating ISIS, and our sporadic airstrikes have done little to stop the group from pressing forward and attempting to strengthen its global reach.

While ISIS grows and the United States sits idly by, Iran, Russia, China, and North Korea have ramped up their belligerent actions, putting our security at risk around the world. This will

only continue to increase if we continue to chase the diplomacy to the point where it puts the safety of the American people at risk, to the point where any leverage the United States started with is gone, and to the point where we withdraw from conflicts with enemies because it is easier to allow someone else to fight the battle.

We are trying to fix the problems created by the Obama administration's failures so we can restore the confidence of the American people that their government is working to protect them here and abroad. Passage of the bill before us this week is a good step in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I am not on the floor to interrupt any kind of debate relative to this bill, but given the fact we are at a stalemate situation and nobody is on the floor, I thought I would at least highlight a foreign policy speech I have been wanting to give. I plan to do it in significant detail on Monday, if the hours work out as I think they will.

Let me just take this short amount of time to summarize some of what I have been thinking and that I think is something my colleagues and all of us ought to be thinking about in terms of our foreign policy. Of course, it is related to our national defense, and that is what we are debating today, supporting our military. It is unfortunate we are in the situation we are in, but nevertheless I wish to take a few minutes to discuss what the next President will be inheriting—whomever that President turns out to be, a Republican or Democrat and potentially, I guess I should say, an Independent, although I don't think that will happen.

The next President is going to be faced with a bucket full of foreign policy issues that President is going to have to deal with. As I said, I hope to speak next week at some time in greater length about the challenges our President will face, but let me summarize a few key points that deserve further discussion among my colleagues, and, hopefully, by the Presidential candidates during the election campaign.

It is clear to me, and I believe it is clear to my Senate colleagues, that the President has failed to clearly define America's global role and a coherent strategy to pursue that goal. It is equally clear that his vision of America's role has been woefully inadequate to respond to the growing crises throughout the world.

Someone earlier here mentioned, and I had mentioned before, that the world is on fire. The Director of National Intelligence, James Clapper, with 51 years of service in the intelligence world, has said he has never seen anything like this in his 51 years of service—the multitude of crises that exist around the world and that we are confronted with. As the world's leading Nation—the Nation that has provided freedom for hundreds of millions, if not billions, of people by taking the lead to fight terrorism, to fight the evil that exists in this world—it is important we understand America's decisions. The decisions made by America's leaders have enormous impact on events around the world.

For nearly 8 years, we have been trying to read the President's foreign policy tea leaves to divine his purposes and methods of a foreign policy that, to me and to many, seems chaotic, ad hoc, and directionless. We don't know what the administration is trying to accomplish—whether we should or should not engage and at what cost it would be. These all remain mysteries—mysteries to us here in the Senate, where we have an obligation to advise and consent on foreign policy, and to the American people, who continue to ask us: What is going on here? What is America's role? What are we doing? What should we be doing? What is the debate?

The task is made even more daunting by the crisis-ridden world we now face. The next President will face foreign policy challenges from across the globe, but three stand out that I would especially like to touch on this evening and that I think are especially dangerous. Those three are the Middle East, Europe, and Russia.

Let's look at the Middle East. The region is disintegrating. We are now in the midst of the most profound and dangerous redefinition of the region since the end of the Ottoman Empire in 1917. Borders, regimes, stability, and alliances are all being swept away with no clear successors.

In the center of all of it is ISIS—the most lethal, best funded, dangerous terrorist organization in history—created and metastasized in a vacuum largely, unfortunately, of our own making.

At the same time, the civil war in Syria is continuing into its sixth year. The war has created nearly 300,000 dead, with millions of refugees and internally displaced persons and with no end in sight.

Iran continues its long history of destabilizing, hostile activities in the region, now growing its disruptive capacity in the wake of the misbegotten nuclear deal.

Europe is dealing with the largest refugee migrant flow since World War II. This migration is entirely unsustainable and unmanageable, threatening European unity and individual state stability. This crisis could unravel the EU itself and cost trillions of euros. More than that, it is a humanitarian disaster.

The Supreme Allied Commander Europe, General Breedlove, in a discussion I had with him not that long ago, correctly said the migration flow has been ''weaponized.'' He argues the migration crisis has become a cover for flows of dangerous terrorists to Europe and beyond.

Our Russia policy is one of the biggest and most long-term failures of American leadership in our age. The administration's infamous reset of Russian policy, loudly championed at the time by Mrs. Clinton, by the way, preceded Russia's invasion and annexation of a neighbor.

Since the so-called reset with Russia, Russia has acquired a vastly greater role in the Middle East, where Russia had not before been present, much less dominant. It has demonstrated reliability as a modern capable military partner, in contrast with our own unreliability.

These are just three of the crises the next President will face. James Clapper, speaking at a public hearing before the Senate Select Committee on Intelligence, handed out the current assessment of the crises the world faces. It was 29 pages long, with eight regional crises—I named three of them—and each one of them posing a significant threat to world order and to our own people here in the United States.

Since that reset, Russia has acquired a vastly greater role, as I have said. The next President is going to have to face not just these three major crises but many, many more, and I will talk about some of them next week.

We need a policy from this President and from the White House that is based on a clear linkage to U.S. national interests and that will articulate a coherent strategy to guide policy and actions that we take; that will be an accurate assessment of consequences, both short-term and long term; that will be transparent, with candor and realism; that will have ensured resources adequate to secure the defined policy or task that is being laid out; and that will show strength and leadership coming from the Nation that every other free nation in the world depends upon for guidance, for strength, as an ally or coalition.

The American people are yearning for a coherent foreign policy that is clear-eyed, articulate, transparent, and with common sense. They want to see it, and they want to understand it, and we have an obligation to let them know what it is. We are not going to get that out of this administration. That is clear. There continues to be confused, behind-the-curve reaction to world events and a lack of a solid policy to deal with it.

If the next President can give the American people a coherent foreign policy that is clear-eyed, articulate, transparent and with common sense, we will once again begin to reassert ourselves in terms of being a nation dedicated to finding peace and solutions to major crises around the world. But if we remain guessing about purpose and direction, while the world disintegrates around us, our sons and daughters will pay a great price. As a consequence, America will continue to be a nation in retreat, and the free world will be confused and looking for a leader.

With that, I yield the floor, as I notice another of my colleagues on the floor to speak.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

GASPEE DAYS

Mr. WHITEHOUSE. Mr. President, I come here, as I do every year in the Senate, to commemorate the anniversary of a brave blow that Rhode Island struck for liberty and justice—the Gaspee Affair of 1772.

On the night of June 9, and into the morning of June 10, 1772, in the waters of Rhode Island, a band of American patriots pushed back against their British overlords and drew the first blood of the struggle that would become the American Revolution.

American schoolchildren, the pages here in this room, and all of us no doubt learned in their history books of the Boston revelers who painted their faces and pushed tea into Boston harbor. But those same history books often omit the tale of the Gaspee, a bloodier saga, which occurred more than a year earlier.

As tensions with the American colonies grew, King George III stationed revenue cutters, armed customs patrol vessels, along the American coastline to prevent smuggling, enforce the payment of taxes, and impose the authority of the Crown. One of the most notorious of these ships was the HMS Gaspee, stationed in Rhode Island's Narragansett Bay. The Gaspee and its captain, Lieutenant William Dudingston, were known for destroying fishing vessels, unjustly seizing cargo, and flagging down ships that had properly passed customs inspection in Newport only to interrogate and humiliate the colonials.

''The British armed forces had come to regard almost every local merchant as a smuggler and a cheat,'' wrote author Nick Bunker about that era. Rhode Islanders chafed at this egregious disruption of their liberty at sea, for ''out of all colonies, Rhode Island was the one where the ocean entered most deeply into the lives of the people.'' Something was bound to give.

The spark was lit on June 9, 1772, when the Gaspee attempted to stop the Hannah, a swift Rhode Island trading sloop that ran routes to New York through Long Island Sound, bound that afternoon for Providence from Newport. When the Gaspee sought to hail and board the Hannah, the Hannah's captain, Benjamin Lindsey, ignored Lieutenant Dudingston's commands. As the Gaspee gave chase, Captain Lindsey veered north toward Pawtuxet Cove, toward the shallows off Namquid Point—known today as Gaspee Point—knowing that the tide was low and falling and that the Hannah drew less water than the Gaspee. The Hannah shot over the shallows off the point, but the larger Gaspee ran dead into a sandbar and stuck fast in a falling tide.

Captain Lindsey wasted no time in reporting the Gaspee's predicament to his fellow Rhode Islanders, who rallied at the sound of a beating drum to Sabin's Tavern in Providence. They resolved to end once and for all the Gaspee's menace in Rhode Island waters.

That night, the men shoved off from Fenner's Wharf, paddling eight longboats quietly down Narragansett Bay, under a moonless sky, toward the stranded Gaspee. As told by LCDR Benjamin F. Armstrong in Naval History Magazine, they were led by Captain Lindsey and Abraham Whipple, a merchant captain who had served as a privateer in the French and Indian War and who would go on to command a Continental Navy squadron in the Revolution. Armstrong describes the excursion as ''an increasingly rowdy group of Rhode Islanders who were ready to strike out at the oppressive work of the Royal Navy.''

Beware, increasingly rowdy groups of Rhode Islanders will be our lesson.

The boats silently surrounded the Gaspee, then shouted for Lieutenant Dudingston to surrender the ship. Surprised and enraged, Dudingston refused. Armstrong recounts the fierce, if brief, fight that ensued:

> Dudingston shouted down the hatch, calling for his crew to hurry on deck whether they had clothes on or not, and then ran to the starboard bow, where the first of the raiding boats were coming alongside the ship. He swung at the attackers with his sword, pushing the first attempted boarder back into the boat. Then a musket shot rang out. The ball tore through the lieutenant's left arm, breaking it, and into his groin. He fell back on the deck as the raiders swarmed over the sides of the ship. Swinging axe handles and wooden staves, the raiders beat the British seamen back down the hatchway and kept them below decks. Dudingston struggled aft and collapsed in his own blood at the companionway to his cabin at the stern of the ship.

The struggle was over. One of the Rhode Islanders, a physician named John Mawney, tended to Dudingston's wounds. The patriots commandeered the Gaspee, loaded the British crew onto the longboats and took them ashore, and then set combustibles along the length of the Gaspee. They set her ablaze, and watched from a hillside onshore as the ship burned.

When the fire reached the ship's magazine, this is what ensued. The Gaspee was no more.

You can be sure that the British authorities immediately called for the heads of the American saboteurs. An inquiry was launched and a lavish reward was posted. But even though virtually all of Rhode Island knew about the attack, investigators were able to find no witnesses willing to name names. The entire colony seemed afflicted with a terrible case of amnesia.

William Staple's ''Documentary History of the Destruction of the Gaspee'' describes this distinct cloudiness of Rhode Island memories.

James Sabin said: ''I could give no information relative to the assembling, arming, training or leading on the people concerned in destroying the schooner Gaspee.''

Stephen Gulley said: ''As to my own knowledge, I know nothing about it.''

John Cole said he ''saw several people collected together, but did not know any of them.''

William Thayer was asked: ''Do you know anything?''

He said a simple ''No.''

D. Hitchcock said: ''We met at Mr. Sabin's, by ourselves, and about 8 o'clock, I went to the door, or, finally, kitchen, and saw a number of people in the street, but paid no attention to them.''

Arthur Fenner said: ''I am a man of seventy-four years of age, and very infirmed, and at the time said schooner was taken and plundered, I was in my bed.''

Completely frustrated by the Rhode Islanders' stonewalling, the British commissioners dropped the inquiry, finding it ''totally impossible at present to make a report, not having all the evidence we have reason to expect.''

Nick Bunker wrote, ''The British had never seen anything quite like the Gaspee affair. . . . Like the Boston Tea Party, their attack on the ship amounted to a gesture of absolute denial: A complete rejection of the empire's right to rule.''

Rhode Islanders had grown accustomed to and fiercely protective of a level of personal freedom unique in that time. ''Even by American standards,'' says Bunker, Rhode Island ''was an extreme case of popular government.''

As Frederic D. Schwarz noted in American Heritage magazine, one of the exasperated British investigators even scorned the Rhode Island Colony as ''a downright democracy.''

This Rhode Island independence streak was well known to the British imperialist. But the burning of the Gaspee foretold greater struggles to come. In the words of Commander Armstrong:

> [British officers] were beginning to realize there was something more dangerous out on the water and in American harbors. Alongside the salt air and the smell of wet canvas was the scent of treason. A revolution began on the sandbar of Namquid Point—in the spot that bears the name Gaspee on today's charts of the Narragansett.

Oh, and Boston: Nice job a year later with the tea bags.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am proud to stand once again with Senator GILLIBRAND in support of the Military Justice Improvement Act.

Two years ago, Congress enacted a number of commonsense reforms as part of the National Defense Authorization Act. These changes were mostly good, commonsense measures, and I supported them; however, they were not sufficient.

As I said at that time a year ago, we are past the point of tinkering with the current system and hoping that does

the trick. I urged the Senate at that time to support bold actions that would make sexual assault in the military a thing of the past.

Unfortunately, those of us arguing for the Military Justice Improvement Act did not prevail. We were told to wait and see if the reforms that were included would work, while leaving in place the current military justice system. Well, we have had time to see if things have really changed. They have not. The rate of sexual assault in the military is unchanged.

Forty-two percent of servicemember survivors who reported retaliation were actually encouraged to drop the issue by their supervisor or someone else in the chain of command. That means a crime was committed, and you shouldn't bother to report the crime.

A majority of servicemember survivors indicated that they were not satisfied with the official actions taken against the alleged perpetrator.

Three out of four survivors lacked sufficient confidence in the military justice system to report the crime. Isn't that awful. If we didn't have confidence in the local police to report a crime, we know just how high the crime rate would go. I suppose somebody is going to tell me that can't apply to the military, but it does. In fact, there has been a decrease in the percentage of survivors willing to make an unrestricted report of sexual assault.

Two years ago, when military leaders were arguing against the reforms Senator GILLIBRAND and I and others were advocating, Congress was provided with data from military sexual assault cases that we now know was very misleading. But those statistics and data, quite frankly, carried great weight with a lot of our colleagues here in the Senate. We were told at that time that military commanders were taking cases that were ''declined'' by civilian prosecutors. The implication was very clear, as we were told that things will be all right; the military system results in prosecutions that civilian prosecutors turn down.

An independent report by Protect Our Defenders and reported by the Associated Press shows that there was no evidence that the military was taking cases that civilian prosecutors would not take.

When Senator GILLIBRAND and I wrote to the President asking for an independent investigation of how this misleading information was allowed to be presented to Congress, guess what. We received a response from Secretary Carter, and that response said it was all a misunderstanding. The Secretary's response went into a semantic discussion of the meaning of certain terms.

Apparently, in the military justice system, when a civilian prosecutor agrees to defer to the jurisdiction of the military to prosecute a case, it is listed as a ''declination.'' Such a situation is very different—very different—from a civilian prosecutor refusing to prosecute a case. If the military asks the civilian prosecutor to defer to the military's jurisdiction or if it is done by mutual agreement, it is not a case of a civilian prosecutor turning down a prosecution.

As I said, a review of the cases used to back up the Department of Defense's claims last year found no evidence that civilian prosecutors had refused those same prosecutions. Nevertheless, that was the clear implication of the statistics supplied to Congress by the Pentagon last year, and we were all sucked into that.

The response to our letter to President Obama claimed that the authors of that review just didn't understand the meaning of the term ''declined'' as it is used in the military justice system. The reality is that the information the Pentagon provided to Congress was obviously presented in a very misleading way.

So this question: When military leaders claimed that civilian prosecutors had declined to prosecute cases that the military then prosecuted, would it have had the same impact if they added a footnote saying that, in this context, ''declined'' doesn't really mean declined?

To summarize, the reforms we were told would reduce military sexual assaults haven't worked. And, folks, a rape is a rape, and a rape is a crime, and it needs to be reported, and it needs to be prosecuted. And, of course, a chief rationale for opposing our reform of the military justice system was based on very misleading data, as I hope I have made very clear.

So how many more lives need to be ruined before we are ready to take bold action? If a sexual assault isn't prosecuted, predators will remain in the military, and that results in a perception that sexual assault is actually tolerated in the military culture. That destroys morale, and it also destroys lives. The men and women who have volunteered to place their lives on the line deserve better.

Taking prosecutions out of the hands of commanders and giving them to professional prosecutors, who are independent of the chain of command, will help ensure impartial justice for the men and women of our armed services. That is what Senator GILLIBRAND's and my amendment is all about.

Let's not wait any longer. Let's not be sucked into certain arguments that we have been sucked into in the past. Let's stand up and change the culture of the military so that people are prosecuted when they do wrongdoing. Let's get it done, and get it done on this reauthorization bill.

Mr. GRASSLEY. Mr. President, one of the issues being discussed this week is the restrictions on the transfer of Guantanamo detainees to the United States. In November 2015 and in previous years, President Obama has signed annual defense bills that include a prohibition on the use of Federal funds to close Guantanamo. The National Defense Authorization Act, NDAA, for 2017 keeps this crucial prohibition.

Today I want to discuss one of the often-overlooked reasons why that prohibition should continue: the troubling immigration implications of transferring dangerous terrorist detainees from Guantanamo to the United States.

This is a serious issue with serious consequences, and it is one that hasn't always been considered as prominently as it should be. A March 2016 report by the Center for Immigration Studies highlighted this problem, and I will mention that report again in a moment.

About 80 detainees remain at Guantanamo today. In April of this year, nine detainees were released and returned to Saudi Arabia. According to media reports, one of the most dangerous terror suspects at Guantanamo was among those released, and he was still committed to jihad and killing Americans. He and the rest of the nine released terrorists could very well return to the battlefield after their so-called rehabilitation program in Saudi Arabia.

Rowan Scarborough of the Washington Times writes that this is exactly what has happened with about 30 percent of the detainees that were released from Guantanamo: they have resumed or are suspected of restarting, terrorist activity.

In fact, Obama administration officials have admitted that these detainees are killing Americans. As the Washington Post reported earlier this week, ''at least 12 detainees released from the prison at Guantanamo Bay, Cuba, have launched attacks against U.S. or allied forces in Afghanistan, killing about a half-dozen Americans.'' These numbers will likely increase as our intelligence agencies continue to obtain information. Clearly, these detainees are a deadly group who should be held in Guantanamo for as long as necessary.

Fortunately, right now the NDAA specifically forbids spending taxpayer funds to transfer any of these detainees to the United States. That is why, in a CNN interview earlier this year, Secretary of Defense Ash Carter stated that transferring Guantanamo prisoners to the United States is against the law.

But Secretary Carter also said ''there are people in Gitmo who are so dangerous we cannot transfer them to the custody of another government no matter how much we trust that government . . . we need to find another place and it would have to be the United States.'' But if these individuals are too dangerous for any other country, aren't they too dangerous to bring to the U.S. as well? Why would we bring these jihadist terrorist detainees into the United States when this would pose significant national security risks to the American people?

What particularly worries me about Secretary Carter's statement is that

any transfer of Guantanamo detainees to the United States would apply highly ambiguous legal doctrines that could mean these terrorists would eventually be released on the streets in our homeland.

Very serious questions arise from this proposition, as the immigration implications of such a potential transfer are far from clear. Some of those questions include: What sort of immigration status would the Guantanamo detainees have? May Guantanamo detainees be detained indefinitely? Could Guantanamo detainees apply for asylum? What immigration benefits would the Guantanamo detainees be eligible for? Perhaps most important, how would U.S. courts rule on these issues, particularly if a future court decides that the war on terror has ceased? We've seen Federal courts in the past grant Guantanamo detainees greater rights than Congress intended.

It is my understanding that if these detainees were to be transferred to the United States, it would likely be done by granting them ''parole'' status. Immigration parole does not constitute an admission to the United States, but provides permission to enter the United States. It is supposed to be provided on a case-by-case basis, based on ''urgent humanitarian reasons'' or ''significant public benefit.''

As an initial matter, I don't see how paroling any of these terrorists into the country could be said to be either a humanitarian gesture or one that constituted a ''significant public benefit.'' But in addition to that concern, there is almost no precedent for immigration parole being used as a means of indefinite detention of aliens on U.S. territory. It should be used as a means to an end, such as bringing a criminal to the U.S. to serve as witness in a trial or allowing certain individuals in the U.S. to obtain emergency medical care.

Consequently, as the Center for Immigration Studies report I mentioned before recently put it, ''If the Guantanamo detainees are transferred to the United States, we are faced with the very real likelihood of open-ended immigration paroles, which rely on indefinite imprisonment under undefined, little-understood rules and protocols.''

Given these legal uncertainties, the most likely results for detainees brought to the United States who will not be tried for their terrorist activities, or who the administration otherwise intends to hold indefinitely, are writs of habeas corpus and complaints of violations of the Immigration and Nationality Act.

The war on terror has no end in sight, so these legal actions would inevitably arise as a result of the detainees' newly established presence on American soil and the indefinite nature of their detention.

I would further expect Federal courts to be particularly willing to entertain such writs or other legal actions if any of the detainees are tried for their crimes but not found guilty. And the risk of finding sympathetic, activist judges surely is heightened in the cases of the 28 detainees already cleared for transfer but who have not yet been released.

Even if some detainees are prosecuted and found guilty, they would serve a sentence, be ordered removed from the United States, and, ideally, be removed from our country upon the sentence's completion. But what happens if no other country—particularly their home country—is willing to take them? This would be very likely, as statistics provided by the Department of Homeland Security show there are many countries who will simply not allow the hardcore terrorist Guantanamo detainees back into their country. Countries like Iran, Pakistan, China, Somalia and Liberia, just to mention a few, won't take custody of these enemy combatants. Alternatively, what if their home country, or another country, is willing to take them but that country is also likely to mistreat them to gain information about their terrorist activities? In that case, our obligations under the Convention Against Torture would prohibit us from returning the detainees to those countries.

If any of those removable detainees do remain in the United States, we won't be able to keep them detained for very long. The U.S. Supreme Court ruled in Zadvydas v. Davis that the United States may not indefinitely detain removable aliens just because no other country would accept them. In order for the U.S. Government to justify the detention of foreign nationals longer than six months, the basic rule is that the government must show that there is a ''significant likelihood of removal in the reasonably foreseeable future.'' The Zadvydas decision has thus set a precedent that dangerous, deportable, convicted criminal aliens who have completed their sentences, but who cannot be deported to other countries, cannot continue to be indefinitely detained and must be released.

Equally concerning, if a trial were to take place that resulted in a sentence of anything other than capital punishment or life in prison, then the Zadvydas precedent would most likely require the release of the terrorist within 6 months of the completion of his or her sentence. The danger any such releases could present has unfortunately already been illustrated. The Zadvydas decision has already resulted in extraordinary violence against Americans and threats to public safety.

In the last 3 years alone, almost 10,000 criminal aliens have been released from U.S. Immigration and Customs Enforcement custody because of Zadvydas. Too many of these aliens are released because the U.S. cannot obtain travel documents from home countries. This has real consequences.

For example, in Hillsdale, NY, a criminal alien who had been convicted of sexually abusing a 12-year-old girl was released onto American streets when his home country of Bangladesh refused to take him back after he had served his sentence. After his release, he proceeded to go on a rampage of theft and violence culminating in the brutal murder of a 73-year-old woman.

Given that the Obama administration already allows the release of convicted, dangerous, criminal aliens into our communities, I am deeply concerned that a similar situation would arise from transferring the terror suspects from Guantanamo to the United States. Bringing these hardcore terrorists to the United States would be tantamount to injecting a disease into our society.

As you can see, the potential transfer of these detainees presents a real problem with serious consequences. Many decisions will have to be made and discussions had regarding the viability of transferring these hardcore terrorist detainees to the United States.

If the Obama administration decides to transfer these detainees to the continental United States, this illegal action would force serious constitutional issues that could lead to an impasse. The matter of bringing hardcore terrorists into the United States would undoubtedly go before the Supreme Court. Pushing to close Guantanamo and bringing these hardcore terrorists to the United States without exhausting all alternative options is especially risky to the American people as it pertains to national security and public safety.

I refer my colleagues to the Center for Immigration Studies Web site and the March 2016 report by Dan Cadman entitled, ''The Immigration Implications of Moving Guantanamo Detainees to the United States.''

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, in a moment I am going to ask unanimous consent to address an amendment of mine to the national defense authorization bill, amendment No. 4066.

There is legislation I have introduced with a number of my colleagues that then is reflected perhaps identically in the amendment I hope we will consider this evening. This amendment is related to the National Labor Relations Act, which was enacted in 1935. That legislation exempted Federal, State, and local governments but did not explicitly mention Native American governments from the purview of the National Labor Relations Act. Despite that not being mentioned for 70 years, the NLRB honored the sovereign status of tribes accorded to them by the U.S. Constitution. In fact, there is a good argument that the reason tribal governments were not listed in the Labor Relations Act was because the Constitution made clear the sovereign nation of tribes. So for 70 years, they were not affected by the NRLB. Unfortunately, in my view, beginning in 2004,

the NLRB reversed its treatment of tribes and legally challenged the right of tribes to enact so-called right-to-work laws.

The amendment I have offered to this bill is pretty straightforward. The National Labor Relations Act is amended to provide that any enterprise or institution owned and operated by an Indian tribe and located on tribal lands is not subject to the NLRA.

This narrow amendment protects tribal sovereignty and gives tribal governments the ability to make the best decisions for their people. The amendment seeks to treat tribal governments no differently from other levels of government, just like we treat cities and counties across the country.

Sovereignty is an important aspect of tribal relations with their tribal members. It is something tribes take very seriously, and in my view, it is something Members of the Senate should take very seriously, in part because it is the right policy, and perhaps even more importantly, it is the right moral position to have. And of equal value, it is what the Constitution of the United States says.

The legislation on which this amendment is based was passed by the House of Representatives in a bipartisan vote. Even our former colleague, the late Senator Daniel Inouye of Hawaii, wrote in 2009 that ''Congress should affirm the original construction of the NLRA by expressly including Indian tribes in the definition of employer.''

This amendment presents Congress with an opportunity to reaffirm the constitutional recognition of tribes and the rights accorded to them under the supreme law of our land.

Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment, amendment No. 4066; that there be 10 minutes of debate, equally divided; and that following the use or yielding back of time, the Senate vote in relation to the amendment with no second-degree amendment in order prior to the vote.

The PRESIDING OFFICER (Mr. SULLIVAN). Is there objection?

The Senator from Ohio.

Mr. BROWN. Mr. President, reserving the right to object, and I will explain if I could.

First of all, this doesn't belong in NDAA. This is not a defense issue, but I would like to talk more substantively about it and then make another statement.

I strongly support tribal sovereignty. I know my colleagues appreciate Senator MORAN's genuine interest in this. He is my friend. We have worked on a number of issues in banking together. We don't agree on this, but that is the way things are. I do believe both sides of the aisle do support tribal sovereignty.

This amendment, though, is not about tribal sovereignty. It is about undermining labor laws—laws that protect the rights of workers to organize and collectively bargain—one of America's great values that more than almost anything—other than democratic government—created and maintained a middle class, organizing and bargaining collectively. Specifically, the amendment attempts to overturn NLRB decisions that have asserted the Board's jurisdiction over labor disputes on tribal lands.

The Board has methodically evaluated when they do and don't have jurisdiction on tribal lands by using a very carefully crafted test to ensure that the Board's jurisdiction would not violate tribal rights and does not interfere in exclusive right to self-governance.

In a June 2015 decision, the NLRB employed the test and did not assert jurisdiction in a tribal land-labor dispute. Instead, the amendment is part of an agenda to undermine the rights of American workers. We have seen it regularly. We see it in State capitols. We saw it in my State capitol 5 years ago when the Governor went after collective bargaining rights for public employees.

For the first and only time in American history, voters in a statewide election said no to rolling back collective bargaining rights. It was the only time it ever happened, and it was by 22 percentage points.

The amendment is part of an agenda to undermine the rights of American workers, including 600,000 employees of tribal casinos—75 percent of them are not nonnative Indians, non-Indians. Courts have upheld the application to the tribes of Federal employment laws, including Fair Labor Standards Act, the Operational Safety and Health Act, the Employment Retirement Income Security Act, and title III of the Americans with Disabilities Act.

In addition to harming the thousands of already organized workers at commercial tribal enterprises, this amendment would establish a dangerous precedent to weaken longstanding worker protections on tribal lands.

Mr. President, for these reasons, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MORAN. I regret the objection from the Senator from Ohio and indicate that we will continue our efforts to see that this issue is addressed and the sovereignty of tribes across the Nation is protected.

Mr. President, 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.

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

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

Mrs. MURRAY. Mr. President, I am on the floor this afternoon, along with my good friend and colleague, the senior Senator from Connecticut. He is going to be here shortly to speak as well, and I thank him for his leadership throughout the NDAA process.

We are here because we strongly believe that in Congress we should be working on ways to boost economic security for more families and help our economy grow from the middle out, not from the top down. A fundamental part of that is making sure our companies pay workers fairly and provide them with safe workplaces and treat them with respect. Unfortunately, Senator BLUMENTHAL and I have come to the floor to speak against a provision that would seriously undermine the spirit of bipartisanship we have cultivated thus far.

As it stands, this bill contains a provision that would help shield defense contractors that steal money out of their workers' paychecks or refuse to pay the minimum wage. It would help protect the companies that violate workplace safety laws while receiving taxpayer dollars, and it would allow companies with a history of discriminating against women, people of color, and individuals with disabilities to continue receiving defense contracts, and to me that is unacceptable.

For too long, the Federal Government has awarded billions of taxpayer dollars to companies that rob workers of their paychecks and fail to maintain safe working conditions. To help right those wrongs, President Obama issued the Fair Pay and Safe Workplaces Executive order, and I was very proud to support him.

Under the new proposed guidelines, when a company applies for a Federal contract, they will need to be upfront about their safety, health, and labor violations over the past 3 years. That way, government agencies can consider an employer's record of providing workers with a safe workplace and paying workers what they have earned before granting or renewing Federal contracts. To be clear, the new rules do not prevent these companies from winning Federal contracts. The new protections will just improve transparency so government agencies are aware of the company's violations and can help them come into compliance with the law. These are worker protection laws that are already on the books, including laws that affect our veterans, such as the Vietnam Era Veterans' Readjustment Assistance Act of 1974.

This will have some major benefits for our workers and taxpayers. First of all, it will help hold Federal contractors accountable. American taxpayers should have the basic guarantee that their dollars are going to responsible contractors that will not steal from their workers or expose their workers to safety hazards. This will help protect basic worker rights and that in turn will help expand economic security for more working families and, finally, this new protection will help level the playing field for businesses that follow our laws.

These businesses should not have to compete with corporations that cut corners and put their workers' safety

at risk or cheat workers on their paychecks. It will also have another benefit. Some of these same irresponsible companies that exploit their workers are also irresponsible when it comes to staying on schedule and on budget.

One report found that among the companies that had the most egregious workplace violations between 2005 and 2009, one-quarter of them also had significant performance problems like cost overruns and schedule delays. So these new rules will help the Federal Government choose contractors that are actually efficient and effective, which in return will help save taxpayer dollars.

Rewarding efficient and effective contractors should be a bipartisan goal, but unfortunately some of my colleagues want to give defense contractors a special carve-out from these crucial accountability measures and, to me, that is unacceptable.

It is time to stop rewarding Federal contractors that have a history of violating workers' rights. That is why I support the amendment of my colleague from Connecticut, which will make sure the Defense Department considers all companies' full record before granting or renewing their Federal contracts.

Like many of our colleagues, I am focused on leveling the playing field for companies that do the right thing by their workers, protect American taxpayers, and boost economic security for our workers. That is why I remain strongly opposed to the damaging provision in the underlying bill, and I do hope our colleagues will join us in supporting our amendment to undo the carve-out and allow these critical protections for our workers to be implemented as they were intended.

I thank the Presiding Officer.

I yield the floor and 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. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, the amendment I filed, Blumenthal No. 4255, will not be made pending, but I want to emphasize the importance of the amendment and hope I can work with my colleagues on the substance of it because it is so profoundly important to fairness in the workplace and the protection of American workers.

My friend and colleague, the Senator from Washington, PATTY MURRAY, has spoken on this issue within the last few minutes, and I join her in supporting the critical Executive order issued by the President called the Fair Pay and Safe Workplaces Executive Order.

This effort requires companies doing business by the Federal Government to disclose whether they violated any of the 14 longstanding labor laws protecting American workers included in this Executive order. There is no requirement to disclose a mere allegation or claim of a violation of one of those laws, rather, the Executive order requires, very simply, disclosure of a determination by a court or administrative body of an actual violation. In effect, this Executive order would be gutted by the National Defense Authorization Act now on the floor of this Congress, and the amendment I was intending to offer is the very same amendment that was offered in the NDAA markup and supported by groups like Easter Seals and Paralyzed Veterans of America. They worry that the language in this law that we now have before us will do a damaging injustice to our veterans and constituents with disabilities and thousands of other employees working under Federal contracts.

I am proud to be joined in this effort by not only Senator MURRAY but also Senators FRANKEN, GILLIBRAND, BROWN, SANDERS, LEAHY, BALDWIN, MERKLEY, BOXER, CASEY, and the ranking member of the committee with jurisdiction over this bill, Senator JACK REED of the Armed Services Committee, where the Presiding Officer and I sit.

We need to ensure that the Fair Pay and Safe Workplaces Executive Order applies across all Federal agencies and to all workers, or as many as possible at least, strengthening this vital effort to protect workers and taxpayer dollars. It is not only about workers, it is also about taxpayer dollars.

The laws that are covered here are sort of the bread-and-butter protections of all Federal workers and all workers, generally, such as the Americans with Disabilities Act, the Family and Medical Leave Act, and the Civil Rights Act. Other laws that may be more obscure are also covered, but they have been around for decades, and this measure and those laws are designed to protect veterans and women from harmful, debilitating discrimination, among other wrongful practices.

Let's be very clear. Most companies covered by Federal contracts play by the rules and obey the law. All they would need to do is literally check a box confirming that they are in compliance. There are no big administrative expenses or elaborate bureaucratic hurdles to overcome. They just need to check a box to confirm that they are in compliance. For the small subset of companies with compliance issues, the contracting agency would take information about violations into consideration in the procurement process. This is not to bar them. They can still be considered, but they would then try to work with the company to make sure it comes into compliance with the law.

The basic theory of this Executive order is a matter of common sense. It is not about blacklisting companies. It is about ensuring that companies that want to do business with the Federal Government follow the law and provide a safe, equitable, and fair workplace. Those are the companies we can trust in being our partners in carrying out the Federal Government's work, as long as they obey the law and are in compliance with it.

Companies that violate those laws should not receive taxpayer dollars. Companies that violate the law, very bluntly, are creating an unlevel playing field and forcing law-abiding companies into an unfair competition for contracts. They can cut corners, save money by in effect skirting the law, present lowball offers, and when they are hired, provide poor performance—again, wasting Federal funds to the detriment of taxpayers.

Of course, it is not just about dollars—important to the taxpayer—but about workers. Every year, tens of thousands of American workers are denied overtime wages. Unlawfully discriminated against in hiring and pay, they have their health and safety put at risk by Federal contractors who cut those corners on workers' safety or otherwise deny a basic safe workplace, and that is another reason we need full force and effect to this Executive order, not the gutting of it that is contained now in the NDAA before us.

Some have called the Fair Pay and Safe Workplaces Executive order one of the most important advances for workers achieved by this administration, and it is. According to the Department of Labor, one in five Americans are employed by companies that do business with the Federal Government, an enormous source of leverage requiring compliance with Federal protections, not just in letter but in spirit. We must very simply allow for consistent and appropriate application of this Executive order to ensure that workers or contractors under the defense laws have the same protections as other workers.

The NDAA provision that guts this Executive order must be removed at some point. It may not happen in our consideration of this measure now, but my hope is that we can work with colleagues and overcome the potentially harmful effects of this provision.

I look forward, in fact, to a collegial effort to make sure that we provide long-term protections to American workers through this Executive order.

Thank you, Mr. 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. SASSE. 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. SASSE. Mr. President, why is it that Washington also jumps blindly into culture war fighting? Why is it we first divide into blue shirts versus red shirts, retreat into our tribes, and then try to figure out how we can inflict

maximum damage on each other? That is not how adults in the communities across our country solve their problems, and that is not how they would like us to be solving our problems, but that is actually what is happening right now in this body.

The legislation before the Senate is supposed to be about national security, which is the first and most important duty of the Federal Government. Republicans and Democrats, all 100 Members of this body, tell ourselves and tell our constituents that we love and want to support and provide for the troops.

I want that to be true. Thus, I think we should be able to agree that national security is far more important than trying to run up partisan scores in another culture war battle. By the way, culture war battles are almost never settled well by compulsion, by government, and by force.

But here we are, getting ready to have divide again, this time over the issue of women in the draft, and I want to ask why.

Let me ask a question that should be obvious. Why are we now fighting about drafting our sisters, our mothers, and our daughters into a draft that no one anywhere is telling us they need?

Seriously, where is there any general who has appeared before us and said that the most pressing issue or even a pressing issue about our national security challenges and efforts at the present time is that we don't have enough people to draft? Where has that happened? Who has said it? Because I have been listening, and I haven't heard a single person from the national security community come before us and say: Do you know what we need? We need more people in the draft.

I haven't heard that conversation anywhere.

This fight about women in the draft is entirely unnecessary, and wisdom should be nudging us to try to avoid unnecessary fighting. We have enough big, real, and important fighting we should be doing around here. Why would we take on unnecessary fighting?

So before we send out our press releases and before we decide to condemn people that are on the other side of a culture war battle, why don't we just pause and together agree on this one indisputable fact: We have the best fighting force that the world has ever known. In fact, it is an all-volunteer force right now. We are not drafting anybody, and no one is recommending that we draft anybody. So why are we having this fight?

Rather than needlessly dividing the American people over a 20th century registration process, why wouldn't we do this: Why wouldn't we pause, stop the expansion of the draft, stop to study the purposes of the draft, and actually evaluate whether we need a draft? Maybe we do, but let's actually evaluate it before we start fighting over the most controversial pieces of it.

Let's not start by fighting about who to add to the draft. Let's not start by trying to import culture warring into a national security bill. Let's start by asking if we are really certain we need the draft.

I am introducing a simple amendment, and I hope that this body could agree that its aim is common sense and its aim is to deescalate our bitter conflicts. My simple amendment would replace the NDAA's controversial draft provisions with three relatively noncontroversial—and I think much more important—steps.

No. 1, my amendment would ask the Senate to admit that the draft, which last had a call, by the way—the last call of the draft was in December of 1972. I was 10 months old, and I think I am 5 years older than the youngest Member of this body. The last time there was a call in the draft was December of 1972. We should probably admit that it is time for a reevaluation instead of just continuing on autopilot.

No. 2, it would sunset the draft 3 years from now unless this body decides that we have consulted the generals and we can tell the American people that we need the draft to continue. So the second thing it does is sunset the draft 3 years in the future unless we would act to restore the draft.

No. 3, it requires the Secretary of Defense to report back to this body—to report back to the Congress—in 6 months on the merits of the Selective Service System rather than simply continuing it on status quo autopilot, unscrutinized.

Again, this isn't asking the Secretary of Defense to wade into the culture wars or to take a lead in any social engineering. By the way, I am the father of two girls so there is nobody who is going to outbid me on the limitless potential of young women in American life, but that is not what this is all about. This is about the Secretary of Defense reporting back to us after consulting with the generals and telling us one of three things.

I think it was a pretty simple question. We should have the Secretary of Defense come back before Congress in 6 months and say to us one of three things. Either, A, the all-volunteer forces we are actually using right now are sufficient and they think the draft is obsolete, in which case the sunset would just go into effect; or, B, they would tell us that after consideration they believe the draft is still necessary and some version of the present draft should be continued; or, C, they actually think we have a deficit of human capital to potentially draft, and they think we need an expansion of the draft. Then this body could debate who do we expand it to.

But let's first have the Secretary of Defense consult the generals, come back to us in 6 months, and say: A, an all-volunteer force works; B, we have about the right amount of human capital registered for the draft; or C, we think we need to expand the draft.

Maybe we will say we should have men who are older than 26 years added to the draft. Maybe we should add women. Maybe there will be some other configuration of people we would add to the draft. But until we know we need more people in the draft or that we need a draft at all, why would we dive headlong into what would be the most controversial version of this debate.

Again, the generals are probably going to tell us they are fine with an all-volunteer force, but we don't know that. So why don't we have them report back before we start bickering.

One of the fundamental purposes of this body is to debate the biggest issues facing the Nation and to do so in an honorable way. That is what the Senate is for. The reason we have a Senate is to debate—not abstractions—but to address and ultimately solve the meatiest challenges that the Constitution in present circumstances demands we tackle. Right now women in the draft isn't really one of those issues, so I don't know why we would start fighting about it and dividing so many of the American people about it.

If there is any Senator who believes that the purpose of the NDAA should be to have a culture war fight, humbly I would invite him or her to come to the floor and please make that case. If there is a reason we should have a culture war fight in the context of the NDAA, tell us why we should do it. But, if not, let's avoid unnecessary cultural division and stick with the actual national security tasks that are before us today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. GARDNER. 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 DR. JAMES CRASE

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian and talented physician who has sadly passed away. Dr. James Crase, a good friend of mine who was a veteran and a former State senator, departed this life on May 28. He was 78 years old.

Dr. Crase, born in Letcher County, KY, practiced medicine for over 53 years, 40 of those years in his beloved hometown of Somerset, KY. He served

as chief of staff at the Lake Cumberland Regional Hospital.

As a Somerset doctor, he provided care to over 10,000 patient families and was named ''Citizen Physician of the Year'' by the Kentucky Academy of Family Practice. He previously practiced medicine in Berea, KY, McKee, KY, and in Norfolk, VA with the U.S. Navy.

Dr. Crase was elected to the Kentucky Senate in 1994 and became well known for his dedication to constituent service. After retiring from his medical practice, he helped create ClubMD, a healthcare clinic that focused on improving the patient experience.

Dr. Crase was deeply involved with the community and committed to volunteer service with many organizations, including the Lake Cumberland Lincoln Club, the Lake Cumberland Performing Arts, the Kentucky Medical Association, the Berea College Board of Trustees, the Somerset Community College Athletic Directorship, the First Presbyterian Church of Somerset, the Lake Cumberland Regional Hospital, the Pulaski Civil War Round Table, and the United Way.

Elaine and I wish to send our deepest condolences to Dr. Crase's family and many beloved friends during their time of grief. Dr. Crase was a friend, a caring and empathetic physician, and a devoted public servant. The Commonwealth of Kentucky is poorer for his loss.

An area publication, the Lexington Herald-Leader, published an article detailing the life and career of Dr. James Crase. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Lexington Herald-Leader, June 1, 2016]

LONGTIME SOMERSET PHYSICIAN JAMES CRASE DIES AT 78

(By Bill Estep)

James D. Crase, a longtime Somerset physician who served a partial term in the state Senate, died May 28. The Letcher County native was 78.

Crase was a U.S. Navy veteran who worked as a physician for 53 years, including more than 40 years in Somerset, where he served as chief of staff of the Lake Cumberland Regional Hospital and an elder at First Presbyterian Church.

Crase's obituary said he was proud to have provided care to more than 10,000 families during his time in Somerset. The Kentucky Academy of Family Practice named Crase its Citizen Physician of the Year, the obituary said.

Crase, a small-government Republican, was elected to the state Senate in December 1994 to finish the term of a lawmaker who had been convicted in a corruption case.

Republicans control the Kentucky Senate now, but were in the minority then. In a newspaper commentary, Crase expressed some frustration about the relative lack of power of the minority, and with the legislative process.

''First, one must convince his or her own party to support the measure. Then comes the dubious chore of convincing the opposing party of its merits, thus the trades—you vote for mine, I'll smile upon yours,'' Crase wrote.

He did not seek election to a full term in 1996.

U.S. Senate Majority Leader Mitch McConnell said in a statement Wednesday said Crase will be missed.

''As a veteran and former state senator, Dr. Crase was well-respected in the community and worked tirelessly to improve the lives of his constituents,'' McConnell said.

Crase is survived by three children.

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

VOTE EXPLANATION

● Mr. WARNER. Mr. President, I regret I was not present for the June 8, 2016, vote on the motion to invoke cloture on the compound motion to go to conference on H.R. 2577, the Departments of Transportation, and Housing and Urban Development, and Military Construction and Veterans Affairs appropriations bill, and the Zika supplemental appropriations bill.

Had I been present, I would have voted yes on cloture. This bipartisan bill supports our Veterans, invests in our national infrastructure, and provides funding to address the Zika virus.

Additionally, I would have supported the Nelson motion to instruct conferees and opposed the Sullivan motion to instruct conferees.●

SECTION 2152 OF THE FEDERAL AVIATION REAUTHORIZATION BILL

Mrs. FEINSTEIN. Mr. President, I wish to discuss the issue of preemption and ask to engage in a colloquy with Senators TILLIS and NELSON.

I come to the floor today to discuss the Federal Aviation Administration Reauthorization Act of 2016, which passed the Senate on April 19 by a vote of 95 to 3. This vote reflects the strong, bipartisan work that went into negotiating this bill, and I hope that the House will take it up.

However, there is unfinished business with this bill: the need to remove section 2152. This provision of the bill would preempt any State or local laws related to the operation, manufacture, design, testing, licensing, registration, certification, operation, or maintenance of an unmanned aircraft system including airspace, altitude, flight paths, equipment or technology requirements, purpose of operations, and pilot, operator, and observer qualifications, training, and certification.

This provision of the bill would be effective on the date of enactment prior to the FAA promulgating any regulations in these areas.

When this came to my attention, as a former mayor, I became very alarmed about the possible reach of this provision and how it might impact local communities, State parks, schools, infrastructure, and other areas with a strong State or local interest.

So I filed two amendments, and, ultimately, the managers of this bill—Chairman THUNE and Ranking Member NELSON—agreed to accept an amendment to strike the provision from the underlying bill.

This is amendment No. 3704, filed by myself and Senator TILLIS, and cosponsored by Senators BLUMENTHAL, PERDUE, LEE, and MARKEY.

I would now like to yield, if I could, to my colleague from North Carolina, Mr. TILLIS.

Mr. TILLIS. As a former State legislator, I very much agree with what my colleague from California has said. In North Carolina, we worked hard to get the regulatory and legislative framework right for this new technology. In fact, we commissioned a legislative research committee to propose legislation and obtained input from stakeholders prior to the bill's passage. You see, not all wisdom resides at the Federal Government. Our system is designed to let States and localities weigh factors that bureaucrats in Washington might not consider, such as potential privacy concerns, law enforcement operations, search and rescue, natural disaster mitigation, infrastructure monitoring—the list goes on.

I would add that it was my understanding as well that Chairman THUNE and Ranking Member NELSON had graciously agreed to accept this amendment and that it had been cleared as part of a group of noncontroversial amendments. I was disappointed to see that package held up over a disagreement on unrelated matters between other Members. I am encouraged, however, by the chairman's and ranking members' commitment to continue addressing our concerns in conference committee.

Mr. NELSON. Mr. President, my distinguished colleague from North Carolina, Mr. TILLIS, is correct. Chairman THUNE and I did agree to accept this amendment as part of a package of 26 amendments agreed to by all but one of our colleagues.

While I am disappointed that these amendments could not clear the full Senate, including one that preserves certain State and local powers to deal with public safety concerns regarding drones, I will work with Chairman THUNE to address this and other issues in the conference committee once the House has acted.

REMEMBERING TERESA SCALZO

Mr. TOOMEY. Mr. President, today I wish to honor Ms. Teresa Scalzo, who recently passed away after a 23 year legal career focused on public service, supporting the victims of violence and sexual assault, and advancing the prosecution of those horrible crimes. After a battle with an aggressive cancer, Teresa passed away on Monday, May 23, 2016.

A native of Easton, PA, Teresa earned a law degree from Temple University School of Law in 1993. Over the next 23 years, she held numerous legal positions, all focused on giving victims

a voice and advancing the prosecution of these complex cases.

Most recently, Teresa served as the deputy director of the U.S. Navy Judge Advocate General's Corps Trial Counsel Assistance Program. In this position, Teresa helped cultivate and hone the skills of multiple generations of Navy prosecutors, enhancing the Navy's ability to support victims of sexual assault and to hold perpetrators accountable. Among the many prestigious and important positions throughout her career, she also served as senior policy adviser for the Department of Defense Sexual Assault Prevention and Response Office, director of the National Center for the Prosecution of Violence Against Women, chief of the sex crimes unit at the Northampton County District Attorney's Office, and a member of the sexual assault response team at the National Sexual Violence Resource Center.

Teresa radiated that special balance of determination and compassion that enabled victims of sexual assault and family violence to find their voices in the pursuit of justice. In recognition of her accomplishments, she received the 2009 Visionary Award from Ending Violence Against Women International. In 2001, she received the Allied Professional Award for Outstanding Commitment to Victims' Services from the Crime Victims Council of the Lehigh Valley.

I would like to recognize Ms. Scalzo's honorable commitment and exceptional service to victims, the justice system, and our country. She is survived by her mother Marie; her brother Carl; his wife Theresa; and her nephew and nieces, Brett, Paige, and Maggie. It is an honor to stand in recognition of this compassionate advocate and seeker of justice.

REMEMBERING COE SWOBE

Mr. HELLER. Mr. President, today I wish to remember a true Nevada statesman and dedicated public servant, former Nevada State Assemblyman and State Senator Coe Swobe. I send my condolences and prayers to his family during this difficult time. Although he will be sorely missed, his legendary influence throughout Nevada will continue on.

Mr. Swobe was born in 1929 and raised in northern Nevada. He graduated from the University of Nevada, Reno, after serving in the U.S. Air Force during the Korean war. As one of our Nation's servicemembers, he made exceptional sacrifices for our country and deserves our deepest gratitude. His service to his country, as well as his bravery and dedication to his family and community, have earned him a place in history among the many outstanding men and women who have contributed to our Nation and to our State. Mr. Swobe later earned his juris doctorate from the University of Denver Sturm College of Law. He then returned to Reno, where he served as assistant U.S. Attorney for the District of Nevada for 2 years and began his career as a true public servant to the Silver State.

In 1962, Mr. Swobe was first elected to the Nevada State Assembly. Shortly thereafter, he became a member of the Nevada State Senate, where he served from 1966 to 1974. During his tenure, Mr. Swobe was a staunch supporter of the preservation of Lake Tahoe and led the way in establishing the first agreement between then Nevada Governor Paul Laxalt and California Governor Ronald Reagan and the two State legislatures in helping to protect the Lake. This agreement later established the Tahoe Regional Planning Agency, TRPA, which continues to protect this precious Nevada jewel today. He also helped expand the Lake Tahoe park system, including the establishment of Sand Harbor State Park. In 2007, he was appointed to serve on the governing board for the TRPA, where he worked vigorously to help raise awareness about wildfire prevention. Residents across the State of Nevada and the Lake Tahoe Basin are fortunate to have had someone dedicated to working towards the betterment and protection of our State.

In addition, Mr. Swobe cofounded Nevada's Lawyers Concerned for Lawyers, LCL, to help others struggling with alcohol addiction. For over 30 years, he dedicated his time to this program, which is available to lawyers, judges, and anyone else in the legal community in need of support. His legacy and love for Nevada, as well as his genuine concern for others, will live on for generations to come.

Throughout his life, Mr. Swobe demonstrated only the highest level of excellence and dedication while serving the great State of Nevada. I am deeply appreciative of his hard work and invaluable contributions to our State. Today, I join citizens across the Silver State in celebrating the life of an upstanding Nevadan, Coe Swobe.

CENTENNIAL OF THE WYOMING DENTAL ASSOCIATION

Mr. BARRASSO. Mr. President, I am honored to recognize the Wyoming Dental Association as it celebrates its 100th anniversary. This historic milestone marks the success of the organization's efforts to assist its members in their mission of achieving the highest level of patient care for Wyoming.

Life on the frontier posed many challenges for Wyoming's first dentists. Pioneer practitioners often traveled long distances through rugged terrain to treat their patients. Armed with rudimentary tools including forceps, pedal-powered drills, and whiskey to kill the pain, these circuit riders treated patients with little or no oversight. Seeing a need for standardization, the Wyoming Legislature created the Wyoming Board of Dental Examiners, which required all practicing dentists to register with the State. In 1916, several licensed dentists joined to form the Wyoming Dental Association, an organization dedicated to supporting the State's dentists. From that day forward, the association's members dedicated themselves to advancing the practice of dentistry.

Thanks to extensive progress made in technology and medical care, modern oral health care has dramatically improved. Today there are over 500 licensed dentists in Wyoming. Our State's dentists are dedicated to their patients' health, not only providing dental care but also educating the public on the importance of oral hygiene. Every dentist has adopted a professional code of ethics and works to maintain the highest standards of excellence.

The Wyoming Dental Association is a leader in promoting dental hygiene. Through its dedicated advocacy and leadership, the association collaborates with the Wyoming Legislature, local government agencies, and nonprofit organizations to help the people of Wyoming. Their achievements are impressive.

In particular, dentists around the State volunteered hundreds of hours to complete Wyoming's Oral Health Initiative, which was designed to gauge the overall dental health of residents. The initiative provided stakeholders with valuable data that led to the development of strategies to improve education and access to care. Thanks to the Wyoming Dental Association's participation in this crucial study, the State is advancing dental health care to new levels of success.

After 100 years, the Wyoming Dental Association is stronger than ever thanks to its incredible leadership. The dedicated efforts of the association's executive director, Diane Bouzis, and its current board of directors continue to improve the services its members receive. Thank you to President Mike Shane, President-elect Dana Leroy, Vice President Lance Griggs, Secretary-Treasurer Deb Shevick, and ADA Delegates Rod Hill and Brad Kincheloe. We also acknowledge the hard work of the State's district directors, including Lorraine Gallagher, Brian Cotant, Steve Harmon, Paul Dona, Aaron Taff, and Leslie Basse. These incredible individuals serve the association and their patients with great integrity.

Thanks to the strength of the association's membership, we can always count on Wyoming's dental practitioners to come to Washington. They provide up-to-date information and input about the major concerns and issues facing the industry. Our entire State benefits from their advocacy. It is always great to meet with John Roussalis, Earl Kincheloe, Mike Keim, Bob Pattalochi, David Okano, Tyler Bergien, Brian Hokanson, and Carl Jeffries. These fine folks are excellent representatives of the profession.

The Wyoming Dental Association is a remarkable organization committed to improving dental health care in all of

Wyoming's communities. I am pleased to offer my sincere appreciation to the members of the Wyoming Dental Association as they celebrate their centennial.

NATIONAL JERKY DAY

Mr. ROUNDS. Mr. President, today I remind my fellow Americans of National Jerky Day on June 12, 2016.

Jerky has been a staple of the American diet since the birth of our Nation because of its portability and high protein content. Early settlers learned bison jerky preparation techniques from Native Americans. Lewis and Clark cured and ate jerky over the course of their historic expedition. Now, our astronauts consume jerky aboard the International Space Station.

The production of jerky is also an important component of our national economy. Companies from coast to coast employ thousands of workers to produce American-made jerky and distribute it internationally. Our Nation's farmers and ranchers produce high-quality products that help make the best jerky in the world.

Therefore, I encourage my fellow citizens to enjoy a nutritious jerky snack in celebration of National Jerky Day on Sunday, June 12, 2016.

ADDITIONAL STATEMENTS

STRATHAM'S 300TH ANNIVERSARY CELEBRATION

● Ms. AYOTTE. Mr. President, today I wish to honor the 300th anniversary of the town of Stratham, New Hampshire.

Stratham is located in southeast New Hampshire, in a region inhabited by Native Americans for thousands of years before the arrival of Europeans on our shores. It was first settled in 1631, and in 1709, the residents petitioned for the creation of their own town in order to build a school, church, and meeting house. Lieutenant Governor George Vaughn granted residents permission, on March 20, 1716, to collect taxes, hold town meetings, elect selectmen, appoint a minister, and build a meeting house on Kings Grant Highway. The location of the original Stratham Meeting House is where the Stratham Community Church stands today.

In 1906, a park was opened in town after Edward Tuck sold 70 acres of land to the town of Stratham for $1. Mr. Tuck's major stipulation during the transfer of Stratham Hill Park's land was that ''it was given for the free use and enjoyment of the residents of Stratham and the surrounding communities.'' In 1966, the town of Stratham celebrated their 250th anniversary and residents have gathered every year since to celebrate their founding at what is now known as the Stratham Fair. A Land Protection Committee was created in 2002, and a decade later, over 543 acres or nearly 6 percent of the town of Stratham has been conserved and protected permanently.

Today Stratham is home to the headquarters of the Timberland Corporation and to the only Lindt & Sprungli factory in the United States.

This year, on the occasion of Stratham's 300th Anniversary of its founding, I join more than 7,000 residents in commemorating the rich heritage and valuable contributions to the State of New Hampshire and our Nation.●

REMEMBERING GARY DiGIUSEPPE

● Mr. BOOZMAN. Mr. President, today I wish to acknowledge the life of Gary John DiGiuseppe whose passion for agriculture and journalism helped keep Arkansans informed about the State's No. 1 industry.

Gary was a man who knew the importance of dedication and hard work. He was fiercely dedicated to his family and his life's work. He was a man who possessed a broad base of invaluable knowledge that he shared eagerly through his radio shows and literature. He worked as an agricultural reporter for 35 years. To others in his field, he was known as a true professional of agriculture.

Many knew Gary as the man who started their mornings off with a friendly voice. He was an accomplished talk show host and writer. He was known for doing an excellent job reporting on conferences and interviews. There are few who do not trust his educated opinion. His writing has also been published in the ''Arkansas Money & Politics'' magazine.

Gary was often referred to as an asset, trustworthy, and well informed. In addition, he was well versed in other aspects of life. He was an accomplished musician and stood firm on his important principles through determined discipline.

Gary always represented situations clearly and fair in his reporting. I was happy to talk with him about the agricultural topics that he was researching and reporting on.

He maintained a passion for learning and teaching all aspects of agriculture.

I am remembering Gary today as a true friend of Arkansas agriculture. My thoughts and prayers go out to Gary's wife, Mary, and his entire family. I humbly offer my gratitude and appreciation for one of Arkansas' finest agriculture advocates.●

TRIBUTE TO COLTER SCULLY

● Mr. DAINES. Mr. President, I would like to acknowledge an exceptional Montanan, Colter Scully. Colter is a rising senior at Powell County High School and is preparing for his board of reviews to complete his Eagle Scout application. Three years ago, Colter was inspired to create a frisbee-golf course in his community. Thanks to his leadership and perseverance, the course was opened on May 31, 2016.

Colter's scoutmaster, Tom Burkhart, describes Colter as a natural outdoorsman and leader, who leads quietly and kindly but has earned the following and respect of his peers. Tom says, ''What sets Colter apart is once he sets his mind to something he's going to do all that he needs to do to see it through.''

Eagle Scouts applicants must present a community project that requires planning, coordination, and future thinking. Colter sought out the Deer Lodge Parks Board and a local youth club against corporate tobacco, reACT, to coordinate the creation of his frisbee-golf course. Colter created a dynamic team of individuals who came together to provide the communities of Deer Lodge and Powell with a tobacco-free and entertaining activity.

The Eagle Scout is one of the highest performance-based achievements a young man can earn. In fact, only 5 percent of scouts attain this ranking. Colter had to secure 21 merit badges ranging from first-aid and camping to environmental science and family life, while holding leadership positions. Colter has humbly served Troop 239 as quartermaster, patrol leader, and senior patrol leader.

He embodies the boy scout oath to do his best, to serve God and his country, and to help others at all times in all areas of his life. At Powell County High School, Colter is an honor student who puts forth his best work, earning a 4.0 GPA, while juggling three sports: football, basketball, and track.

I have no doubt this young man's hard work and dedication will be rewarded. As an Eagle Scout, he will be joining the ranks of impressive individuals such as Neil Armstrong and Gerald Ford. I hope you will join me in wishing Colter the best of luck as he prepares for his Eagle Scout board of review.●

TRIBUTE TO WILLIAM PARK

● Mr. HELLER. Mr. President, today I wish to recognize an upstanding Nevadan, William Park, who has served as a volunteer firefighter for the Smith Valley Fire Protection District for over 50 years. It gives me great pleasure to recognize his years of hard work and dedication to creating a safe environment for the Smith Valley community.

Mr. Park joined the Smith Valley Fire Protection District as a volunteer firefighter in 1966. He was one of the first Emergency Medical Services, EMS, instructors in the State as part of the Professional Rescue Instructors of Nevada, where he trained hundreds of emergency medical technicians. In just 10 years, Mr. Park rose in the ranks and was selected to serve as assistant fire chief and later fire chief of the District. In the late 1970s, Mr. Park's construction company, Park Construction, rebuilt the Smith Valley Fire Protection District's Wellington Station, growing the facility to two apparatus bays. By 1980, he became the

president of the Nevada State Firefighters Association, NSFA, while continuing to serve as fire chief. Mr. Park is truly a role model in the fire services community throughout northern Nevada and across the Silver State.

In August of 1979, Mr. Park was badly burned during an accident after a Wednesday night training class and spent weeks recovering in the intensive care unit. This incident brought great support from the Nevada fire family and ultimately led to the creation of the NSFA Benevolence Fund and the Smith Valley Fire Protection District Community Assistance Fund. Even after this traumatic experience, Mr. Park showed great resilience and continued to serve the district as assistant chief and by instructing EMS training. To this day, Mr. Park continues to be an active participant with the district and responded to over 50 percent of department calls in 2015. Mr. Park stands as a shining example of someone who has gone above and beyond for those around him.

It is the brave men and women who serve in our local fire departments that help keep our communities safe. These heroes selflessly put their lives on the line every day. I extend my deepest gratitude to Mr. Park for his courageous contributions to the people of Smith Valley and the Silver State. His sacrifice and courage earn him a place among the outstanding men and women who have valiantly put their lives on the line to benefit others.

Mr. Park has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the Smith Valley Fire Protection District. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today I ask all of my colleagues to join me in recognizing Mr. Park for his years of hard work, and I give my deepest appreciation for all that he has done to make Nevada a safer place. I offer him my best wishes for many successful and fulfilling years to come.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

At 11:36 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with amendment, in which it request the concurrence of the Senate:

S. 2276. An act to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3826. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

H.R. 4775. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4775. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BLUNT, from the Committee on Appropriations, without amendment:

S. 3040. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–274).

By Mr. BARRASSO, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1879. A bill to improve processes in the Department of the Interior, and for other purposes (Rept. No. 114–275).

By Mr. GRASSLEY, from the Committee on the Judiciary, with amendments:

S. 2944. A bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2992. A bill to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and for other purposes.

S. 3009. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 3024. A bill to improve cyber security for small businesses.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BLUNT for the Committee on Rules and Administration.

Carla D. Hayden, of Maryland, to be Librarian of Congress for a term of ten years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. KING (for himself, Mr. NELSON, and Mr. BURR):

S. 3039. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT:

S. 3040. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. PAUL:

S. 3041. A bill to repeal the Military Selective Service Act; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself, Mr. LEAHY, Mr. FRANKEN, and Mr. DURBIN):

S. 3042. A bill to amend title 38, United States Code, to clarify the scope of procedural rights of members of the uniformed services with respect to their employment and reemployment rights, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Mrs. ERNST):

S. 3043. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 3044. A bill to provide certain assistance for the Commonwealth of Puerto Rico, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 3045. A bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 3046. A bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself, Mr. CRUZ, Mr. INHOFE, and Mr. VITTER):

S. 3047. A bill to help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes; to the Committee on Finance.

By Mr. FLAKE (for himself and Mr. ALEXANDER):

S.J. Res. 35. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to ''Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act''; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FLAKE (for himself, Mr. COONS, Mr. ISAKSON, and Mr. DURBIN):

S. Res. 485. A resolution to encourage the Government of the Democratic Republic of the Congo to abide by constitutional provisions regarding the holding of presidential elections in 2016, with the aim of ensuring a peaceful and orderly democratic transition of power; to the Committee on Foreign Relations.

By Mr. RUBIO (for himself and Mr. CASSIDY):

S. Res. 486. A resolution commemorating ''Cruise Travel Professional Month'' in October 2016; to the Committee on Commerce, Science, and Transportation.

By Mrs. ERNST:

S. Res. 487. A resolution commemorating the 100th anniversary of the Reserve Officers' Training Corps program of the Army; considered and agreed to.

ADDITIONAL COSPONSORS

S. 217

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 217, a bill to protect a woman's right to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services.

S. 461

At the request of Mr. CORNYN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 461, a bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

S. 1301

At the request of Ms. HIRONO, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1301, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

S. 1421

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1421, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a 6-month extension of certain exclusivity periods in the case of approved drugs that are subsequently approved for a new indication to prevent, diagnose, or treat a rare disease or condition, and for other purposes.

S. 1661

At the request of Mr. COONS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1661, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2212

At the request of Mr. KING, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2212, a bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of $1,000 or more from any contributor during a calendar year, and for other purposes.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from Montana (Mr. DAINES) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2694

At the request of Mr. TOOMEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2694, a bill to ensure America's law enforcement officers have access to lifesaving equipment needed to defend themselves and civilians from attacks by terrorists and violent criminals.

S. 2759

At the request of Mrs. ERNST, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2759, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 2854

At the request of Mr. BURR, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2882

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2882, a bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

S. 2892

At the request of Ms. STABENOW, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2892, a bill to accelerate the use of wood in buildings, especially tall wood buildings, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2912

At the request of Mr. JOHNSON, the names of the Senator from Indiana (Mr. COATS) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2918

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2918, a bill to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes.

S. 2924

At the request of Mr. REID, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from California (Mrs. FEINSTEIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2924, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. 2946

At the request of Mr. BOOKER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2946, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 2984

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2984, a bill to impose sanctions in relation to violations by Iran of the Geneva Convention (III) or the right under international law to conduct innocent passage, and for other purposes.

S. 2993

At the request of Mrs. FISCHER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2993, a bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms.

S. 3009

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3009, a bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

S. 3022

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3022, a bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes.

S. 3024

At the request of Mr. VITTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3024, a bill to improve cyber security for small businesses.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 479

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 479, a resolution urging the Government of the Democratic Republic of the Congo to comply with constitutional limits on presidential terms and fulfill its constitutional mandate for a democratic transition of power in 2016.

S. RES. 482

At the request of Mrs. SHAHEEN, the names of the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. MURPHY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 482, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

S. RES. 483

At the request of Mr. ALEXANDER, the names of the Senator from California (Mrs. BOXER), the Senator from Idaho (Mr. CRAPO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 483, a resolution designating June 20, 2016, as ''American Eagle Day'' and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

AMENDMENT NO. 4118

At the request of Mr. PERDUE, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 4118 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4178

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 4178 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4222

At the request of Ms. MURKOWSKI, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Montana (Mr. TESTER) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 4222 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4229

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 4229 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4250

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4250 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4267

At the request of Mr. COCHRAN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Maine (Ms. COLLINS), the Senator from Nebraska (Mrs. FISCHER), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Maryland (Mr. CARDIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 4267 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4310

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 4310 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4320

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 4320 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4327

At the request of Mr. THUNE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 4327 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4336

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4336 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4364

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4364 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4390

At the request of Ms. BALDWIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 4390 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4410

At the request of Mr. CARPER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 4410 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4426

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Montana (Mr. DAINES) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of amendment No. 4426 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4438

At the request of Mr. SCHATZ, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 4438 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4441

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 4441 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4448

At the request of Mr. LEE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 4448 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4475

At the request of Mr. COTTON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4475 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4483

At the request of Mr. COTTON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4483 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4498

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4498 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4567

At the request of Ms. BALDWIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 4567 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4574

At the request of Mr. WHITEHOUSE, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 4574 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4580

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4580 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4588

At the request of Mr. BOOZMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of amendment No. 4588 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4597

At the request of Mrs. BOXER, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 4597 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4599

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 4599 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4600

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4600 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4601

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 4601 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 3045. A bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am introducing the DUE PROCESS Act. I am very pleased that Senator LEAHY is a cosponsor of the bill. This legislation will make important reforms to the practice of civil asset forfeiture.

The Senate Judiciary Committee held hearings last year on the problems associated with civil asset forfeiture. This is a process by which a person who has been convicted of no crime, and in fact is often not even charged with a crime, can nonetheless lose his property if the property is suspected to be owned as a result of wrongdoing. Civil asset forfeiture has a place in our society, including gaining control over assets used to further terrorism and the drug trade. But there have been excesses, and this bill is designed to address many of them.

Working together in a bipartisan and bicameral way, we have had months long discussions about how to draft legislation to improve the fairness of civil asset forfeiture. The bill that I am introducing today has been introduced and passed through the House Judiciary Committee on a bipartisan voice vote. It is the result of these bipartisan and bicameral discussions. The Senate should consider the same bill.

The DUE PROCESS Act broadens the timelines for an owner to challenge forfeitures. It extends protections in existing law to judicial forfeitures, not only administrative forfeitures. The government must provide greater notice to owners whose property has been seized, including notice of the rights that they may invoke to regain their property and their right to be represented by counsel in contesting a forfeiture either judicially or administratively. The property owner is given more time to respond to the seizure. Very importantly, an owner who challenges the seizure receives an initial hearing, at which time she is further notified of her rights and will have her property released if the seizure was not made according to law. Under the bill, the government must prove that seizure is warranted by clear and convincing evidence, rather than the current preponderance of the evidence standard.

Some of these provisions are in the bill because of media reports, including in my home state of Iowa. For instance, the Des Moines Register has reported that in many instances, innocent motorists surrender the property that law enforcement seizes without always having an understanding of how the seizure can be challenged. The bill will ensure that those whose assets are seized are given notice of the process by which the seizure can be contested and their right to have counsel represent them in the forfeiture proceeding.

In a change to criminal forfeiture, which can take place after a defendant is convicted of a crime, the bill overturns the Supreme Court's recent decision in Kaley v. United States. A defendant will have the right to ask for a hearing to modify the seizure so as to demonstrate that assets not associated with the charged criminal activity can be used to hire the attorney of the defendant's choice. The court is directed to consider various factors at the hearing.

Additionally, the bill makes it easier for those whose assets have been seized to recover their attorney's fees when they settle their cases. The bill requires the Justice Department's Inspector General to audit a sample of civil forfeitures to make sure they are consistent with the Constitution and the law. And it directs the Attorney General to establish databases on real-time status of forfeitures and on the types of forfeitures sought, the agencies seeking them, and the conduct that leads the property to be forfeited.

Further, the bill codifies DOJARS policy to allow civil forfeiture in structuring cases only when the property to be seized is derived from an underlying crime other than structuring, or where it is done to conceal illegal activity. Structuring is a crime by which cash deposits or withdrawals are made with the intent of avoiding government reporting requirements. In Iowa, for instance, prosecutors brought an action against a restauranteur, Carole Hinders, who had deposited cash from her operations without any intention to evade any reporting requirement or to conceal some other illegal activity. After IRS changed its policy, prosecutors dropped the case. The bill will prevent the government from pursuing civil asset forfeiture cases such as these in the future.

Finally, the bill expands existing protections for innocent owners of property that is sought to be forfeited. The government will have to prove that there is a substantial connection between the property and an offense and that the owner of the seized property intentionally used the property, knowingly consented to its criminal use, or reasonably should have known that the property might be used in connection with the offense.

Many of these provisions strengthen the Civil Asset Forfeiture Reform Act. That legislation improved the process and provided greater protection for innocent owners involved in civil asset forfeiture than had previously been the case. But, as we have seen, excesses and injustices still remain. The DUE PROCESS Act is designed to make further progress in this area to protect the rights of people whose property has been seized without any judicial finding of criminal wrongdoing.

The problems associated with civil asset forfeiture need to be addressed. In various ways, it would have been preferable to make changes that go even beyond those in this bill. However, we do want to work with law enforcement and address their legitimate interests and concerns. I can assure them that we will continue to talk as this legislation works its way to Senate passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 485—TO ENCOURAGE THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO ABIDE BY CONSTITUTIONAL PROVISIONS REGARDING THE HOLDING OF PRESIDENTIAL ELECTIONS IN 2016, WITH THE AIM OF ENSURING A PEACEFUL AND ORDERLY DEMOCRATIC TRANSITION OF POWER

Mr. FLAKE (for himself, Mr. COONS, Mr. ISAKSON, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 485

Whereas the United States Government has supported and will continue to support the principle that the people of the Democratic Republic of the Congo (in this resolution referred to as ''the DRC'') should choose their own government in accordance with their constitution and all relevant laws and regulations;

Whereas the constitution of the DRC requires that elections be held in time for the inauguration of a new president on December 19, 2016, when the current presidential term expires;

Whereas, on March 30, 2016, the United Nations Security Council adopted resolution 2277, which called upon the Government of the DRC and its national partners, including the CENI (Independent National Electoral Commission), ''to ensure a transparent and credible electoral process, in fulfillment of their primary responsibility to create propitious conditions for the forthcoming elections . . . scheduled for November 2016 in accordance with the Constitution'' and urged the Government of the DRC and all relevant parties to ensure an electoral environment conducive to a ''free, fair, credible, inclusive, transparent, peaceful, and timely electoral process, in accordance with the Congolese constitution'';

Whereas events in the DRC over the last year and a half have called into serious question the commitment of the Government of the DRC to hold such elections on the required timeline, and President Joseph Kabila has not publicly committed to stepping down at the end of his term;

Whereas there are 12 presidential elections slated to take place on the continent of Africa by the end of 2017, and what transpires in the DRC will set an important example for the leaders of those countries; and

Whereas many observers have expressed concern that failure to move ahead with elections in the DRC could lead to violence and instability inside the DRC, which could reverberate throughout central Africa's Great Lakes region: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Government of the DRC and all other relevant parties to engage in a credible, independently-monitored, and technical dialogue to reach consensus on a way forward on establishing a detailed electoral calendar and organizing elections;

(2) urges the Government of the DRC to respect the constitution of the DRC and, as constitutionally required, to ensure a free, open, peaceful, and democratic transition of power;

(3) expresses its solidarity with the people of the DRC to choose their own government in an atmosphere free of violence, threats, and intimidation by the government or other parties, including the release of Fred Bauma and Yves Makwambala;

(4) commits to maintain vigilance and scrutiny of the electoral process in the DRC, to help ensure that all United States Government activities contribute fully and robustly to the abovementioned objectives; and

(5) pledges to examine continuously the use of all available and appropriate means to ensure these objectives, including the imposition of targeted sanctions on individuals or entities responsible for violence and human rights violations and undermining democratic processes in the DRC.

SENATE RESOLUTION 486—COMMEMORATING ''CRUISE TRAVEL PROFESSIONAL MONTH'' IN OCTOBER 2016

Mr. RUBIO (for himself and Mr. CASSIDY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 486

Whereas Cruise Lines International Association was established in 1975 and as of 2016 is the largest cruise industry trade association in the world, providing a unified voice and serving as the leading authority for the global cruise community;

Whereas Cruise Lines International Association supports policies and practices that foster a safe, secure, healthy, and sustainable cruise ship environment and is dedicated to promoting the cruise travel experience;

Whereas approximately 10,000 travel agencies and 19,000 individual cruise travel professionals are members of Cruise Lines International Association and participate in ongoing professional development and training programs to build cruise industry knowledge;

Whereas cruise travel professionals deliver value to consumers by providing advice on choosing the best cruise based on the budgets and interests of the customers and taking the worry out of vacation planning by arranging the details of vacations;

Whereas cruise passengers have consistently ranked cruise travel professionals as the most helpful sources of information and service among all distribution channels used for purchasing cruises;

Whereas 70 percent of cruise passengers from the United States use a cruise travel professional to plan and book a cruise vacation;

Whereas Cruise Lines International Association and cruise travel professionals across the world celebrate and promote October as ''Plan a Cruise Month'';

Whereas the United States has the most cruise passengers in the world, with almost 11,500,000 cruise passengers in 2014;

Whereas the cruise industry in the United States generated 375,000 jobs across all 50 States in 2014; and

Whereas, in 2014, the cruise industry spent $21,000,000,000 directly with United States businesses and generated $46,000,000,000 in gross outputs due to the spending of cruise lines and the crew and passengers of cruise lines, including indirect economic impacts: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the inaugural ''Cruise Travel Professional Month'' in October 2016;

(2) acknowledges the creativity and professionalism of the men and women of the cruise travel professional community; and

(3) encourages the people of the United States to observe ''Cruise Travel Professional Month'' with appropriate ceremonies and activities.

SENATE RESOLUTION 487—COMMEMORATING THE 100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS PROGRAM OF THE ARMY

Mrs. ERNST submitted the following resolution; which was considered and agreed to:

S. RES. 487

Whereas June 3, 2016, marks the 100th anniversary of the Reserve Officers' Training Corps program of the Army (referred to in this preamble as ''Army ROTC'');

Whereas Congress established Army ROTC and the Naval Reserve Officer Training Corps in the Act of June 3, 1916 (39 Stat. 166, chapter 134) (commonly known as the ''National Defense Act of 1916'');

Whereas the Army has commissioned more than 650,000 officers from Army ROTC;

Whereas Army ROTC serves as a critical component for the training of men and women to take command, protecting the national security of the United States and way of life of individuals in the United States;

Whereas Army ROTC produces the next generation of innovative and adaptive leaders while providing those leaders with essential collegiate educational opportunities;

Whereas Army ROTC commissioned 5,536 officers in 2014;

Whereas Army ROTC produced 21 4-star generals between 2000 and 2016;

Whereas Army ROTC is available at nearly 1,000 institutions of higher education across all 50 States and all territories;

Whereas the Army has included in Army ROTC programs such as the Green to Gold and Simultaneous Membership programs to allow an enlisted member of the Army to gain a college education and become an officer of the Army;

Whereas women have been an integral part of Army ROTC since academic year 1972–1973; and

Whereas Army ROTC serves as a way for an individual to gain a college education and serve the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Reserve Officers' Training Corps program of the Army (referred to in this resolving clause as ''Army ROTC'') continues to train the next generation of military leaders, who are well-equipped to defeat existing enemies of the United States and those enemies that may emerge in the future;

(2) the Senate is encouraged by the quality of leaders that Army ROTC has and will continue to produce; and

(3) as of the date of adoption of this resolution, Army ROTC produces more Army officers than any other source.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4604. Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4605. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4606. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4607. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra.

SA 4608. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4609. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4610. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4611. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4612. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4613. Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. GRAHAM, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4614. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4615. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4616. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4617. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4618. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4619. Mr. INHOFE (for himself, Mr. HOEVEN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4620. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4621. Mrs. ERNST (for herself, Mr. CORKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4622. Mr. FLAKE submitted an amendment intended to be proposed by him to the

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

SA 4623. Mr. PAUL (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4624. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4625. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4626. Mr. CARPER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4627. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4628. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. ROUNDS, Mrs. GILLIBRAND, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4629. Mr. RUBIO (for himself, Mr. COCHRAN, Mr. WARNER, Mr. INHOFE, Mr. HATCH, Mr. MORAN, Mrs. SHAHEEN, Mr. NELSON, Mr. HOEVEN, Mr. LEE, Mr. KING, Mr. THUNE, Ms. AYOTTE, Mrs. FISCHER, Mr. BURR, Mr. CARDIN, Ms. COLLINS, Mr. KAINE, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4630. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4631. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4632. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4633. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4634. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4637. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4638. Mr. KIRK (for himself, Mr. GRASSLEY, Mrs. ERNST, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4639. Mrs. ERNST (for herself, Mr. MCCAIN, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4640. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4641. Mrs. SHAHEEN (for herself, Mr. BURR, and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4642. Mr. BOOKER (for himself, Mr. NELSON, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4643. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4644. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4645. Ms. WARREN (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4646. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Mr. WHITEHOUSE, Mr. COONS, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4647. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4648. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4649. Mr. KIRK (for himself, Mr. MANCHIN, Mr. CARDIN, Mr. SCHUMER, Mr. PORTMAN, Mr. RUBIO, Ms. MURKOWSKI, Mr. TILLIS, Mr. VITTER, Mr. HATCH, Mr. CRUZ, Mr. MENENDEZ, Mr. ROBERTS, Mr. CORNYN , Mr. NELSON, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4651. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4652. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4653. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4654. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4655. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4656. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4657. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4658. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4336 submitted by Mr. BROWN and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4659. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4660. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4661. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4662. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4663. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. MCCAIN and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4664. Ms. KLOBUCHAR (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4665. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4666. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, Mrs. BOXER, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4667. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4509 submitted by Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4668. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4647 submitted by Mr. SHELBY and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4669. Mr. SASSE (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4604. Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) PRIORITIZATION OF APPLICATIONS BY THE CHIEF OF MISSION.—Section 602(b)(2)(D)(i) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end ''In processing applications under this paragraph, the Chief of Mission shall prioritize, to the maximum extent practicable, applications for those aliens who have experienced or are experiencing an ongoing and credible serious threat as a consequence of the alien's employment by the United States Government.''.

(b) NUMERICAL LIMITATIONS.—Section 602(b)(3)(F) of such Act is amended—

(1) in the subparagraph heading, by striking ''AND 2017'' and inserting ''2017, AND 2018'';

(2) by striking ''December 31, 2016;'' each place it appears and inserting ''December 31, 2017;''; and

(3) in the matter preceding clause (i)—

(A) by striking ''exhausted,,'' and inserting ''exhausted,''; and

(B) by striking ''7,000'' and inserting ''9,500''.

(c) REPORT.—Section 602(b)(14) of such Act is amended—

(1) in the matter preceding subparagraph (A), by striking ''Not later than 60 days after the date of the enactment of this paragraph,'' and inserting ''Not later than December 31, 2016, and annually thereafter through January 31, 2021,''; and

(2) in subparagraph (A)(i), by striking ''under this section;'' and inserting ''under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);''.

(d) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—Section 602(b) of such Act is amended by adding at the end the following:

''(17) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—

''(A) IN GENERAL.—Not later than 120 days after the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 or March 1, 2018, the Secretary of Defense and the Secretary of State, in consultation with the Secretary of Homeland Security, the Chairman of the Joint Chiefs of Staff, the Commander of United States Central Command, and the Commander Resolute Support/United States Forces – Afghanistan, shall submit a report to the appropriate committees of Congress that details a strategy for bringing the program authorized under this subsection to provide special immigrant status to certain Afghans to a responsible end by or before December 31, 2018.

''(B) CONTENT.—The report required under subparagraph (A) shall—

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

''(ii) provide an estimate of how long such visas should remain available;

''(iii) assess whether other existing programs would be adequate to incentivize the continued recruitment, retention, and protection of critical Afghan employees, after the program authorized under this subsection expires; and

''(iv) describe potential alternative programs that could be considered if existing programs are inadequate.''.

(e) REPORT.—Not later than 120 days after the enactment of this Act, the Secretary of the Department of Homeland Security shall submit to Congress a report on the frequency, duration, and reasons recipients of these visas from Afghanistan travel back to Afghanistan.

SA 4605. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 582. INFORMATION ON MILITARY STUDENT PERFORMANCE.

Section 574(b)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended by adding at the end the following: ''The plan for outreach shall include annual updates of the most recent information, disaggregated for each State and local educational agency, available from the State and local report cards required under section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) regarding—

''(A) the number of public elementary school and secondary school students with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title); and

''(B) the achievement by such students for each level of achievement, as determined by the State, on the academic assessments described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)).''.

SA 4606. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 829A.

SA 4607. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

On page 508, strike line 10 and all that follows through ''(d) TRAINING.—'' on line 15 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) TRAINING.—

SA 4608. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 578 and insert the following:

SEC. 578. CRIMINAL HISTORY CHECKS FOR COVERED INDIVIDUALS AT DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) DEFINITIONS.—In this section:

(1) The term ''covered individual'' means an individual involved in the provision of child care services (as defined in section 231 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041)) for children under the age of 18 at a covered school.

(2) The term ''covered school'' means a Department of Defense domestic dependent elementary or secondary school established under section 2164 of title 10, United States Code.

(b) CRIMINAL HISTORY CHECKS.—

(1) IN GENERAL.—The Secretary of Defense, pursuant to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and subtitle E of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041), shall have the authority to establish regulations to implement policy, assign responsibilities, and provide procedures, and shall have in effect policies and procedures, regarding criminal history checks.

(2) POLICIES AND PROCEDURES FOR CRIMINAL HISTORY CHECKS.—The policies and procedures to implement criminal history checks required under paragraph (1) may include the following:

(A) Databases searches of—

(i) the State criminal registry or repository of the State in which the covered individual resides;

(ii) State-based child abuse and neglect registries and databases of the State in which the covered individual resides;

(iii) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(iv) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(B) Providing covered individuals with training and professional development about how to recognize, respond to, and prevent child abuse.

(C) The development, implementation, or improvement of mechanisms to assist covered schools in effectively recognizing and quickly responding to incidents of child abuse by covered individuals.

(D) Developing and disseminating information on best practices and Federal, State, and local resources available to assist covered schools in preventing and responding to incidents of child abuse by covered individuals.

(E) Developing professional standards and codes of conduct for the appropriate behavior of covered individuals.

(F) Establishing, implementing, or improving policies and procedures for covered schools to provide the results of criminal history checks to—

(i) covered individuals subject to the criminal history checks in a statement that indicates whether the individual is ineligible for certain employment due to the criminal history check and includes information related to each disqualifying finding from the criminal history check; and

(ii) a covered school in a statement that indicates whether a covered individual is eligible or ineligible for certain employment, without revealing any disqualifying finding from the criminal history check or other related information regarding the covered individual.

(G) Establishing, implementing, or improving procedures that include periodic criminal history checks for covered individuals, while maintaining an appeals process.

(H) Establishing, implementing, or improving a process by which a covered individual may appeal the results of a criminal history check, which process shall be completed in a timely manner, give each covered individual notice of an opportunity to appeal, and give each covered individual instructions on how to complete the appeals process.

(I) Establishing, implementing, or improving a review process through which a covered school may determine that a covered individual who was disqualified due to a finding in the criminal history check is eligible for employment due to mitigating circumstances, as determined by the covered school.

(J) Establishing, implementing, or improving policies and procedures intended to ensure that a covered school does not knowingly transfer or facilitate the transfer of a covered individual if the covered school knows or has probable cause to believe that the covered individual has engaged in sexual misconduct, in accordance with section 578A.

(K) Publishing the applicable policies and procedures described in this subsection on the website of covered schools.

(L) Providing covered individuals with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)).

(M) Supporting any other activities determined by a covered school to protect student safety or improve the comprehensiveness, coordination, and transparency of policies and procedures regarding criminal history checks for covered individuals at the covered school.

SEC. 578A. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

(a) IN GENERAL.—The Secretary of Defense shall promulgate regulations, policies, or procedures that prohibit any individual who is a school employee, contractor, or agent of any Department of Defense domestic dependent elementary or secondary school established pursuant to section 2164 of title 10, United States Code, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the information giving rise to probable cause—

(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(B) has been properly reported to any other authorities as required by Federal, State, or local law, including chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(2)(A) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(B) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(C) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

SA 4609. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 578 and insert the following:

SEC. 578. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

(a) IN GENERAL.—Subpart 2 of part F of title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

"SEC. 8549D. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

''(a) CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

''(1) IN GENERAL.—Each State educational agency and local educational agency that receives funds under this Act shall have in effect policies and procedures that require a criminal background check for each school employee in each covered school served by such State educational agency and local educational agency.

''(2) REQUIREMENTS.—A background check required under paragraph (1) shall be conducted and administered by—

''(A) the State;

''(B) the State educational agency; or

''(C) the local educational agency.

''(b) STATE AND LOCAL USES OF FUNDS.—A State educational agency or local educational agency that receives funds under this Act may use such funds to establish, implement, or improve policies and procedures on background checks for school employees required under subsection (a) to—

''(1) expand the registries or repositories searched when conducting background checks, such as—

''(A) the State criminal registry or repository of the State in which the school employee resides;

''(B) the State-based child abuse and neglect registries and databases of the State in which the school employee resides;

''(C) the Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

''(D) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

''(2) provide school employees with training and professional development on how to recognize, respond to, and prevent child abuse;

''(3) develop, implement, or improve mechanisms to assist covered local educational agencies and covered schools in effectively recognizing and quickly responding to incidents of child abuse by school employees;

''(4) develop and disseminate information on best practices and Federal, State, and local resources available to assist local educational agencies and schools in preventing and responding to incidents of child abuse by school employees;

''(5) develop professional standards and codes of conduct for the appropriate behavior of school employees;

''(6) establish, implement, or improve policies and procedures for covered State educational agencies, covered local educational agencies, or covered schools to provide the results of background checks to—

''(A) individuals subject to the background checks in a statement that indicates whether the individual is ineligible for such employment due to the background check and includes information related to each disqualifying crime;

''(B) the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual;

''(C) another employer in the same State or another State, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

''(D) another local educational agency in the same State or another State that is considering such school employee for employment, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual;

''(7) establish, implement, or improve procedures that include periodic background checks, which also allows for an appeals process as described in paragraph (8), for school employees in accordance with State policies or the policies of covered local educational agencies served by the covered State educational agency;

''(8) establish, implement, or improve a process by which a school employee may appeal the results of a background check, which process is completed in a timely manner, gives each school employee notice of an opportunity to appeal, and instructions on how to complete the appeals process;

''(9) establish, implement, or improve a review process through which the covered State educational agency or covered local educational agency may determine that a school employee disqualified due to a crime is eligible for employment due to mitigating circumstances as determined by a covered local educational agency or a covered State educational agency;

''(10) establish, implement, or improve policies and procedures intended to ensure a covered State educational agency or covered local educational agency does not knowingly transfer or facilitate the transfer of a school employee if the agency knows that employee has engaged in sexual misconduct, as defined by State law, with an elementary school or secondary school student;

''(11) provide that policies and procedures are published on the website of the covered State educational agency and the website of each covered local educational agency served by the covered State educational agency;

''(12) provide school employees with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)); and

''(13) support any other activities determined by the State to protect student safety or improve the comprehensiveness, coordination, and transparency of policies and procedures on criminal background checks for school employees in the State.

''(c) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if a State, covered State educational agency, covered local educational agency, or covered school is in compliance with State regulations and requirements concerning background checks.

''(d) BACKGROUND CHECK FEES.—Nothing in this section shall be construed as prohibiting States or local educational agencies from charging school employees for the costs of processing applications and administering a background check as required by State law, provided that the fees charged to school employees do not exceed the actual costs to the State or local educational agency for the processing and administration of the background check.

''(e) STATE AND LOCAL PLAN REQUIREMENTS.—Each plan submitted by a State or local educational agency under title I shall include—

''(1) an assurance that the State and local educational agency has in effect policies and procedures that meet the requirements of this section; and

''(2) a description of laws, regulations, or policies and procedures in effect in the State

for conducting background checks for school employees designed to—

''(A) terminate individuals in violation of State background check requirements;

''(B) improve the reporting of violations of the background check requirements in the State;

''(C) reduce the instance of school employee transfers following a substantiated violation of the State background check requirements by a school employee;

''(D) provide for a timely process by which a school employee may appeal the results of a criminal background check;

''(E) provide each school employee, upon request, with a copy of the results of the criminal background check, including a description of the disqualifying item or items, if applicable;

''(F) provide the results of the criminal background check to the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual; and

''(G) provide for the public availability of the policies and procedures for conducting background checks.

''(f) TECHNICAL ASSISTANCE TO STATES, SCHOOL DISTRICTS, AND SCHOOLS.—The Secretary, in collaboration with the Secretary of Health and Human Services and the Attorney General, shall provide technical assistance and support to States, local educational agencies, and schools, which shall include, at a minimum—

''(1) developing and disseminating a comprehensive package of materials for States, State educational agencies, local educational agencies, and schools that outlines steps that can be taken to prevent and respond to child sexual abuse by school personnel;

''(2) determining the most cost-effective way to disseminate Federal information so that relevant State educational agencies and local educational agencies, child welfare agencies, and criminal justice entities are aware of such information and have access to it; and

''(3) identifying mechanisms to better track and analyze the prevalence of child sexual abuse by school personnel through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

''(g) REPORTING REQUIREMENTS.—

''(1) REPORTS TO THE SECRETARY.—A covered State educational agency or covered local educational agency that uses funds pursuant to this section shall report annually to the Secretary on—

''(A) the amount of funds used; and

''(B) the purpose for which the funds were used under this section.

''(2) SECRETARY'S REPORT CARD.—Not later than July 1, 2018, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card that includes—

''(A) actions taken pursuant to subsection (f), including any best practices identified under such subsection; and

''(B) incidents of reported child sexual abuse by school personnel, as reported through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

''(h) RULES OF CONSTRUCTION REGARDING BACKGROUND CHECKS.—

''(1) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

''(A) mandate, direct, or control the background check policies or procedures that a State or local educational agency develops or implements under this section;

''(B) establish any criterion that specifies, defines, or prescribes the background check policies or procedures that a State or local educational agency develops or implements under this section; or

''(C) require a State or local educational agency to submit such background check policies or procedures for approval.

''(2) PROHIBITION ON REGULATION.—Nothing in this section shall be construed to permit the Secretary to establish any criterion that—

''(A) prescribes, or specifies requirements regarding, background checks for school employees;

''(B) defines the term 'background checks', as such term is used in this section; or

''(C) requires a State or local educational agency to report additional data elements or information to the Secretary not otherwise explicitly authorized under this section or any other Federal law.

''(i) DEFINITIONS.—In this section—

''(1) the term 'covered local educational agency' means a local educational agency that receives funds under this Act;

''(2) the term 'covered school' means a public elementary school or public secondary school, including a public elementary or secondary charter school, that receives funds under this Act;

''(3) the term 'covered State educational agency' means a State educational agency that receives funds under this Act; and

''(4) the term 'school employee' includes, at a minimum—

''(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

''(B) any person, or any employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or unsupervised interaction with elementary school or secondary school students.''.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 8549C the following:

''Sec. 8549D. Criminal background checks for school employees.''.

(c) BACKGROUND CHECKS FOR DEPARTMENT OF DEFENSE SCHOOLS.—

(1) IN GENERAL.—The Secretary of Defense shall have the authority, pursuant to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and subtitle E of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041), to establish regulations to implement policy, assign responsibilities, and provide procedures to conduct criminal history checks on individuals involved in the provision of child care services (as defined in section 231 of such Act) for children under the age of 18 in Department of Defense domestic dependent elementary and secondary schools established under section 2164 of title 10, United States Code.

(2) CONTENTS OF CRIMINAL HISTORY CHECKS.—The criminal history checks established in the regulations required under paragraph (1) may include—

(A) a search of the State criminal registry or repository of the State in which the individual resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the individual resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(d) PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.—

(1) IN GENERAL.—Commencing not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall create regulations, policies, or procedures that prohibit any individual who is a school employee, contractor, or agent of any Department of Defense domestic dependent elementary or secondary school established pursuant to section 2164 of title 10, United States Code, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

(2) EXCEPTIONS.—The requirements of paragraph (1) shall not apply if the information giving rise to probable cause—

(A)(i) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(ii) has been properly reported to any other authorities as required by Federal, State, or local law, including chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(B)(i) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(ii) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(iii) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

SA 4610. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXIX, add the following:

SEC. 2904. FIRE STATION, FORT LEONARD WOOD, MISSOURI.

The amount authorized to be appropriated under section 2903 and available for Army military construction projects as specified in the funding table in section 4602 is increased by $6,900,000, with the amount of such increase to be allocated for a Fire Station, Fort Leonard Wood, Missouri.

SA 4611. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS AND ABUSE OF OPIOIDS BY VETERANS.

(a) PUBLICATION OF INFORMATION.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs information on the provision of health care by the Department and the abuse of opioids by veterans.

(b) ELEMENTS.—

(1) HEALTH CARE.—

(A) IN GENERAL.—Each publication required by subsection (a) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average number of patients seen per month by each primary care physician.

(ii) The average length of stay for inpatient care.

(iii) A description of any hospital-acquired condition acquired by a patient.

(iv) The rate of readmission of patients within 30 days of release.

(v) The rate at which opioids are prescribed to each patient.

(vi) The average wait time for emergency room treatment.

(vii) A description of any scheduling backlog with respect to patient appointments.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by subsection (a) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(C) SEARCHABILITY.—The Secretary shall ensure that information described in subparagraph (A) that is included on the Internet website required by subsection (a) is searchable by State, city, and facility.

(2) OPIOID ABUSE BY VETERANS.—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

(A) The number of veterans prescribed opioids by health care providers of the Department.

(B) A comprehensive list of all facilities of the Department offering an opioid treatment program, including details on the types of services available at each facility.

(C) The number of veterans treated by a health care provider of the Department for opioid abuse.

(D) Of the veterans described in subparagraph (C)—

(i) the number treated for opioid abuse in conjunction with posttraumic stress disorder, depression, or anxiety; and

(ii) the number with a diagnosis of opioid abuse during the one-year period before beginning treatment from a health care provider of the Department and for which there is no evidence of treatment for opioid abuse from a health care provider of the Department during such period.

(c) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under subsection (a) is protected from disclosure as required by applicable law.

(d) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 4612. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1667. UNITED STATES POLICY ON BALLISTIC MISSILE DEFENSE.

(a) POLICY.—With respect to ballistic missile defense, it is the policy of the United States to—

(1) defend the United States homeland against the threat of limited ballistic missile attack, particularly from nations such as North Korea and Iran;

(2) defend against regional missile threats to deployed United States military forces, while also protecting allies and partners and helping enable them to defend themselves;

(3) ensure that before new ballistic missile defense capabilities are deployed, they must undergo sufficient operationally realistic testing and demonstrate that they can perform reliably and effectively to help United States forces accomplish their missions;

(4) ensure that such ballistic missile defense systems are affordable and fiscally sustainable over the long term;

(5) ensure that United States ballistic missile defense capabilities are flexible enough to adapt to evolving missile threats; and

(6) enhance international efforts and cooperation on ballistic missile defense to increase regional security and appropriate burden-sharing.

(b) CONFORMING REPEAL.—The National Missile Defense Act of 1999 (Public Law 106–38) is hereby repealed.

SA 4613. Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. GRAHAM, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. QUORUM REQUIREMENT FOR BOARD OF DIRECTORS OF EXPORT-IMPORT BANK OF THE UNITED STATES.

Notwithstanding section 3(c)(6) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)(6)), the entire voting membership of the Board of Directors of the Export-Import Bank of the United States shall constitute a quorum during any period during which there are fewer than 3 voting members holding office on the Board.

SA 4614. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 673. CREDIT PROTECTIONS FOR SERVICEMEMBERS.

(a) ACTIVE DUTY FREEZE ALERTS.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in the heading for such section, by striking ''**AND ACTIVE DUTY ALERTS**'' and inserting ''**, ACTIVE DUTY ALERTS, AND ACTIVE DUTY FREEZE ALERTS**'';

(2) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(3) by inserting after subsection (c) the following:

''(d) ACTIVE DUTY FREEZE ALERTS.—Upon the direct request of an active duty military consumer, or an individual acting on behalf of or as a personal representative of an active duty military consumer, a consumer reporting agency described in section 603(p) that maintains a file on the active duty military consumer and has received appropriate proof of the identity of the requester, at no cost to the active duty military consumer while the consumer is deployed, shall—

''(1) include an active duty freeze alert in the file of that active duty military consumer, during a period of not less than 12 months, or such longer period as the Bureau shall determine, by regulation, beginning on the date of the request, unless the active duty military consumer or such representative requests that such freeze alert be removed before the end of such period, and the agency has received appropriate proof of the identity of the requester for such purpose;

''(2) during the 2-year period beginning on the date of such request, exclude the active duty military consumer from any list of consumers prepared by the consumer reporting agency and provided to any third party to offer credit or insurance to the consumer as part of a transaction that was not initiated by the consumer, unless the consumer requests that such exclusion be rescinded before the end of such period; and

''(3) refer the information regarding the active duty freeze alert to each of the other consumer reporting agencies described in section 603(p), in accordance with procedures developed under section 621(f).'';

(4) in subsection (e), as so redesignated—

(A) by striking ''extended, and active duty alerts'' and inserting ''extended, active duty, and active duty freeze alerts''; and

(B) by striking ''extended, or active duty alerts'' and inserting ''extended, active duty, or active duty freeze alerts'';

(5) in subsection (f), as so redesignated—

(A) in the matter preceding paragraph (1), by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert'';

(B) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (3), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(4) paragraphs (1) and (2) of subsection (d), in the case of a referral under subsection (d)(3).'';

(6) in subsection (g), as so redesignated, by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert''; and

(7) in subsection (i), as so redesignated, by adding at the end the following:

''(3) REQUIREMENTS FOR ACTIVE DUTY FREEZE ALERTS.—

''(A) NOTIFICATION.—Each active duty freeze alert under this section shall include information that notifies all prospective users of a consumer report on the consumer to which the freeze alert relates that the consumer does not authorize the establishment of any new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issuance of an additional card on an existing credit account requested by a consumer, or any increase in credit limit on an existing credit account requested by a consumer.

''(B) PROHIBITION ON USERS.—No prospective user of a consumer report that includes an active duty freeze alert in accordance with this section may establish a new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issue an additional card on an existing credit account requested by a consumer, or grant any increase in credit limit on an existing credit account requested by a consumer.''.

(b) RULEMAKING.—The Bureau of Consumer Financial Protection shall prescribe regulations to define what constitutes appropriate proof of identity for purposes of section 605A(d) of the Fair Credit Reporting Act, as amended by subsection (a).

(c) TECHNICAL AMENDMENT.—Section 603(q)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)(2)) is amended—

(1) in the heading for such paragraph, by striking ''ACTIVE DUTY ALERT'' and inserting ''ACTIVE DUTY ALERT; ACTIVE DUTY FREEZE ALERT''; and

(2) by inserting ''and 'active duty freeze alert'' before ''mean''.

(d) EFFECTIVE DATE.—This Act, and any amendment made by this Act, shall take effect 1 year after the date of enactment of this Act.

SA 4615. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2853. CONGRESSIONAL DESIGNATION OF THE NATIONAL MEDAL OF HONOR MUSEUM.

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

(1) The Medal of Honor Museum will be the only museum in the United States that exists for the exclusive purpose of interpreting the story of the Medal of Honor and all of its recipients.

(2) The Medal of Honor Museum will be the only museum to educate a diverse group of audiences through its collection of artifacts, photographs, letters, documents, and first-hand personal accounts of Medal of Honor recipients and the wars they fought in during United States conflicts since the Civil War.

(3) The Medal of Honor Museum mission is—

(A) to preserve and present the extraordinary stories of individuals who reached the highest levels of recognition, ''above and beyond the call of duty,'' in service to the Nation;

(B) to inspire current and future generations about the ideals of the Medal of Honor six columns of character—Courage, Commitment, Integrity, Citizenship, Sacrifice, and Patriotism;

(C) to help visitors understand the meaning and price of freedom and what it means to put service above self; and

(D) to serve as an education center that, through various programs, reaches out across the country to further the Medal of Honor's ideals among all Americans, especially our Nation's youth.

(4) The Medal of Honor was established by an Act of Congress in 1861 and is awarded in its name. The Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Forces of the United States and is generally presented to its recipient by the President in the name of Congress.

(5) The total number of Medal of Honor recipients from the Civil War through the current War on Terrorism is 3,495 (19 individuals are double recipients). Since World War II, the vast majority of recipients from WWII, the Korean War, and Vietnam have been awarded posthumously.

(6) As of May 3, 2016, there are only 76 living Medal of Honor recipients, whose average age is 77, creating an urgent need to preserve the stories, artifacts, and heroic achievements of these individuals.

(7) The United States has a need to preserve forever the stories, knowledge, and history of the 3,495 recipients of the Medal of Honor to portray that history and the courage, commitment, integrity, citizenship, sacrifice, and patriotism of the recipients to citizens, visitors, and school children for centuries to come.

(8) Therefore, it is appropriate to designate The Medal of Honor Museum as ''National Medal of Honor Museum''.

(b) DESIGNATION OF THE NATIONAL MEDAL OF HONOR MUSEUM.—The Medal of Honor Museum is hereby designated as ''The National Medal of Honor Museum''.

(c) FUNDING.—The amount authorized to be appropriated under section 2403 for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the finding table in section 4601, is increased by $10,000,000, with the amount of such increase to be allocated for planning and construction of the National Medal of Honor Museum.

SA 4616. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE'S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration may not require an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People's Republic of China that is inconsistent with United States policy, overlaps with pre-existing air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4617. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 899C. STRATEGIC SOURCING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Defense;

(2) the term ''Secretary'' means the Secretary of Defense; and

(3) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) IMPROVING THE USE OF STRATEGIC SOURCING.—Not later than 180 days after the date of enactment of this Act—

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

(2) the Secretary shall begin collecting data, including data relating to the performance measures established under paragraph (1), on the participation of small business concerns in strategic sourcing initiatives established by the Department, which shall include participation as subcontractors to the extent feasible and that data is available in order to determine the effectiveness of these contract vehicles and impact on the small business industrial base.

SA 4618. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1247. DEFENSE AND SECURITY COOPERATION WITH INDIA.

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

(1) The United States and India face mutual security threats, and a robust defense partnership is in the interest of both countries.

(2) The relationship between the United States and India has developed over the past two decades to become a multifaceted, global strategic and defense partnership rooted in shared democratic values and the promotion of mutual prosperity, greater economic cooperation, regional peace, security, and stability.

(3) In 2012, the Department of Defense began an initiative to increase senior-level oversight and engagement on defense cooperation between the United States and India, which is referred to as the ''U.S.-India Defense Technology and Trade Initiative'' (DTTI).

(4) On June 3, 2015, the Government of the United States and the Government of India entered into an executive agreement, entitled ''Framework for the U.S.-India Defense Relationship'', which renewed and updated the previous defense framework agreement between the United States and India, executed on June 28, 2005.

(5) Consistent with the Framework for the U.S.-India Defense Relationship and the goals of the U.S.-India Defense Technology and Trade Initiative, improving defense cooperation, achieving greater interaction between the military forces of both countries, increasing the flow of technology and investment, developing capabilities and partnership in co-development and co-production, and strengthening two-way defense trade are in the national security interests of the United States.

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

(1) the defense partnership between the United States and India is vital to regional and international stability and security;

(2) the national security interests of the United States can be furthered by advancing the goals of the Framework for the U.S.-India Defense Relationship and the effective operation of the U.S.-India Defense Technology and Trade Initiative; and

(3) the commitment of the President to enhancing defense and security cooperation with India should be considered a priority in advancing the interests of the United States in South Asia and the Indo-Pacific region.

(c) REQUIRED ACTIONS.—The President shall take such actions as may be necessary—

(1) to recognize the status of India as a global strategic and defense partner of the United States through appropriate modifications to defense export control regulations;

(2) to approve and facilitate the transfer of advanced technology in the context of, and in order to satisfy, combined military planning with the India military for missions such as humanitarian assistance and disaster relief, counter piracy, and maritime domain awareness;

(3) to strengthen the effectiveness of the U.S.-India Defense Technology and Trade Initiative and the durability of the ''India Rapid Reaction Cell'' of the Department of Defense;

(4) to resolve issues impeding defense trade, security cooperation, and co-production and co-development opportunities between the United States and India;

(5) to collaborate with the Government of India to develop mutually agreeable mechanisms to verify the security of defense technology information and equipment, such as tailored cyber security and end-use monitoring arrangements;

(6) to promote policies that will encourage the efficient review and authorization of defense sales and exports to India, including the treatment of military sales and export authorizations to India in a manner similar to that of the closest defense partners of the United States;

(7) to pursue greater government-to-government and commercial military transactions between the United States and India; and

(8) to support the development and alignment of the export control and procurement regimes of India with those of the United States and multilateral control regimes.

(d) BILATERAL COORDINATION.—The President is encouraged to coordinate with the Government of India on an ongoing basis—

(1) to develop and keep updated military contingency plans for addressing threats to the mutual security interests of both countries;

(2) to develop combined military plans for missions such as humanitarian assistance and disaster relief, maritime domain awareness, freedom of navigation, and other missions in the national security interests of both countries; and

(3) to work toward actions and joint efforts, such as significant contributions to ongoing global conflicts, that would allow the United States to treat India the same as its closest partners and allies with respect to United States laws and regulations.

(e) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The President shall, on an ongoing basis, carry out an assessment of the extent to which India possesses capabilities to execute military operations of mutual interest between the United States and India.

(2) USE OF ASSESSMENT.—The President shall ensure that the assessment described in paragraph (1) is used to inform the review by the United States of applications to export defense articles, defense services, or technical data to India under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

SA 4619. Mr. INHOFE (for himself, Mr. HOEVEN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. RISK MANAGEMENT AND INTEGRATION EFFORTS WITH RESPECT TO CIVIL AND MILITARY UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Administrator of the Federal Aviation Administration and the heads of other relevant Federal agencies, submit to Congress a report that—

(1) assesses the risk posed by civil unmanned aircraft systems operating at or below 400 feet above ground level to—

(A) the safety of aircraft of the Armed Forces operating in military special use airspace and on military training routes; and

(B) the security of military installations located in the United States that directly support strategic operations of the Armed Forces;

(2) assesses the technology the Department of Defense employs to provide unmanned aircraft operators with airspace situational awareness, the degree to which that technology is compatible with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of enactment of this Act, and the potential of the technology to enhance the safety of the United States national airspace system;

(3) describes—

(A) the cases in which unmanned aircraft of the Department of Defense may need to be interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of the enactment of this Act; and

(B) the efforts of the Department of Defense to coordinate with the Federal Aviation Administration and the National Aeronautics and Space Administration on—

(i) research, development, testing, and evaluation of concepts, technologies, and systems required to ensure that unmanned aircraft systems of the Department of Defense are interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment; and

(ii) the development of technology and standards for any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment; and

(4) assesses the adequacy of current laws, regulations, procedures, and activities to address risks assessed under paragraph (1) and identifies additional actions that may be appropriate and necessary to address such risks.

(b) DEFINITIONS.—In this section:

(1) CIVIL UNMANNED AIRCRAFT SYSTEM.—The term ''civil unmanned aircraft system'' means an unmanned aircraft system that is a civil aircraft (as that term is defined in section 40102 of title 49, United States Code).

(2) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4620. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2814. ARSENAL INSTALLATION REUTILIZATION AUTHORITY.

(a) MODIFIED AUTHORITY.—In the case of a military manufacturing arsenal, the Secretary concerned may authorize leases and contracts under section 2667 of title 10, United States Code, for a term of up to 25 years, notwithstanding subsection (b)(1) of such section, if the Secretary determines that a lease or contract of that duration will promote the national defense or be in the public interest for the purpose of—

(1) helping to maintain the viability of the military manufacturing arsenal and any military installations on which it is located;

(2) eliminating, or at least reducing, the cost of Government ownership of the military manufacturing arsenal, including the costs of operations and maintenance, the costs of environmental remediation, and other costs; and

(3) leveraging private investment at the military manufacturing arsenal through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the preceding purposes.

(b) DELEGATION AND REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary concerned may delegate the authority provided by this section to the commander of the major subordinate command of the Army that has responsibility for the military manufacturing arsenal or, if part of a larger military installation, the installation as a whole. The commander may approve a lease or contract under such authority on a case-by-case basis or a class basis.

(2) REVIEW PERIOD.—Any lease or contract that is approved utilizing the delegation authority under paragraph (1) is subject to a 90-day hold period so that the Army real property manager may review the lease or contract pursuant to paragraph (3).

(3) DISPOSITION OF REVIEW.—If the Army real property manager disapproves of a contract or lease submitted for review under paragraph (2), the agreement shall be null and void upon transmittal by the real property manager to the delegating authority of a written disapproval, including a justification for such disapproval, within the 90-day hold period. If no such disapproval is transmitted within the 90-day hold period, the agreement shall be deemed approved.

(4) APPROVAL OF REVISED AGREEMENT.—If, not later than 60 days after receiving a disapproval under paragraph (3), the delegating authority submits to the Army real property manager a new contract or lease that addresses the Army real property manager's concerns outlined in such disapproval, the new contract or lease shall be deemed approved unless the Army real property manager transmits to the delegating authority a disapproval of the new contract or lease within 30 days of such submission.

(c) MILITARY MANUFACTURING ARSENAL DEFINED.—In this section, the term ''military manufacturing arsenal'' means a Government-owned, Government-operated defense plant of the Department of the Defense that manufactures weapons, weapon components, or both.

(d) SUNSET.—The authority under this section shall terminate at the close of September 30, 2019.

SA 4621. Mrs. ERNST (for herself, Mr. CORKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1224. SENSE OF CONGRESS ON THE PESHMERGA OF THE KURDISTAN REGION OF IRAQ.

It is the sense of Congress that—

(1) the Peshmerga of the Kurdistan Region of Iraq have been one of the most effective fighting forces in the military campaign against the Islamic State of Iraq and al-Sham (ISIS);

(2) the Islamic State of Iraq and al-Sham poses an acute threat to the people and territorial integrity of Iraq, including the Kurdistan Region, and the security and stability of the Middle East;

(3) the severe budget shortfalls faced by both the Government of Iraq and the Kurdistan Regional Government are hindering the effort to defeat the Islamic State of Iraq and al-Sham;

(4) the $415,000,000 pledged by the Department of Defense to the Peshmerga in April 2016, in coordination with the Government of Iraq, in addition to the $65,000,000 already provided from the Iraq Train and Equip Fund, should be a priority for the Department as part of the continued support for the Peshmerga in the fight against the Islamic State of Iraq and al-Sham;

(5) the Peshmerga should receive all weapons and equipment that the United States agrees to provide uninterrupted and in a timely manner;

(6) the Peshmerga require medium and heavy weaponry that will allow them to defend the Peshmerga and their coalition advisers against the increased use of vehicle-borne improvised explosive devices by the Islamic State of Iraq and al-Sham; and

(7) increased assistance to ensure the Peshmerga can continue to fight the Islamic State of Iraq and al-Sham is vital to the liberation of Mosul, Iraq, to enhance the combat medicine and logistical capabilities of the Peshmerga, for the defense of internally displaced persons and refugees, and for the defense of the coalition advisers of the Peshmerga.

SA 4622. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 565. COORDINATION AND, AS APPROPRIATE, CONSOLIDATION OF FINANCIAL LITERACY PROGRAMS AND TRAINING FOR MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the coordination and, as possible, consolidation of the current financial literacy training programs of the Department of Defense and the military departments for members of the Armed Forces into a coordinated and comprehensive program of financial literacy training for members that provides access over the life of the members' service and in transit—

(1) and reduces unnecessary duplication and unnecessary costs in the provision of financial literacy training to members; and

(2) ensures that members receive effective and comprehensive training in financial literacy as efficiently as possible.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall commence implementation of the plan required by subsection (a) 90 days after the date of the submittal of the plan as required by that subsection.

SA 4623. Mr. PAUL (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. JUSTICE SAFETY VALVE.

(a) SHORT TITLE.—This section may be cited as the ''Justice Safety Valve Act of 2016''.

(b) AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM.—Section 3553 of title 18, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM TO PREVENT AN UNJUST SENTENCE.—

''(1) GENERAL RULE.—Notwithstanding any provision of law other than this subsection, the court may impose a sentence below a statutory minimum if the court finds that it is necessary to do so in order to avoid violating the requirements of subsection (a).

''(2) COURT TO GIVE PARTIES NOTICE.—Before imposing a sentence under paragraph (1), the court shall give the parties reasonable notice of the court's intent to do so and an opportunity to respond.

''(3) STATEMENT IN WRITING OF FACTORS.—The court shall state, in the written statement of reasons, the factors under subsection (a) that require imposition of a sentence below the statutory minimum.

''(4) APPEAL RIGHTS NOT LIMITED.—This subsection does not limit any right to appeal that would otherwise exist in its absence.''.

SA 4624. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1667. PROCUREMENT OF MEDIUM-RANGE DISCRIMINATION RADAR TO IMPROVE HOMELAND MISSILE DEFENSE.

(a) ISSUANCE OF REQUEST FOR PROPOSALS.—Not later than October 1, 2017, the Director of the Missile Defense Agency shall issue a request for proposals for the Medium-Range Discrimination Radar in order to improve homeland missile defense.

(b) PLAN FOR FIELDING.—The Director shall plan as follows:

(1) To procure the Medium-Range Discrimination Radar, or an equivalent sensor, for fielding at a location determined by the Director to be appropriate to improve homeland missile defense for the defense of Hawaii against limited ballistic missile attack (including by accidental or unauthorized launch).

(2) To field the Radar, or such equivalent sensor, at the location determined pursuant to paragraph (1) by not later than December 31, 2021.

(c) FUNDING.—Any procurement for purposes of this section during fiscal year 2017 shall be made from within amounts otherwise authorized to be appropriated by this

Act. This section does not authorize the appropriation of funds for procurement for such purposes.

SA 4625. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1058, line 15, strike ''country.'' and insert the following: ''country; and

(9) consistent with the principles of good governance and the rule of law, and to ensure alignment with the broader foreign policy and national security objectives of the United States, no funds authorized for the Defense Security Cooperation Agency by this Act, any previous Act, or otherwise available to the Agency may be used to carry out the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the purposes of implementing a sale of air to ground munitions to Saudi Arabia unless the Government of Saudi Arabia—

(A) demonstrates an ongoing effort to combat the mutual threat our nations face from designated foreign terrorist organizations; and

(B) takes all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law, in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

SA 4626. Mr. CARPER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE XXX—FEDERAL PROPERTY MANAGEMENT REFORM

SEC. 2951. SHORT TITLE.

This title may be cited as the ''Federal Property Management Reform Act of 2016''.

SEC. 2952. PURPOSE.

The purpose of this title is to increase the efficiency and effectiveness of the Federal Government in managing property of the Federal Government by—

(1) requiring the United States Postal Service to take appropriate measures to better manage and account for property and modernize the Postal fleet;

(2) providing for increased collocation with Postal Service facilities and guidance on Postal Service leasing practices;

(3) establishing a Federal Property Council to develop guidance on and ensure the implementation of strategies for better managing Federal property;

(4) providing incentives to agencies to dispose of excess property through retention of proceeds; and

(5) providing guidance for surplus property donations to museums.

SEC. 2953. PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

''Subchapter VII—Property Management

''§ 621. Definitions

''In this subchapter:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) COUNCIL.—The term 'Council' means the Federal Property Council established by section 623(a).

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(4) DISPOSAL.—The term 'disposal' means any action that constitutes the removal of any property from the inventory of the Federal agency, including sale, transfer, deed, demolition, donation, or exchange.

''(5) FEDERAL AGENCY.—The term 'Federal agency' means—

''(A) an executive department or independent establishment in the executive branch of the Government; or

''(B) a wholly owned Government corporation (other than the United States Postal Service).

''(6) FIELD OFFICE.—The term 'field office' means any office of a Federal agency that is not the headquarters office location for the Federal agency.

''(7) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by the United States Postal Service.

''(8) PUBLIC-PRIVATE PARTNERSHIP.—The term 'public-private partnership' means any partnership or working relationship between a Federal agency and a corporation, individual, or nonprofit organization for the purpose of financing, constructing, operating, managing, or maintaining 1 or more Federal real property assets.

''(9) UNDERUTILIZED PROPERTY.—The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used—

''(A) irregularly or intermittently by the accountable Federal agency for program purposes of the Federal agency; or

''(B) for program purposes that can be satisfied only with a portion of the property.

''§ 622. Collocation among United States Postal Service properties

''(a) IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General shall—

''(1) identify a list of postal properties with space available for use by Federal agencies; and

''(2) not later than September 30, submit the list to—

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

''(B) the Committee on Oversight and Government Reform of the House of Representatives.

''(b) VOLUNTARY IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General may submit the list under subsection (a) to the Council.

''(c) SUBMISSION OF LIST OF POSTAL PROPERTIES TO FEDERAL AGENCIES.—

''(1) IN GENERAL.—Not later than 30 days after the completion of a list under subsection (a), the Council shall provide the list to each Federal agency.

''(2) REVIEW BY FEDERAL AGENCIES.—Not later than 90 days after the receipt of the list submitted under paragraph (1), each Federal agency shall—

''(A) review the list;

''(B) review properties under the control of the Federal agency; and

''(C) recommend collocations if appropriate.

''(d) TERMS OF COLLOCATION.—On approval of the recommendations under subsection (c) by the Postmaster General and the applicable agency head, the Federal agency or appropriate landholding entity may work with the Postmaster General to establish appropriate terms of a lease for each postal property.

''(e) RULE OF CONSTRUCTION.—Nothing in this section exceeds, modifies, or supplants any other Federal law relating to any competitive bidding process governing the leasing of postal property.

''§ 623. Establishment of a Federal Property Council

''(a) ESTABLISHMENT.—There is established a Federal Property Council.

''(b) PURPOSE.—The purpose of the Council shall be—

''(1) to develop guidance and ensure implementation of an efficient and effective property management strategy;

''(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

''(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.

''(c) COMPOSITION.—

''(1) IN GENERAL.—The Council shall be composed exclusively of—

''(A) the senior real property officers of each Federal agency and the Postal Service;

''(B) the Deputy Director for Management of the Office of Management and Budget;

''(C) the Controller of the Office of Management and Budget;

''(D) the Administrator; and

''(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

''(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

''(3) EXECUTIVE DIRECTOR.—

''(A) IN GENERAL.—The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

''(B) QUALIFICATIONS; FULL-TIME.—The Executive Director shall—

''(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management;

''(ii) serve full time; and

''(iii) hold no outside employment that may conflict with duties inherent to the position.

''(d) MEETINGS.—

''(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

''(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

''(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

''(1) not later than 1 year after the date of enactment of this subchapter, establish a property management plan template, to be updated annually, which shall include performance measures, specific milestones, measurable savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property, to achieve better utilization of underutilized property, or to enhance management of high value personal property, and evaluation criteria to determine the effectiveness of property management that are designed—

''(A) to enable Congress and heads of Federal agencies to track progress in the achievement of property management objectives on a Government-wide basis;

''(B) to improve the management of real property; and

''(C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies in terms of performance;

''(2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;

''(3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;

''(4) provide guidance on eliminating inefficiencies in the Federal leasing process;

''(5) compile a list of field offices that are suitable for collocation with other property assets;

''(6) research best practices regarding the use of public-private partnerships to manage properties and develop guidelines for the use of those partnerships in the management of Federal property;

''(7) not later than 1 year after the date of enactment of this subchapter—

''(A) examine the disposal of surplus property through the State Agencies for Surplus Property program; and

''(B) issue a report that includes recommendations on how the program could be improved to ensure accountability and increase efficiencies in the property disposal process; and

''(8) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—

''(A) a list of the remaining excess property or surplus property that is real property, and underutilized properties of each Federal agency;

''(B) the progress of the Council toward developing guidance for Federal agencies to ensure that the assessment required under section 524(a)(11)(B) is carried out in a uniform manner;

''(C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7); and

''(D) if necessary, recommendations for legislation or statutory reforms that would further the goals of the Council, including streamlining the disposal of excess real or personal property or underutilized property.

''(f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council shall also consult with representatives of—

''(1) State, local, tribal authorities, and affected communities; and

''(2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—

''(A) commercial real estate and development;

''(B) government management and operations;

''(C) space planning;

''(D) community development, including transportation and planning;

''(E) historic preservation;

''(F) providing housing to the homeless population; and

''(G) personal property management.

''(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide staffing, and administrative support for the Council, as appropriate.

''(h) ACCESS TO INFORMATION.—The Council shall make available, on request, all information generated by the Council in performing the duties of the Council to—

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

''(2) the Committee on Environment and Public Works of the Senate;

''(3) the Committee on Oversight and Government Reform of the House of Representatives;

''(4) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(5) the Comptroller General of the United States.

''(i) EXCLUSIONS.—In this section, surplus property shall not include—

''(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));

''(2) any property that is excepted from the definition of the term 'property' under section 102;

''(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

''(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

''(5) any real property the Director excludes for reasons of national security;

''(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(A) the Secretary of the Interior, acting through—

''(i) the Director of the Bureau of Land Management;

''(ii) the Director of the National Park Service;

''(iii) the Commissioner of Reclamation; or

''(iv) the Director of the United States Fish and Wildlife Service; or

''(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(7) any property operated and maintained by the United States Postal Service.

''§ 624. Inventory and database

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subchapter, the Administrator shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all Federal agencies.

''(b) CONTENTS.—The database shall include—

''(1) information provided to the Administrator under section 524(a)(11)(B); and

''(2) a list of property disposals completed, including—

''(A) the date and disposal method used for each property;

''(B) the proceeds obtained from the disposal of each property;

''(C) the amount of time required to dispose of the property, including the date on which the property is designated as excess property;

''(D) the date on which the property is designated as surplus property and the date on which the property is disposed; and

''(E) all costs associated with the disposal.

''(c) ACCESSIBILITY.—

''(1) COMMITTEES.—The database established under subsection (a) shall be made available on request to the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate and the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) GENERAL PUBLIC.—Not later than 3 years after the date of enactment of this subchapter and to the extent consistent with national security, the Administrator shall make the database established under subsection (a) accessible to the public at no cost through the website of the General Services Administration.

''(d) EXCLUSIONS.—In this section, surplus property shall not include—

''(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));

''(2) any property that is excepted from the definition of the term 'property' under section 102;

''(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

''(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

''(5) any real property the Director excludes for reasons of national security;

''(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(A) the Secretary of the Interior, acting through—

''(i) the Director of the Bureau of Land Management;

''(ii) the Director of the National Park Service;

''(iii) the Commissioner of Reclamation; or

''(iv) the Director of the United States Fish and Wildlife Service; or

''(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(7) any property operated and maintained by the United States Postal Service.

''§ 625. Information on certain leasing authorities

''(a) IN GENERAL.—Except as provided in subsection (b), not later than December 31 of each year following the date of enactment of this subchapter, a Federal agency with independent leasing authority shall submit to the Council a list of all leases, including operating leases, in effect on the date of enactment of this subchapter that includes—

''(1) the date on which each lease was executed;

''(2) the date on which each lease will expire;

''(3) a description of the size of the space;

''(4) the location of the property;

''(5) the tenant agency;

''(6) the total annual rental payment; and

''(7) the amount of the net present value of the total estimated legal obligations of the Federal Government over the life of the contract.

''(b) EXCEPTION.—Subsection (a) shall not apply to—

''(1) the United States Postal Service; or

''(2) any other property the President excludes from subsection (a) for reasons of national security.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

''SUBCHAPTER VII—PROPERTY MANAGEMENT

''Sec. 621. Definitions.
''Sec. 622. Collocation among United States Postal Service properties.
''Sec. 623. Establishment of a Federal Property Council.
''Sec. 624. Inventory and database.
''Sec. 625. Information on certain leasing authorities.''.

(2) TECHNICAL AMENDMENT.—Section 102 of title 40, United States Code, is amended in

the matter preceding paragraph (1) by striking ''The'' and inserting ''Except as provided in subchapters VII and VIII of chapter 5 of this title, the''.

SEC. 2954. UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

''Subchapter VIII—United States Postal Service Property Management

''§ 641. Definitions

''In this subchapter:

''(1) EXCESS PROPERTY.—The term 'excess property' means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

''(2) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by, or under the control of, the Postal Service.

''(3) POSTAL SERVICE.—The term 'Postal Service' means the United States Postal Service.

''(4) UNDERUTILIZED PROPERTY.—The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used—

''(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

''(B) for program purposes that can be satisfied only with a portion of the property.

''§ 642. United States Postal Service property management

''(a) IN GENERAL.—The Postal Service—

''(1) shall maintain adequate inventory controls and accountability systems for postal property;

''(2) shall develop current and future workforce projections so as to have the capacity to assess the needs of the Postal Service workforce regarding the use of property;

''(3) may develop a 5-year management template that—

''(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

''(B) adopts workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

''(C) assesses leased space to identify space that is not fully used or occupied;

''(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery; and

''(E) develops recommendations on ensuring the security of mail processing operations; and

''(4) if the Postal Service develops a template under paragraph (3), shall, as part of that template, on a regular basis—

''(A) conduct an inventory of postal property that is real property; and

''(B) create a report that covers each property identified under subparagraph (A), similar to the 'USPS Owned Facilities Report' and the 'USPS Leased Facilities Report', that includes—

''(i) the date on which the Postal Service first occupied the property;

''(ii) the size of the property in square footage and acreage;

''(iii) the geographical location of the property, including an address and description;

''(iv) the extent to which the property is being utilized;

''(v) the actual annual operating costs associated with the property;

''(vi) the total cost of capital expenditures associated with the property;

''(vii) the number of postal employees, contractor employees, and functions housed at the property;

''(viii) the extent to which the mission of the Postal Service is dependent on the property; and

''(ix) the estimated amount of capital expenditures projected to maintain and operate the property over each of the next 5 years after the date of enactment of this subchapter.

''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a)(4)(B) shall be construed to require the Postal Service to obtain an appraisal of postal property.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, as amended by section 3, is amended by inserting after the item relating to section 626 the following:

''SUBCHAPTER VIII—UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT

''Sec. 641. Definitions.

''Sec. 642. United States Postal Service property management.''.

SEC. 2955. AGENCY RETENTION OF PROCEEDS.

Section 571 of title 40, United States Code, is amended to read as follows:

''§ 571. General rules for deposit and use of proceeds

''(a) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

''(1) DEPOSIT OF NET PROCEEDS.—Except as otherwise provided by Federal law, net proceeds described in subsection (d) shall be deposited into the appropriate account of the agency that had custody and accountability for the property at the time the property is determined to be excess.

''(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended as authorized in annual appropriations Acts, for—

''(A) activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title; and

''(B) activities pursuant to implementation of the Federal Buildings Personnel Training Act of 2010 (40 U.S.C. 581 note; Public Law 111–308).

''(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (d) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction.

''(b) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

''(c) DISPOSAL AGENCY FOR REVERTED PROPERTY.—For the purposes of this section, for any property that reverts to the United States under sections 550 and 553, the General Services Administration, as the disposal agency, shall be treated as the agency with custody and accountability for the property at the time the property is determined to be excess.

''(d) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a), from—

''(1) a transfer of excess real property to a Federal agency for agency use; or

''(2) a sale, lease, or other disposition of surplus real property.

''(e) PROCEEDS FROM TRANSFER OR SALE OF PERSONAL PROPERTY.—

''(1) IN GENERAL.—Except as otherwise provided in this subchapter, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

''(2) PROCEEDS.—The proceeds described in this paragraph are proceeds under this chapter from—

''(A) a transfer of excess personal property to a Federal agency for agency use; or

''(B) a sale, lease, or other disposition of surplus personal property.

''(3) PAYMENT OF EXPENSES OF SALE BEFORE DEPOSIT.—

''(A) IN GENERAL.—Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

''(B) APPLICATION.—This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.

''(f) SAVINGS PROVISION.—Nothing in this section modifies, affects, or repeals any other provision of Federal law directing the use of retained proceeds relating to the sale of the property of an agency.''.

SEC. 2956. INSPECTOR GENERAL REPORT ON UNITED STATES POSTAL SERVICE PROPERTY.

(a) DEFINITION OF EXCESS PROPERTY.—In this section, the term ''excess property'' has the meaning given the term in section 641 of title 40, United States Code, as added by section 2954.

(b) EXCESS PROPERTY REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the United States Postal Service shall submit to Congress a report that includes—

(1) a survey of excess property held by the United States Postal Service; and

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 2957. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall study and submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the feasibility and cost of the United States Postal Service integrating the use of collision-averting technology into its vehicle fleet.

(b) POSTAL SERVICE REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Postal Service shall submit to Congress a report that includes—

(1) a review of the efforts of the United States Postal Service relating to fleet replacement and modernization; and

(2) a strategy for carrying out the fleet replacement and lifecycle plan of the United States Postal Service.

SEC. 2958. SURPLUS PROPERTY DONATIONS TO MUSEUMS.

Section 549(c)(3)(B) of title 40, United States Code, is amended by striking clause (vii) and inserting the following:

''(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);''.

SEC. 2959. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(6) develop current and future workforce projections so as to have the capacity to assess the needs of the Federal workforce regarding the use of real property;

''(7) establish goals and policies that will lead the executive agency to reduce excess property and underutilized property in the inventory of the executive agency;

''(8) submit to the Federal Property Council an annual report on all excess property that is real property and underutilized property in the inventory of the executive agency, including—

''(A) whether underutilized property can be better utilized, including through collocation with other executive agencies or consolidation with other facilities; and

''(B) the extent to which the executive agency believes that retention of the underutilized property serves the needs of the executive agency;

''(9) adopt workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

''(10) assess leased space to identify space that is not fully used or occupied;

''(11) on an annual basis and subject to the guidance of the Federal Property Council—

''(A) conduct an inventory of real property under control of the executive agency; and

''(B) make an assessment of each property, which shall include—

''(i) the age and condition of the property;

''(ii) the size of the property in square footage and acreage;

''(iii) the geographical location of the property, including an address and description;

''(iv) the extent to which the property is being utilized;

''(v) the actual annual operating costs associated with the property;

''(vi) the total cost of capital expenditures incurred by the Federal Government associated with the property;

''(vii) sustainability metrics associated with the property;

''(viii) the number of Federal employees and contractor employees and functions housed at the property;

''(ix) the extent to which the mission of the executive agency is dependent on the property;

''(x) the estimated amount of capital expenditures projected to maintain and operate the property during the 5-year period beginning on the date of enactment of this paragraph; and

''(xi) any additional information required by the Administrator of General Services to carry out section 623; and

''(12) provide to the Federal Property Council and the Administrator of General Services the information described in paragraph (11)(B) to be used for the establishment and maintenance of the database described in section 624.''.

(b) DEFINITION OF EXECUTIVE AGENCY.—Section 524 of title 40, United States Code, is amended by adding at the end the following:

''(c) DEFINITION OF EXECUTIVE AGENCY.—For the purpose of paragraphs (6) through (12) of subsection (a), the term 'executive agency' shall have the meaning given the term 'Federal agency' in section 621.''.

SA 4627. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE AIR FORCE STRATEGIC BASING PROCESS.

(a) REPORT REQUIRED.—Not later 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees an interim report on the suitability and effectiveness of the Air Force's strategic basing process, with a final report to follow not later than 270 days after the date of the enactment of this Act.

(b) ELEMENTS.—The report under subsection (a) shall include a description and assessment of each of the following:

(1) Effectiveness and alignment of the strategic basing process with Air Force strategy and objectives.

(2) Authoritativeness, transparency, consistency, and auditability of the Air Force strategic basing process.

(3) Development of the criteria, basing objectives, policies, programming, planning, and directives used for determining the enterprise-wide review for potential basing actions.

(4) Development of the criteria basing objectives, policies, programming, planning, and directives used for determining candidate bases for potential basing actions.

(5) Integration of risk management into the strategic basing process and communication of risk to stakeholders and Congress.

(6) The decision-making process to arrive at final strategic basing decisions.

(7) Notification, method, timeliness, and transparency of changes to criteria to stakeholders and Congress.

(8) Appropriateness and timeliness of notifications to various stakeholders.

(9) Applicability to the other military departments and Defense agencies.

(10) Other information determined to be appropriate by the Comptroller General.

SA 4628. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. ROUNDS, Mrs. GILLIBRAND, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. 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:

''§ 7330B. 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 2017;

''(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 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.

''(g) FUNDING.—(1) There is authorized to be appropriated to carry out this section $30,000,000 for each of the first five fiscal years beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(2)(A) The Secretary may award additional amounts on a competitive basis to the center of excellence from the medical and prosthetics research account of the Department for the purpose of conducting research under this section.

''(B) The Secretary shall give priority in the award of amounts under subparagraph (A) to research on multiple sclerosis and other neurodegenerative disorders.''.

(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 7330A the following new item:

''7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.''.

SA 4629. Mr. RUBIO (for himself, Mr. COCHRAN, Mr. WARNER, Mr. INHOFE, Mr. HATCH, Mr. MORAN, Mrs. SHAHEEN, Mr. NELSON, Mr. HOEVEN, Mr. LEE, Mr. KING, Mr. THUNE, Ms. AYOTTE, Mrs. FISCHER, Mr. BURR, Mr. CARDIN, Ms. COLLINS, Mr. KAINE, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 844, strike subsection (e).

SA 4630. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. 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 Air Force and Department of Defense experience 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 airworthiness certification, 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 Unmanned Aircraft Systems Center of Excellence and Unmanned Aircraft Systems Test Sites.

(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 4631. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Hi Mob Multi-Purp Whld Veh (HMMWV), strike the amount in the Senate authorized column and insert ''26,000''.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate authorized column and insert ''5,567,063''.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate authorized column and insert ''102,439,976''.

In the funding table in section 4301, in the item for Operation & Maintenance, Navy relating to Enterprise Information, strike the amount in the Senate authorized column and insert ''731,385''.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, Navy, strike the amount in the Senate authorized column and insert ''39,394,291''.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, strike the amount in the Senate authorized column and insert ''171,384,798''.

SA 4632. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, 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 111.

SA 4633. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. FEDERAL LAW ENFORCEMENT OFFICER SELF-DEFENSE AND PROTECTION.

(a) SHORT TITLE.—This section may be cited as the ''Federal Law Enforcement Self-Defense and Protection Act of 2016''.

(b) FINDINGS.—Congress finds the following:

(1) Too often, Federal law enforcement officers encounter potentially violent criminals, placing officers in danger of grave physical harm.

(2) In 2012 alone, 1,857 Federal law enforcement officers were assaulted, with 206 sustaining serious injuries.

(3) From 2008 through 2011, an additional 8,587 Federal law enforcement officers were assaulted.

(4) Federal law enforcement officers remain a target even when they are off-duty. Over the past 3 years, 27 law enforcement officers have been killed off-duty.

(5) It is essential that law enforcement officers are able to defend themselves, so they can carry out their critical missions and ensure their own personal safety and the safety of their families whether on-duty or off-duty.

(6) These dangers to law enforcement officers continue to exist during a covered furlough.

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' means each authority of the executive, legislative, or judicial branch of the Government of the United States;

(2) the term ''covered Federal law enforcement officer'' means any individual who—

(A) is an employee of an agency;

(B) has the authority to make arrests or apprehensions for, or prosecute, violations of Federal law; and

(C) on the day before the date on which the applicable covered furlough begins, is authorized by the agency employing the individual to carry a firearm in the course of official duties;

(3) the term ''covered furlough'' means a planned event by an agency during which employees are involuntarily furloughed due to downsizing, reduced funding, lack of work, or any budget situation including a lapse in appropriations; and

(4) the term ''firearm'' has the meaning given that term in section 921 of title 18, United States Code.

(d) PROTECTING FEDERAL LAW ENFORCEMENT OFFICERS WHO ARE SUBJECTED TO A COVERED FURLOUGH.—During a covered furlough, a covered Federal law enforcement officer shall have the same rights to carry a firearm issued by the Federal Government as if the covered furlough was not in effect, including, if authorized on the day before the date on which the covered furlough begins, the right to carry a concealed firearm, if the sole reason the covered Federal law enforcement officer was placed on leave was due to the covered furlough.

(e) COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.—Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking ''An officer'' and inserting ''Except as specified in this subchapter or any other provision of law, an officer''; and

(2) by adding at the end the following:

''(c)(1) In this subsection—

''(A) the term 'covered lapse in appropriations' means a lapse in appropriations that begins on or after October 1, 2016; and

''(B) the term 'excepted employee' means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

''(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee's standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

''(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.''.

SA 4634. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 306. COMPLIANCE OF MILITARY HOUSING WATER SUPPLIES WITH FEDERAL AND STATE DRINKING WATER STANDARDS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a study to determine whether members of the Armed Forces and their families who live in military housing in the United States have access to water that complies with Federal and State drinking water standards and guidance, including health advisory levels.

(b) COMPLIANCE MEASURES.—If the Secretary finds that water available to members of the Armed Forces and their families who live in military housing does not meet State or Federal drinking water standards and guidance, including health advisory levels, the Secretary shall—

(1) in the case of military housing serviced by Department of Defense-controlled water supply systems, take immediate steps to bring noncompliant water sources into compliance with State and Federal standards and guidance, including health advisory levels, and in the case of military housing serviced by non-Department of Defense-controlled water supply systems, work with the municipal or private water system to take immediate steps to bring noncompliant water sources into compliance with State and Federal standards and guidance, including health advisory levels; and

(2) within 30 days of discovering that a water source does not meet State or Federal drinking water standards and guidance, including health advisory levels, provide to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of the affected State written verification describing the noncompliant water sources, including the location of all affected members of the Armed Forces, and an explanation about how the Secretary will bring the water source into compliance with State and Federal standards and guidance, including health advisory levels.

SA 4635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 829K. PREFERENCE FOR POTENTIAL DEFENSE CONTRACTORS THAT CARRY OUT CERTAIN STEM-RELATED ACTIVITIES.

(a) IN GENERAL.—In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) establishes or enhances undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (in this section referred to as ''STEM'' disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools, including those that support the needs of military children;

(3) encourages employees to volunteer in schools eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist faculty at colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) establishes partnerships between the offeror and historically Black colleges and universities (HBCUs) and other minority-serving institutions for the purpose of training students in scientific disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines;

(7) attracts and retains faculty involved in scientific disciplines critical to the functions of the Department of Defense;

(8) conducts recruitment activities at universities and community colleges, including HBCUs, or offers internships or apprenticeships; or

(9) establishes programs and outreach efforts to strengthen STEM.

(b) CONSIDERATION OF EVALUATION FACTORS AND EFFECT ON SMALL BUSINESS CONCERNS.—In prescribing regulations to carry out this section, the Secretary of Defense shall ensure that all award decisions are based on evaluation factors and significant subfactors that are tailored to the acquisition, and that small business concerns are not unduly adversely affected.

SA 4636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

''§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—

''(A) IN GENERAL.—Subject to the availability of appropriations provided for such purpose, hospital care and medical services under this chapter may be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (d), or any other law administered by the Secretary, with entities specified in subparagraph (B) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

''(i) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(ii) Any Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(iii) The Department of Defense.

''(iv) The Indian Health Service.

''(v) Any health care provider not otherwise covered under any of clauses (i) through (iv) that meets criteria established by the Secretary for purposes of this section.

''(2) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (c) to receive hospital care or medical services under this section may select a provider

of such care or services from among the entities specified in paragraph (1)(B) that are accessible to the veteran.

''(3) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(d) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and subject to the availability of appropriations provided for such purpose, the Secretary may enter into contracts for furnishing care and services to eligible veterans under this section with entities specified in subsection (a)(1)(B).

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to such veterans under this section with such entities pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) TREATMENT OF CONTRACTS.—A contract entered into under this paragraph may not be treated as a Federal contract for the acquisition of goods or services and is not subject to any provision of law governing Federal contracts for the acquisition of goods or services.

''(D) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an entity specified in subsection (a)(1)(B), the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the entity for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department of Veterans Affairs will be followed, except for when another payment agreement, including a contract or provider agreement, is in place.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under section 1814 of the Social Security Act (42 U.S.C. 1395f), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an entity specified in subsection (a)(1)(B) may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(e) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—For purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(f) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(g) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from a health care provider in an episode of care under this section, the veteran receives such care or services from that health care provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(h) PROVIDERS.—To be eligible to furnish care or services under this section, a health care provider must—

''(1) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(2) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(i) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(j) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) OVERSIGHT.—The Chief Business Office of the Veterans Health Administration shall oversee the implementation and maintenance of such system.

''(3) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) QUARTERLY REPORT.—

''(i) IN GENERAL.—The Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a quarterly report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the quarter covered by the report.

''(iii) DEADLINE.—The Secretary shall submit each report required by clause (i) not later than 20 days after the end of the quarter covered by the report.

''(k) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any health care provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such health care provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(l) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by a health care provider under this section, the receipt by the Department of a medical record under subsection (k) detailing such care or services is not required before reimbursing the health care provider for such care or services.

''(m) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(n) RULES OF CONSTRUCTION.—

''(1) PRESCRIPTION MEDICATIONS.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(2) TIERED NETWORK.—Nothing in this section shall be construed to authorize the creation of a tiered network in which an eligible veteran would be required to receive care or services from an entity in a higher tier than any other entity or provider network.

''(o) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress, not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(p) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.

''(q) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,500,000,000.

''(r) TERMINATION.—The Secretary may not furnish hospital care or medical services under this section after January 31, 2019.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) SOURCE OF AMOUNTS.—All amounts required to carry out section 1703A of title 38, United States Code, as added by paragraph (1), shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

SA 4637. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 249, between lines 12 and 13, insert the following:

(a) REPORT ON MILITARY COMPENSATION PACKAGE.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the full array of the military compensation package, including—

(A) the adequacy of Regular Military Compensation to sustain all aspects of the All-Volunteer Force;

(B) the modernization of the military retirement system to be accomplished by part I of subtitle D of title VI of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 842);

(C) indirect compensation that accrues by reason of military service, including commissary and exchange benefits, child care, health care, military life insurance, education benefits, and veterans benefits;

(D) the value of providing greater transparency to members of the Armed Forces, prospective members of the Armed Forces, and the public by providing an annual statement to members of the total value of their military compensation packing, including the value of the compensation described in subparagraph (C);

(E) the impacts of the matters in subparagraphs (A) through (D) on recruitment, retention, and compensation of the All-Volunteer Force.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A review of all the components of Regular Military Compensation, defined by the Department of Defense as the following:

(i) Basic pay.

(ii) Basic allowance for housing.

(iii) Basic allowance for subsistence

(iv) The tax treatment of pay and allowances.

(B) An analysis of Regular Military Compensation with respect to the following:

(i) Members of the Armed Forces who are married to other members.

(ii) Members who reside with other members.

(iii) Members who share accommodations to achieve improved financial standards.

(C) A review of—

(i) the ability of members to contribute toward military retirement under the modernized military retirement system described in paragraph (1)(B), including a review of the pay and allowances required to contribute under the current Regular Military Compensation structure and under any proposed changes to Regular Military Compensation; and

(ii) the adequacy of the modernized system to contribute to the successful recruitment and retention of individual to and in military service.

(D) A review of indirect compensation, including commissary and exchange benefits, child care, health care, Servicemembers'

Group Life Insurance (SGLI), education benefits, and veterans benefits, and the manner in which such compensation impacts the total military compensation package.

(E) A robust analysis of, and a proposal for reform of, the personal statement of military compensation issued annually to each member, including its accuracy, its currency with current and proposed changes to military compensation, and a requirement for the clear statement of both ''Total Direct Compensation'' and ''Service-Estimated Indirect Compensation''.

(F) An assessment of the adequacy of Regular Military Compensation, the modernized military retirement system, and indirect compensation for the recruitment and retention of the All-Volunteer Force (including the readiness and combat effectiveness of the Force) and for overall military compensation.

(G) A review and assessment of any other matters the Secretary considers appropriate to produce recommendations on the means by which to best recruit, retain, and reward the All-Volunteer Force with a competitive compensation and benefits package.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) SURVEYS.—Each annual status of forces survey conducted by the Defense Manpower Data Center (DMDC) after fiscal year 2017 shall include questions on the value of the total military compensation package, including basic allowance for housing, to members of the Armed Forces, with such questions designed to determine the following:

(A) The value of the total military compensation package to members.

(B) The impact of the current total military compensation package on the retention of members, and on the recruitment of individuals to military service in the All-Volunteer Force.

After section 604, insert the following:

SEC. 604A. DELAY IN EFFECTIVE DATE AND IMPROVEMENT OF REFORM OF BASIC ALLOWANCE FOR HOUSING.

(a) DELAY.—

(1) IN GENERAL.—Notwithstanding any provision of section 403a of title 37, United States Code (as added by section 604(a) of this Act), or subsection (p) of section 403 of title 37, United States Code (as added by section 604(b) of this Act), the reform of basic allowance for housing provided for in such section 403a shall take effect on January 1, 2019.

(2) CONSTRUCTION OF CERTAIN DATES.—Any reference to ''January 1, 2018'' in section 403a of title 37, United States Code (as so added), or subsection (p) of section 403 of title 37, United States Code (as so added), shall be deemed to be a reference to ''January 1, 2019''. Any reference to ''December 31, 2017'' in subsection (m) of such section 403a shall be deemed to be a reference to ''December 31, 2018''.

(b) INCLUSION OF COST UTILITIES IN DETERMINATION OF AMOUNT PAYABLE.—

(1) INCLUSION.—Subsection (b)(2) of section 403a of title 37, United States Code (as so added), is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) A maximum amount of the allowance shall be established for each military housing area, based on the costs of adequate housing and utilities in such area, for each pay grade and dependency status.

''(B) The amount of the allowance payable to a member may not exceed the lesser of—

''(i) the actual monthly cost of housing of the member plus an amount equal to the estimated average amount paid for utilities in the military housing area concerned during the preceding year; or

''(ii) the maximum amount determined under subparagraph (A) for members in the member's pay grade and dependency status.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act immediately after the coming into effect of the amendment in section 604(a) of this Act adding section 403a of title 37, United States Code, to which section 403a the amendment made by paragraph (1) relates.

SA 4638. Mr. KIRK (for himself, Mr. GRASSLEY, Mrs. ERNST, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 899C. STRATEGY ON REVITALIZING ARMY ORGANIC INDUSTRIAL BASE.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a strategy on revitalizing the Army Organic Industrial Base (OIB). The strategy should detail the Army's plan to ensure the long-term viability of the Army's Organic Industrial Base.

(b) ELEMENTS.—The strategy required under subsection (a) shall include at a minimum the following elements:

(1) An assessment of Army legacy items sustained by the Defense Logistics Agency.

(2) A description of the use of the OIB to address Diminishing Manufacturing Sources and Material Shortages.

(3) Required critical capabilities across the OIB.

(4) An assessment of infrastructure across the OIB.

(5) An assessment of the OIB and private sector manufacturing sources.

(6) A description of the use of contracting to meet the OIB requirements.

(7) An assessment of current and future workloads across the OIB.

(8) An assessment of processes used to identify critical capabilities for the Army's OIB and methods used to determine workloads.

(9) An assessment of exiting labor rates.

(10) A description of required manufacturing skills needed to sustain readiness.

(11) A description of the use of private and public partnerships.

(12) A description of the use of working capital funds.

(13) An assessment of operating expenses and the ability to reduce or recover those expenses.

(c) DEFINITIONS.—In this section:

(1) LEGACY ITEMS.—The term ''legacy items'' means manufactured items that are no longer produced by the private sector but continue to be used for Department of Defense weapons systems, excluding information technology and information systems (as those terms are defined in section 11101 of title 40, United States Code).

(2) ORGANIC INDUSTRIAL BASE.—The term ''organic industrial base'' means United States military facilities, including arsenals, depots, munition plants and centers, and storage sites, that advance a vital national security interest by producing, maintaining, repairing, and storing the necessary materiel, munitions, and hardware.

SA 4639. Mrs. ERNST (for herself, Mr. MCCAIN, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 308 strike line 16 and insert the following:

complies with the requirements of this subsection.

''(4) This subsection does not apply to the furnishing of athletic footwear to the members of the Army, the Navy, the Air Force, or the Marine Corps upon their initial entry into the armed forces, or prohibit the provision of a cash allowance to such members for such purpose, if—

''(A) the Secretary of Defense determines that compliance with paragraph (2) would result in a sole source contract for procurement of athletic footwear for the purpose stated in paragraph (1) because there would be limited qualified or approved sources of supply for such footwear; or

''(B) the Secretary of the military department concerned determines, with respect to members in initial entry and recruit training under the jurisdiction of such Secretary, that providing athletic footwear as otherwise required by this subsection would have the potential to cause unnecessary harm and risk to the safety and wellbeing of members in initial entry training.''.

SA 4640. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. AUTHORIZATION OF CANINE TEAMS FOR PASSENGER SCREENING BY TRANSPORTATION SECURITY ADMINISTRATION.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration may employ 178 passenger screening canine teams over the number of such teams in operation as of the date of the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Transportation Security Administration for fiscal year 2017 $52,000,000 to carry out subsection (a).

(2) OFFSET.—The Secretary of Homeland Security shall reduce amounts available for fiscal year 2017 for the Office of the Secretary of Homeland Security, the Office of the Under Secretary for Management, the Office of Chief Information Officer, and the Office of the Administrator of Transportation Security Administration on a pro rata basis so that the aggregate amount of such reductions is equal to the amount authorized to be appropriated by paragraph (1).

SA 4641. Mrs. SHAHEEN (for herself, Mr. BURR, and Ms. AYOTTE) submitted

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

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

SEC. 1667. REPORT ON FEASIBILITY AND ADVISABILITY OF TRANSFERRING EXISTING DEVELOPMENTAL CRUISE MISSILE DEFENSE PLATFORMS TO MISSILE DEFENSE AGENCY.

(a) REPORT REQUIRED.—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 that assesses the feasibility and advisability of transferring existing developmental cruise missile defense platforms to the Missile Defense Agency.

(b) LIMITATION ON DEMILITARIZATION.—The Secretary of the Army may not demilitarize any existing developmental cruise missile defense platform until the date that is 30 days after the submission of the report required by subsection (a).

SA 4642. Mr. BOOKER (for himself, Mr. NELSON, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. COMPLETION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) According to the Inspector General of the Department of Homeland Security, the Transportation Security Administration's failure to complete certain requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53) may diminish the ability of the Transportation Security Agency to strengthen passenger rail security.

(2) The Inspector General of the Department of Homeland Security—

(A) recognizes that voluntary initiatives can assist the Transportation Security Agency in identifying potential security vulnerabilities; and

(B) recommends completing the requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 to improve passenger rail security.

(b) REQUIRED COMPLETION.—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at a minimum, complete sections 1512 and 1517 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1162 and 1167).

SA 4643. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812 and insert the following:

SEC. 812. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT PROCUREMENTS.

(a) DEPARTMENT OF DEFENSE PROCUREMENTS.—

(1) INCREASED MICRO-PURCHASE THRESHOLD.—

(A) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2338. Micro-purchase threshold

''Notwithstanding subsection (a) of section 1902 of title 41, the micro-purchase threshold for the Department of Defense for purposes of such section is $5,000.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2338. Micro-purchase threshold.''.

(2) CONFORMING AMENDMENT.—Section 1902(a) of title 41, United States Code, is amended by striking ''For purposes'' and inserting ''Except as provided in section 2338 of title 10, for purposes''.

(b) OTHER PROCUREMENTS.—

(1) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is amended—

(A) in subsection (a), by striking ''$3,000'' and inserting ''$10,000''; and

(B) in subsections (d) and (e), by striking ''not greater than $3,000'' and inserting ''with a price not greater than the micro-purchase threshold''.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall update the guidance in Circular A–123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(d) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A–123, Appendix B.

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

SEC. 829K. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—The head of an agency may carry out a pilot program, to be known as a ''commercial solutions opening pilot program'', under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) HEAD OF AN AGENCY.—In this section, the term ''head of an agency'' means the following:

(A) The Secretary of Homeland Security.

(B) The Administrator of General Services.

(3) APPLICABILITY OF SECTION.—This section applies to the following agencies:

(A) The Department of Homeland Security.

(B) The General Services Administration.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered, in the case of the Department of Homeland Security and the General Services Administration, to be use of competitive procedures for purposes division C of title 41, United States Code (as defined in section 152 of such title).

(c) LIMITATION.—The head of an agency may not enter into a contract under the pilot program for an amount in excess of $10,000,000.

(d) GUIDANCE.—The head of an agency shall issue guidance for the implementation of the pilot program under this section within that agency. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the head of an agency shall submit to the congressional committees specified in paragraph (3) a report on the activities the agency carried out under the pilot program.

(2) ELEMENTS OF REPORT.—Each report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(C) A recommendation on whether the authority for the pilot program should be made permanent.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this paragraph are the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(f) INNOVATIVE DEFINED.—In this section, the term ''innovative'' means—

(1) any new technology, process, or method, including research and development; or

(2) any new application of an existing technology, process, or method.

(g) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on September 30, 2022.

SEC. 829L. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.

(a) CIVILIAN CONTRACTS.—Section 134 of title 41, United States Code, is amended by striking ''$100,000'' and inserting ''$500,000''.

(b) DEFENSE CONTRACTS.—Section 2302a(a) of title 10, United States Code, is amended by striking ''as specified in section 134 of title 41'' and inserting ''$150,000''.

(c) HOMELAND SECURITY CONTRACTS.—Section 604(f) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is amended by striking ''the simplified acquisition threshold referred to in section 2304(g) of title 10, United States Code'' and inserting ''$150,000''.

SEC. 829M. INNOVATION SET ASIDE PILOT PROGRAM.

(a) IN GENERAL.—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal contracting through the use of innovation set-asides.

(b) AUTHORITY.—(1) Notwithstanding the competition requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small

Business Act (15 U.S.C. 644), a Federal agency other than the Department of Defense, with the concurrence of the Director, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same relief afforded under section 1905 of title 41, United States Code, to contracts the value of which is not greater than the simplified acquisition threshold; and

(B) for up to five pilots, the Director may authorize an agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) CONDITIONS FOR USE.—The authority provided in subsection (b) may be used under the following conditions:

(1)(A) The agency has a requirement for new methods, processes, or technologies, which may include research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract;

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business; and

(3) The length of the resulting contract will not exceed 2 years.

(d) NUMBER OF PILOTS.—The Director may authorize the use of up to 25 innovation set-asides acquisitions.

(e) AWARD AMOUNT.—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed $2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than $2,000,000 but not greater than $5,000,000 (including any options).

(f) GUIDANCE AND REPORTING.—

(1) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(2) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section.

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) SUNSET.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) DEFINITION.—For purposes of this section, the term ''new entrant contractor'', with respect to any contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SEC. 829N. OTHER TRANSACTION AUTHORITY FOR DEPARTMENT OF HOMELAND SECURITY.

Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2016,'' and inserting ''Until September 30, 2021,''; and

(2) in subsection (c)(1), by striking ''September 30, 2016,'' and inserting ''September 30, 2021,''.

SA 4644. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 565. INFORMATION REGARDING EDUCATIONAL BENEFITS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, as amended by section 563 of this Act, is further amended by inserting after section 2012a the following new section:

''§ 2012b. Information regarding educational benefits for members of the armed forces

''(a) WEBSITE REGARDING EDUCATIONAL BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

''(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Education, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall create a revised and updated searchable Internet website that—

''(A) contains information, in simple and understandable terms, about all Federal and State student financial assistance, readmission requirements under section 484C of the Higher Education Act of 1965 (20 U.S.C. 1091c), and other student services, for which members of the armed forces (including members of the National Guard and Reserves), veterans, and the dependents of such members or veterans may be eligible; and

''(B) is easily accessible through the Internet website described in section 131(e)(3) of the Higher Education Act of 1965 (20 U.S.C. 1015(e)(3)).

''(2) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Defense shall make publicly available the revised and updated Internet website described in paragraph (1).

''(3) DISSEMINATION.—The Secretary of Defense, in coordination with the Secretary of Education and the Secretary of Veterans Affairs, shall make the availability of the Internet website described in paragraph (1) widely known to members of the armed forces (including members of the National Guard and Reserves), veterans, the dependents of such members or veterans, States, institutions of higher education, and the general public.

''(4) DEFINITION.—In this subsection, the term 'Federal and State student financial assistance' means any grant, loan, work assistance, tuition assistance, scholarship, fellowship, or other form of financial aid for pursuing a postsecondary education that is—

''(A) administered, sponsored, or supported by the Department of Defense, the Department of Education, the Department of Veterans Affairs, or a State; and

''(B) available to members of the armed forces (including members of the National Guard and Reserves), veterans, or the dependents of such members or veterans.

''(b) ENROLLMENT FORM FOR BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

''(1) IN GENERAL.—The Secretary of Defense, in consultation with the Director of the Bureau of Consumer Financial Protection, the Secretary of Education, and the heads of any other relevant Federal agencies, shall create a simplified disclosure and enrollment form for borrowers who are performing military service.

''(2) CONTENTS.—The disclosure and enrollment form described in paragraph (1) shall include—

''(A) information about the benefits and protections under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) and under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) that are available to such borrower because the borrower is performing military service; and

''(B) an opportunity for the borrower, by completing the enrollment form, to invoke certain protections, activate certain benefits, and enroll in certain programs that may be available to that borrower, which shall include the opportunity—

''(i) to invoke applicable protections that are available under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.), as such protections relate to Federal student loans under parts B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.; 1087aa et seq.); and

''(ii) to activate or enroll in any other applicable benefits that are available to such borrower under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) because the borrower is performing military service, such as eligibility for a deferment or eligibility for a period during which interest shall not accrue.

''(3) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Defense, in consultation with the Secretary of Education, shall make the disclosure and enrollment form described in paragraph (1) available to—

''(A) lenders of loans made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

''(B) institutions of higher education eligible to participate in any program under title IV of such Act (20 U.S.C. 1070 et seq.); and

''(C) personnel at the Department of Education, the Bureau of Consumer Financial Protection, and other Federal agencies that provide services to borrowers who are members of the armed forces or the dependents of such members.

''(4) NOTICE REQUIREMENTS.—

''(A) SCRA INTEREST RATE LIMITATION.—The completion of the disclosure and enrollment form created pursuant to paragraph (1) by the borrower of a loan made, insured, or guaranteed under part B or part D of title IV of Higher Education Act of 1965 who is otherwise subject to the interest rate limitation in subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)) and submittal of such form to the Secretary of Defense shall be considered, for purposes of such section, provision to the creditor of written notice as described in subsection (b)(1) of such section.

''(B) FFEL LENDERS.—The Secretary of Defense, in consultation with the Secretary of Education, shall provide each such disclosure and enrollment form completed and submitted by a borrower of a loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C.

1071 et seq.) who is otherwise subject to the interest rate limitation in subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)) to any applicable eligible lender under such part B so as to satisfy the provision to the lender of written notice as described in subsection (b)(1) of such section 207.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title, as amended by section 563 of this Act, is further amended by inserting after the item relating to section 2012a the following new item:

''2012a. Information regarding educational benefits for members of the armed forces.''.

SA 4645. Ms. WARREN (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 565. IMPLEMENTATION OF STUDENT LOAN BORROWER BENEFITS FOR MEMBERS OF THE ARMED FORCES SERVING IN A CONFLICT.

(a) IN GENERAL.—The Secretary of Defense shall enter into any necessary agreements, with the Secretary of Education and the heads of any other relevant agencies, in order to take all actions necessary to—

(1) ensure that interest does not accrue for eligible military borrowers in accordance with section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)), for any loan made under part D of title IV of such Act and disbursed on or after October 1, 2008;

(2) ensure that any borrower of such a loan who was an eligible military borrower and qualified for the no accrual of interest benefit under such section 455(o) during any period beginning on or after October 1, 2008, and did not receive the full benefit under such section for which the borrower qualified, is provided compensation in an amount equal to the amount of interest paid by the borrower that would have been subject to the benefit;

(3) ensure that any borrower who is eligible for a waiver or modification provided by the Secretary of Education under the authority of section 2(a) of the Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1098bb) is provided such waiver or modification (including through automatic enrollment to the extent practicable and beneficial to the borrower), including waivers from income certifications required under an income-based repayment program under section 493C of the Higher Education Act of 1965 (20 U.S.C. 1098e) or other similar certifications;

(4) ensure that any borrower with a Federal Perkins Loan under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.) receives a cancellation of the percentage of debt based on years of qualifying service in accordance with section 465(a)(2)(D) of such Act (20 U.S.C. 1087ee(a)(2)(D)); and

(5) obtain or provide any information securely and as necessary to implement this section without requiring a request from the borrower, including information regarding—

(A) whether a military borrower is serving on active duty in connection with a war, national emergency, or contingency operation and, if so, the time period of such service; and

(B) whether a military borrower is receiving special pay under section 310 of title 37, United States Code, and if so, the time period of such service.

(b) REPORTS.—

(1) PLAN.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit to the appropriate committees of Congress a report on the implementation of subsection (a).

(2) FOLLOW-UP REPORT.—If the Secretary of Defense has not implemented subsection (a) during the 90-day period beginning on the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit, by the final day of such period, a report to the appropriate committees of Congress that includes an explanation of why such subsection has not been implemented.

SEC. 566. IMPLEMENTATION OF SCRA INTEREST RATE LIMITATION FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall provide to the Secretary of Education and any other relevant agencies the necessary information as to the duty status of military borrowers to provide that the interest rate charged on any loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for borrowers who are subject to section 207(a)(1) of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)(1)) does not exceed the maximum interest rate set forth in such section.

(b) SCRA INTEREST RATE LIMITATION NOTICE REQUIREMENTS.—The submittal by the Secretary of Defense to the Secretary of Education of information that informs the Secretary of Education that a member of the Armed Forces with a student loan under part D of title IV of Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) has been or is being called to military service (as defined in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. 3911)), including a member of a reserve unit who is ordered to report for military service as provided for under section 106 of such Act (50 U.S.C. 3917), shall be considered, for purposes of subjecting such student loan to the provisions of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937), provision by the borrower to the creditor of written notice and a copy of military orders as described in subsection (b)(1) of such section.

(c) REPORTS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit to the appropriate committees of Congress a report that includes a plan to implement the interest rate limitation provision described in subsection (a).

SA 4646. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Mr. WHITEHOUSE, Mr. COONS, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1031. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 4647. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) IN GENERAL.—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(b) AWARD OF CONTRACTS.—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2), shall award the contract to the provider of launch services that offers the best value to the Federal Government; and

(2) notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle, in order to ensure robust competition and continued assured access to space.

SA 4648. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 4649. Mr. KIRK (for himself, Mr. MANCHIN, Mr. CARDIN, Mr. SCHUMER, Mr. PORTMAN, Mr. RUBIO, Ms. MURKOWSKI, Mr. TILLIS, Mr. VITTER, Mr. HATCH, Mr. CRUZ, Mr. MENENDEZ, Mr. ROBERTS, Mr. CORNYN, Mr. NELSON, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Matters Relating to Israel

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Combating BDS Act of 2016''.

SEC. 1282. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL.

(a) AUTHORITY TO DIVEST.—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, or prohibit investment of the assets of the State or local government in—

(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 HEARING.—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.—Not later than 30 days after adopting a measure pursuant to subsection (a), a State or local government shall submit written notice to the Attorney General describing the measure.

(d) NONPREEMPTION.—A measure of a State or local government authorized under 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) RULE 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.

(g) 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. 1283. 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 1282 of the Combating BDS Act of 2016.''.

SA 4650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. MODIFICATION OF LIMITATIONS ON PROCUREMENT OF PHOTOVOLTAIC DEVICES BY THE DEPARTMENT OF DEFENSE.

Section 846(b)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2534 note; Public Law 111–383) is amended—

(1) by striking ''exclusive'' and inserting ''principal''; and

(2) by striking ''full''.

SA 4651. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall be in effect 4 days after enactment.

SA 4652. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 582. INFORMATION ON MILITARY STUDENT PERFORMANCE.

Section 574(b)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended by adding at the end the following: ''The plan for outreach shall include annual updates of

the most recent information, disaggregated for each State, local educational agency, and school, available from the State and local report cards required under section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) regarding—

''(A) the number of public elementary school and secondary school students with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title); and

''(B) the achievement by such students for each level of achievement, as determined by the State, on the academic assessments described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)).''.

SA 4653. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''4'' and insert ''3''.

SA 4654. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''3'' and insert ''2''.

SA 4655. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1227. ASSESSMENT OF INADEQUACIES IN INTERNATIONAL MONITORING AND VERIFICATION WITH RESPECT TO IRAN'S NUCLEAR PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in conjuction with the Secretary of Energy and the heads and other officials of related agencies, submit to Congress a joint assessment report detailing existing inadequacies in the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertaining to verification shortcomings identified within—

(1) the September 26, 2006, Government Accountability Office report entitled, ''Nuclear Nonproliferation: IAEA Has Strengthened Its Safeguards and Nuclear Security Programs, but Weaknesses Need to Be Addressed'';

(2) the May 16, 2013, Government Accountability Office report entitled, ''IAEA Has Made Progress in Implementing Critical Programs but Continues to Face Challenges'';

(3) the Defense Science Board Study entitled, ''Task Force on the Assessment of Nuclear Treaty Monitoring and Verification Technologies'';

(4) the report of the International Atomic Energy Agency (in this section referred to as the ''IAEA'') entitled, ''The Safeguards System of the International Atomic Energy Agency'' and the IAEA Safeguards Statement for 2010;

(5) the IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols;

(6) the IAEA Model Additional Protocol;

(7) the IAEA February 2015 Director General Report to the Board of Governors; and

(8) other related reports on Iranian safeguard challenges.

(b) RECOMMENDATIONS.—The joint assessment report required by subsection (a) shall include recommendations based upon the reports referenced in that subsection, including recommendations to overcome inadequacies or develop an improved monitoring framework and recommendations related to the following matters:

(1) The nuclear program of Iran.

(2) Development of a plan for—

(A) the long-term operation and funding of increased activities of the IAEA and relevant agencies in order to maintain the necessary level of oversight with respect to Iran's nuclear program;

(B) resolving all issues of past and present concern with the IAEA, including possible military dimensions of Iran's nuclear program; and

(C) giving IAEA inspectors access to personnel, documents, and facilities involved, at any point, with nuclear or nuclear weapons-related activities of Iran.

(3) A potential national strategy and implementation plan supported by a planning and assessment team aimed at cutting across agency boundaries or limitations that affect the ability to draw conclusions, with absolute assurance, about whether Iran is developing a clandestine nuclear weapons program.

(4) The limitations of IAEA actors.

(5) Challenges in the region that may be too large to anticipate under applicable treaties or agreements or the national technical means monitoring regimes alone.

(6) Continuation of sanctions with respect to the Government of Iran and Iranian persons and Iran's proxies for—

(A) ongoing abuses of human rights;

(B) actions in support of the regime of Bashar al-Assad in Syria;

(C) procurement, sale, or transfer of technology, services, or goods that support the development or acquisition of weapons of mass destruction or the means of delivery of those weapons; and

(D) continuing sponsorship of international terrorism.

(c) FORM OF REPORT.—The joint assessment report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) PRESIDENTIAL CERTIFICATION.—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify to Congress that the President has reviewed the report, including the recommendations contained therein, and has taken available actions to address existing gaps within the monitoring and verification framework, including identified potential funding needs to address necessary requirements.

SA 4656. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—VETERANS MATTERS

TITLE LXIV—VETERANS CHOICE PROGRAM

SEC. 6401. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

''§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELIGIBLE PROVIDERS.—

''(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

''(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

''(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(C) Any health care provider of the Department of Defense.

''(D) Any health care provider of the Indian Health Service.

''(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

''(F) Any health care provider of a health system established to serve Alaska Natives.

''(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

''(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

''(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

''(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(5) TIERED NETWORK.—

''(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

''(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

''(6) ALASKA NATIVE DEFINED.—In this subsection, the term 'Alaska Native' means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(d) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(e) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

''(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

''(g) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

''(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(j) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(k) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) ANNUAL REPORT.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

''(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

''(m) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

''(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking ''section 101'' and inserting ''section 1703A of title 38, United States Code''.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act , the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as ''PC3'').

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 6411(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal

health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 6402. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note) is amended by striking ''to be comprised of'' and all that follows and inserting ''to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities''.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term ''Veterans Choice Program'' means—

(1) the program under section 1703A of title 38, United States Code, as added by section 6401(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 6401(b).

SEC. 6403. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 6401(a)(1), is further amended by inserting after section 1703A the following new section:

''§ 1703B. Veterans Choice Program: payment of health care providers

''(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the 'Prompt Payment Act') and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

''(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

''(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

''(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

''(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

''(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

''(i) a notification that the claim is a non-clean claim;

''(ii) an explanation of why the claim has been determined to be a non-clean claim; and

''(iii) an identification of the information or documentation that is required to make the claim a clean claim.

''(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

''(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

''(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

''(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

''(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

''(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

''(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

''(e) DEFINITIONS.—In this section:

''(1) The term 'clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

''(2) The term 'non-clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

''(3) The term 'Veterans Choice Program' means—

''(A) the program under section 1703A of this title; and

''(B) the programs, contracts, and agreements of the Department described in section 6401(b) of the National Defense Authorization Act for Fiscal Year 2017.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 6401(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

''1703B. Veterans Choice Program: payment of health care providers.''.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term ''electronic protected health information'' has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term ''secure development requirements'' means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 6404. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the follow new subsection:

''(e) The authority of the Secretary under this section terminates on December 31, 2017.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking ''under clause (1), (2), or (5) of section 1703(a) of this title'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking ''and section 1703 of this title'' and inserting ''and the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(bb) by striking ''in section 1703 of this title'' and inserting ''under the Veterans Choice Program''.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking ''(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)'' and inserting ''(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)''.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking ''in accordance with section 1703'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking ''under section 1703 of title 38'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)''; and

(II) by striking ''such section'' and inserting ''such program''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

TITLE LXV—HEALTH CARE ADMINISTRATIVE MATTERS

Subtitle A—Care From Non-Department Providers

SEC. 6411. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 6403(a)(1), is further amended by inserting after section 1703B the following new section:

''§ 1703C. Veterans Care Agreements

''(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a 'Veterans Care Agreement'.

''(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

''(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

''(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services

described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

''(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

''(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

''(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

''(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

''(4) A health care provider that is—

''(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

''(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(5) A provider that is located in—

''(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

''(B) a county that is not in a metropolitan statistical area.

''(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

''(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

''(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

''(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

''(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

''(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

''(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

''(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

''(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

''(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

''(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

''(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

''(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

''(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

''(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

''(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

''(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

''(B) determines that the eligible provider is—

''(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

''(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

''(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

''(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

''(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

''(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds $1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

''(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

''(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

''(1) to monitor the quality of care and services furnished to veterans under this section; and

''(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

''(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.''.

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 6403(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

''1703C. Veterans Care Agreements.''.

SEC. 6412. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking ''a contract (or agreement under section 1720(c)(1) of this title)'' and inserting ''an agreement''.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking ''contract (or agreement)'' each place it appears and inserting ''agreement''.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

''(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 6413. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

''§ 1725. Reimbursement for emergency treatment and urgent care

''(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

''(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

''(A) to the hospital or other health care provider that furnished the treatment or care; or

''(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

''(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

''(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

''(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

''(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

''(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

''(A) establish the maximum amount payable under subsection (a); and

''(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

''(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

''(i) constitute payment in full for the emergency treatment or urgent care provided; and

''(ii) extinguish any liability on the part of the veteran for that treatment or care.

''(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

''(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

''(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

''(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

''(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

''(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

''(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

''(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

''(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'emergency treatment' means medical care or services furnished, in the judgment of the Secretary—

''(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

''(B) until—

''(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

''(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

''(2) The term 'health-plan contract' includes any of the following:

''(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

''(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

''(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(D) A workers' compensation law or plan described in section 1729(a)(2)(A) of this title.

''(3) The term 'third party' means any of the following:

''(A) A Federal entity.

''(B) A State or political subdivision of a State.

''(C) An employer or an employer's insurance carrier.

''(D) An automobile accident reparations insurance carrier.

''(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

''(4) The term 'urgent care' shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

''1725. Reimbursement for emergency treatment and urgent care.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one

year after the date of the enactment of this Act.

SEC. 6414. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) Veterans Health Administration, Veterans Choice Program.''.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Veterans Health Administration, Veterans Choice Program.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 6415. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(c) ANNUAL TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

''(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.''.

SEC. 6416. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

Subtitle B—Other Health Care Administrative Matters

SEC. 6421. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

''§ 1725A. Reimbursement of certain entities for emergency medical transportation

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

''(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

''(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

''(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

''(d) DEFINITIONS.—In this section, the terms 'emergency treatment' and 'health-plan contract' have the meanings given those terms in section 1725(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

''1725A. Reimbursement for emergency medical transportation.''.

SEC. 6422. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

''§ 1705A. Management of health care: information regarding health-plan contracts

''(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

''(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

''(A) The name of the entity providing coverage under the health-plan contract.

''(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

''(C) The identification number for the health-plan contract.

''(D) The group code for the health-plan contract.

''(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

''(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

''(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term 'health-plan contract' has the meaning given that term in section 1725(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

''1705A. Management of health care: information regarding health-plan contracts.''.

SEC. 6423. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking ''(a) The hours'' and inserting ''(a)(1) Except as provided in paragraph (2), the hours''; and

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

''(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.''.

TITLE LXVI—FAMILY CAREGIVERS

SEC. 6431. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

''(B) for assistance provided under this subsection—

''(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 6432(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

''(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

''(I) on or before May 7, 1975; or

''(II) on or after September 11, 2001; or

''(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and''.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or''.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(VI) through the use of contracts with, or the provision of grants to, public or private entities—

''(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

''(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.''.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

''(I) The assessment by the family caregiver of the needs and limitations of the veteran.

''(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

''(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.''.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

''(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.''.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting ''(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)'' after ''evaluate''.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

''(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

''(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

''(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.''.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking ''independent'';

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

''(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.''.

SEC. 6432. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 6431(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term ''Program'' means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 6431 of this Act.

SEC. 6433. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1720G note) is amended by inserting '', including a description of any barriers to accessing and receiving care and services under such programs'' before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.''.

SEC. 6434. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the ''Committee'').

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 6435. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 6431(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

TITLE LXVII—FACILITY CONSTRUCTION AND LEASES

Subtitle A—Medical Facility Construction and Leases

SEC. 6441. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $161,700,000.

SEC. 6442. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

SEC. 6443. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account $1,915,600,000 for the projects authorized in section 6441.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account $190,954,000 for the leases authorized in section 6442.

(c) LIMITATION.—The projects authorized in section 6431 may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subtitle B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 6451. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

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

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

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

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

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

(B) Education.

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

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

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

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

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

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

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

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

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

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

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

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

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

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

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

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

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

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later

than 45 days before entering into or renewing the lease or land-sharing agreement.

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

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

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

(3) INSPECTOR GENERAL REPORT.—

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

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

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

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

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

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 6451 of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 6451 of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

TITLE LXVIII—OTHER VETERANS MATTERS

SEC. 6461. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

TITLE LXIX—OTHER MATTERS

SEC. 6471. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4657. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

AMENDMENT NO. 4657

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

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE'S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration shall not promulgate a special rule that requires an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People's Republic of China that is inconsistent with United States policy, overlaps with preexisting air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4658. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4336 submitted by Mr. BROWN and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 2 and all that follows through page 20, line 6, and insert the following:

Subtitle J—Veterans Matters

PART I—VETERANS CHOICE PROGRAM

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

''§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care

or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELIGIBLE PROVIDERS.—

''(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

''(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

''(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(C) Any health care provider of the Department of Defense.

''(D) Any health care provider of the Indian Health Service.

''(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

''(F) Any health care provider of a health system established to serve Alaska Natives.

''(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

''(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

''(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

''(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(5) TIERED NETWORK.—

''(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

''(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

''(6) ALASKA NATIVE DEFINED.—In this subsection, the term 'Alaska Native' means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(d) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(e) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

''(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable

charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

''(g) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

''(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(j) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(k) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) ANNUAL REPORT.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

''(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

''(m) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

''(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking ''section 101'' and inserting ''section 1703A of title 38, United States Code''.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act , the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as ''PC3'').

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 1097D(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 1097A. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note) is amended by striking ''to be comprised of'' and all that follows and inserting ''to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities''.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term ''Veterans Choice Program'' means—

(1) the program under section 1703A of title 38, United States Code, as added by section 1097(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 1097(b).

SEC. 1097B. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097(a)(1), is further amended by inserting after section 1703A the following new section:

''§ 1703B. Veterans Choice Program: payment of health care providers

''(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the 'Prompt Payment Act') and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

''(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

''(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

''(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

''(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

''(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

''(i) a notification that the claim is a non-clean claim;

''(ii) an explanation of why the claim has been determined to be a non-clean claim; and

''(iii) an identification of the information or documentation that is required to make the claim a clean claim.

''(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

''(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

''(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

''(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

''(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

''(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

''(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

''(e) DEFINITIONS.—In this section:

''(1) The term 'clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

''(2) The term 'non-clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

''(3) The term 'Veterans Choice Program' means—

''(A) the program under section 1703A of this title; and

''(B) the programs, contracts, and agreements of the Department described in section 1097(b) of the National Defense Authorization Act for Fiscal Year 2017.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

''1703B. Veterans Choice Program: payment of health care providers.''.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term ''electronic protected health information'' has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term ''secure development requirements'' means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 1097C. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the follow new subsection:

''(e) The authority of the Secretary under this section terminates on December 31, 2017.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking ''under clause (1), (2), or (5) of section 1703(a) of this title'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking ''and section 1703 of this title'' and inserting ''and the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(bb) by striking ''in section 1703 of this title'' and inserting ''under the Veterans Choice Program''.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking ''(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)'' and inserting ''(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)''.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking ''in accordance with section 1703'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking ''under section 1703 of title 38'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)''; and

(II) by striking ''such section'' and inserting ''such program''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

PART II—HEALTH CARE ADMINISTRATIVE MATTERS

Subpart A—Care From Non-Department Providers

SEC. 1097D. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097B(a)(1), is further amended by inserting after section 1703B the following new section:

''§ 1703C. Veterans Care Agreements

''(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts

or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a 'Veterans Care Agreement'.

''(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

''(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

''(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

''(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

''(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

''(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

''(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

''(4) A health care provider that is—

''(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

''(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(5) A provider that is located in—

''(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

''(B) a county that is not in a metropolitan statistical area.

''(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

''(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

''(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

''(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

''(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

''(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

''(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

''(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

''(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

''(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

''(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

''(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

''(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

''(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

''(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

''(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

''(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

''(B) determines that the eligible provider is—

''(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

''(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

''(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

''(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

''(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

''(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds $1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

''(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

''(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

''(1) to monitor the quality of care and services furnished to veterans under this section; and

''(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

''(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.''.

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than

one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097B(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

''1703C. Veterans Care Agreements.''.

SEC. 1097E. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking ''a contract (or agreement under section 1720(c)(1) of this title)'' and inserting ''an agreement''.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking ''contract (or agreement)'' each place it appears and inserting ''agreement''.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

''(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 1097F. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

''§ 1725. Reimbursement for emergency treatment and urgent care

''(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

''(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

''(A) to the hospital or other health care provider that furnished the treatment or care; or

''(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

''(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

''(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

''(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

''(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

''(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

''(A) establish the maximum amount payable under subsection (a); and

''(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

''(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

''(i) constitute payment in full for the emergency treatment or urgent care provided; and

''(ii) extinguish any liability on the part of the veteran for that treatment or care.

''(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

''(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

''(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

''(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

''(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

''(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

''(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

''(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

''(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'emergency treatment' means medical care or services furnished, in the judgment of the Secretary—

''(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

''(B) until—

''(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

''(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

''(2) The term 'health-plan contract' includes any of the following:

''(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

''(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

''(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(D) A workers' compensation law or plan described in section 1729(a)(2)(A) of this title.

''(3) The term 'third party' means any of the following:

''(A) A Federal entity.

''(B) A State or political subdivision of a State.

''(C) An employer or an employer's insurance carrier.

''(D) An automobile accident reparations insurance carrier.

''(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

''(4) The term 'urgent care' shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

''1725. Reimbursement for emergency treatment and urgent care.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in

the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 1097G. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) Veterans Health Administration, Veterans Choice Program.''.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Veterans Health Administration, Veterans Choice Program.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 1097H. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(c) ANNUAL TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

''(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.''.

SEC. 1097I. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

Subpart B—Other Health Care Administrative Matters

SEC. 1097J. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

''§ 1725A. Reimbursement of certain entities for emergency medical transportation

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

''(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

''(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

''(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

''(d) DEFINITIONS.—In this section, the terms 'emergency treatment' and 'health-plan contract' have the meanings given those terms in section 1725(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

''1725A. Reimbursement for emergency medical transportation.''.

SEC. 1097K. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

''§ 1705A. Management of health care: information regarding health-plan contracts

''(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

''(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

''(A) The name of the entity providing coverage under the health-plan contract.

''(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

''(C) The identification number for the health-plan contract.

''(D) The group code for the health-plan contract.

''(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

''(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

''(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term 'health-plan contract' has the meaning given that term in section 1725(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

''1705A. Management of health care: information regarding health-plan contracts.''.

SEC. 1097L. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking ''(a) The hours'' and inserting ''(a)(1) Except as provided in paragraph (2), the hours''; and

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

''(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.''.

PART III—FAMILY CAREGIVERS

SEC. 1097M. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

''(B) for assistance provided under this subsection—

''(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 1097N(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

''(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

''(I) on or before May 7, 1975; or

''(II) on or after September 11, 2001; or

''(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and''.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or''.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(VI) through the use of contracts with, or the provision of grants to, public or private entities—

''(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

''(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.''.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

''(I) The assessment by the family caregiver of the needs and limitations of the veteran.

''(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

''(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.''.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

''(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.''.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting ''(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)'' after ''evaluate''.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

''(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

''(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

''(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.''.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking ''independent'';

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

''(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.''.

SEC. 1097N. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term ''Program'' means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 1097M of this Act.

SEC. 1097O. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1720G note) is amended by inserting '',

including a description of any barriers to accessing and receiving care and services under such programs'' before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.''.

SEC. 1097P. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the ''Committee'').

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 1097Q. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

PART IV—FACILITY CONSTRUCTION AND LEASES

Subpart A—Medical Facility Construction and Leases

SEC. 1097R. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $161,700,000.

SEC. 1097S. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

SEC. 1097T. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account $1,915,600,000 for the projects authorized in section 1097R.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account $190,954,000 for the leases authorized in section 1097S.

(c) LIMITATION.—The projects authorized in section 1097R may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subpart B—Leases at Department of Veterans Affairs West Los Angeles Campus

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

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

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

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

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

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

(B) Education.

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

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

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

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

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

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

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

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

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

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

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

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

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

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

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

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

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

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

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

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

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

(3) INSPECTOR GENERAL REPORT.—

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

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

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

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

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

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 1097U of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 1097U of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

PART V—OTHER VETERANS MATTERS

SEC. 1097V. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

PART VI—OTHER MATTERS

SEC. 1097W. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4659. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. REPORTING REQUIREMENTS REGARDING OIL WELL AND PETROCHEMICAL MANUFACTURING PLANT SAFETY.

(a) REPORTING OIL AND GAS PRODUCTION SAFETY INFORMATION.—Each issuer that is required to file reports pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o) and that is an operator, or that has a subsidiary that is an operator, of an oil well or petrochemical manufacturing plant shall include, in each periodic report filed with the Securities and Exchange Commission under the securities laws on or after the date of enactment of this Act, the following information for the time period covered by such report:

(1) For each oil well or petrochemical manufacturing plant of which the issuer or a subsidiary of the issuer is an operator—

(A) the total number of serious violations of mandatory health or safety standards at an oil well or petrochemical manufacturing plant safety, including health hazards under section 9 of the Occupational Safety and Health Act of 1970;

(B) the total number of citations issued including serious, willful and repeated violations under section 5 of the Occupational Safety and Health Act of 1970;

(C) the total dollar value of proposed penalties under the Occupational Safety and Health Act of 1970; and

(D) the total number of oil well or petrochemical manufacturing plant related fatalities.

(2) A list of oil wells or petrochemical manufacturing plants of which the issuer or a subsidiary of the issuer is an operator, that receive written notice from the Occupational Safety and Health Administration of willful, serious and repeated violations of mandatory health or safety standards at an oil well or petrochemical manufacturing plant health, including safety hazards under section 9 of the Occupational Safety and Health Act of 1970.

(3) Any pending legal action before the Occupational Safety and Health Review Commission involving such oil well or a petrochemical manufacturing plant.

(b) REPORTING SHUTDOWNS AND PATTERNS OF VIOLATIONS.—Beginning on and after the date of enactment of this Act, each issuer that is an operator, or that has a subsidiary that is an operator, of an oil well or petrochemical manufacturing plant shall file a

current report with the Securities and Exchange Commission on Form 8-K (or any successor form) disclosing the following regarding each oil well or a petrochemical manufacturing plant of which the issuer or subsidiary is an operator:

(1) The receipt of a citation issued under section 5 of the Occupational Safety and Health Act of 1970.

(2) The receipt of a citation from the Occupational Safety and Health Administration that the oil well or petrochemical manufacturing plant has—

(A) willfully or repeatedly violated mandatory health or safety standards at an oil well or petrochemical manufacturing plant health or safety hazards under such Act; or

(B) the potential to have such a pattern.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any obligation of a person to make a disclosure under any other applicable law in effect before, on, or after the date of enactment of this Act.

(d) COMMISSION AUTHORITY.—

(1) ENFORCEMENT.—A violation by any person of this section, or any rule or regulation of the Commission issued under this section, shall be treated for all purposes in the same manner as a violation of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or the rules and regulations issued thereunder, consistent with the provisions of this section, and any such person shall be subject to the same penalties, and to the same extent, as for a violation of such Act or the rules or regulations issued thereunder.

(2) RULES AND REGULATIONS.—The Securities and Exchange Commission is authorized to issue such rules or regulations as are necessary or appropriate for the protection of investors and to carry out the purposes of this section.

(e) DEFINITIONS.—In this section—

(1) the terms ''issuer'' and ''securities laws'' have the meaning given the terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c);

(2) the term ''operator of an oil well'' shall refer to the North American Industry Classification System code 213111; and

(3) the term ''petrochemical manufacturing plant shall refer to any entity assigned North American Industry Classification System code 213112, 324, or 32511.

(f) EFFECTIVE DATE.—This section shall take effect on the day that is 30 days after the date of enactment of this Act.

SA 4660. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1277. SENSE OF CONGRESS ON THE CONFLICT IN YEMEN.

It is the sense of Congress that—

(1) all sides to the current conflict in Yemen should—

(A) abide by international obligations to protect civilians;

(B) facilitate the delivery of humanitarian relief throughout the country; and

(C) respect negotiated cease-fires and work toward a lasting political settlement;

(2) United States-supported Saudi military operations in Yemen should—

(A) take all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law; and

(B) increase prioritization of targeting of designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant; and

(3) the Houthi-Saleh forces engaged in the conflict in Yemen should—

(A) cease indiscriminate shelling of areas inhabited by civilians; and

(B) allow free access by humanitarian relief organizations seeking to deliver aid to civilian populations under siege.

SA 4661. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1216. SENSE OF SENATE ON THE CRITICAL IMPORTANCE OF THE ADVICE OF MILITARY COMMANDERS TO ENSURE FORCE LEVELS IN AFGHANISTAN AFTER 2016 ARE CONDITIONS-BASED.

(a) FINDING.—The Senate makes the following findings:

(1) The United States vowed to hold those responsible for the September 11, 2001, terrorist attacks accountable, and seeks to ensure that terrorists never again use Afghan soil to plot an attack on another country.

(2) Following the terrorist attacks of September 11, 2001, the United States decisively expelled the Taliban from control of Afghanistan and sought to promote a multilateral agenda to support the stabilization and reconstruction of Afghanistan by rebuilding its institutions and economy.

(3) The United States and Afghanistan signed a Bilateral Security Agreement (BSA) on September 30, 2014, that provides for an enduring commitment between the Government of the United States and the Government of Afghanistan to enhance the ability of the Government of Afghanistan to deter internal and external threats against its sovereignty.

(4) The United States and its coalition partners remain in Afghanistan at the invitation of the National Unity Government.

(5) Continued political and economic progress in Afghanistan is contingent upon the security of the country and the safety of its people.

(6) Since the beginning of 2016, senior military commanders, including the current Commander of Resolute Support and United States Forces-Afghanistan, General John W. Nicholson Jr. and the current Commander of United States Central Command, General Joseph L. Votel, the senior military commanders closest to the fight, have testified that the security situation in Afghanistan is deteriorating, and that they support a withdrawal of United States forces from Afghanistan only when conditions warrant.

(7) In the first three months of 2016, the United Nations reported that Afghanistan documented 600 civilian deaths and 1,343 wounded, with almost one-third of the casualties being children.

(8) The Islamic State of Iraq and the Levant (ISIL) has metastasized beyond the borders of Iraq and Syria, announcing its formation on January 10, 2015, in Afghanistan where it has carried out bombings, small arms attacks, and kidnappings against civilians and security forces in a number of provinces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the future trajectory of security and stability in Afghanistan relies significantly upon the continued support of the United States and coalition partners;

(2) adjustments to United States and coalition force levels in Afghanistan should be conditions-based and made with all due consideration to the assessment and advice of military commanders on the ground;

(3) decisions on United States and coalition force levels in Afghanistan should take into account the capabilities required to preserve and promote the hard-fought gains achieved over the last 15 years;

(4) any decisions with regard to changes in United States force levels in Afghanistan should be determined in a timely manner and communicated to allies and partners to afford adequate planning and force generation lead times;

(5) the United States should continue its efforts to train and advise the Afghan National Defense and Security Forces (ANDSF) in warfighting functions so that they are capable of defending their country and ensuring that Afghanistan never again becomes a terrorist safe-haven for groups like the Taliban, al Qaeda, and the Islamic State of Iraq and the Levant (ISIL);

(6) the United States should continue, in partnership with the Afghan National Defense and Security Forces and conducting counterterrorism operations to address threats to the national security interests of the United States and the security of Afghanistan;

(7) the decision of the President in October 2015 to continue the missions of training, advising, and assisting the Afghan National Defense and Security Forces and conducting counterterrorism operations while maintaining the associated United States force level of 9,800 troops in Afghanistan was in the national security interests of the United States; and

(8) Congress should support the President if the President decides to adjust current plans based on conditions on the ground by continuing robust missions to train, advise, and assist the Afghan National Defense and Security Forces and conduct counterterrorism operations and maintain the necessary level of United States forces in Afghanistan.

SA 4662. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 597. MILITARY APPRENTICESHIP PROGRAMS.

(a) PROMOTION REQUIRED.—The Secretary of Defense, in consultation with the Secretary of Labor, shall promote the enhancement and implementation of military apprenticeship programs that provide an opportunity for members of the Armed Forces to improve their job skills and obtain certificates of completion for such apprenticeship

programs while such members are on active duty. The Secretary of Defense also shall promote connections between military training, education, and transition activities and registered apprenticeship programs in order to improve employment outcomes for veterans and help ready-to-hire employers connect to this skilled workforce.

(b) VOLUNTARY GOALS.—In carrying out subsection (a), the Secretary of Defense shall establish voluntary goals for each Armed Force relating to the following:

(1) The number of members participating in activities relating to military apprenticeships prior to separation from active duty.

(2) The establishment of partnerships with apprenticeship programs, including registered apprenticeship programs, through the United Services Military Apprenticeship Program, Skill Bridge programs, the Transition Assistance Program, tuition assistance programs, and other appropriate mechanisms.

(3) The number of veterans entering apprenticeship programs, including registered apprenticeship programs, upon separation from active duty.

(c) BIENNIAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of the Congress on a biennial basis a report describing the activities undertaken pursuant to this section, including the progress in achieving the voluntary goals established under subsection (b).

SA 4663. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. MCCAIN and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 2 and all that follows through page 20, line 6, and insert the following:

Subtitle J—Veterans Matters

PART I—VETERANS CHOICE PROGRAM

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

"§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELIGIBLE PROVIDERS.—

''(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

''(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

''(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(C) Any health care provider of the Department of Defense.

''(D) Any health care provider of the Indian Health Service.

''(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

''(F) Any health care provider of a health system established to serve Alaska Natives.

''(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

''(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

''(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

''(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(5) TIERED NETWORK.—

''(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

''(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

''(6) ALASKA NATIVE DEFINED.—In this subsection, the term 'Alaska Native' means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(d) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the

Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(e) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

''(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

''(g) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

''(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(j) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(k) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) ANNUAL REPORT.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

''(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

''(m) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

''(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking ''section 101'' and inserting ''section 1703A of title 38, United States Code''.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act , the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as ''PC3'').

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 1097D(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 1097A. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note) is amended by striking ''to be comprised of'' and all that follows and inserting ''to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities''.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term ''Veterans Choice Program'' means—

(1) the program under section 1703A of title 38, United States Code, as added by section 1097(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 1097(b).

SEC. 1097B. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097(a)(1), is further amended by inserting after section 1703A the following new section:

''§ 1703B. Veterans Choice Program: payment of health care providers

''(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the 'Prompt Payment Act') and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

''(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

''(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

''(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

''(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

''(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

''(i) a notification that the claim is a non-clean claim;

''(ii) an explanation of why the claim has been determined to be a non-clean claim; and

''(iii) an identification of the information or documentation that is required to make the claim a clean claim.

''(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

''(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

''(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

''(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

''(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

''(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

''(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

''(e) DEFINITIONS.—In this section:

''(1) The term 'clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

''(2) The term 'non-clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

''(3) The term 'Veterans Choice Program' means—

''(A) the program under section 1703A of this title; and

''(B) the programs, contracts, and agreements of the Department described in section 1097(b) of the National Defense Authorization Act for Fiscal Year 2017.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

''1703B. Veterans Choice Program: payment of health care providers.''.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term ''electronic protected health information'' has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term ''secure development requirements'' means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time

that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 1097C. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the follow new subsection:

''(e) The authority of the Secretary under this section terminates on December 31, 2017.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking ''under clause (1), (2), or (5) of section 1703(a) of this title'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking ''and section 1703 of this title'' and inserting ''and the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(bb) by striking ''in section 1703 of this title'' and inserting ''under the Veterans Choice Program''.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking ''(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)'' and inserting ''(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)''.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking ''in accordance with section 1703'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking ''under section 1703 of title 38'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)''; and

(II) by striking ''such section'' and inserting ''such program''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

PART II—HEALTH CARE ADMINISTRATIVE MATTERS

Subpart A—Care From Non-Department Providers

SEC. 1097D. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097B(a)(1), is further amended by inserting after section 1703B the following new section:

''§ 1703C. Veterans Care Agreements

''(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a 'Veterans Care Agreement'.

''(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

''(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

''(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

''(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

''(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

''(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

''(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

''(4) A health care provider that is—

''(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

''(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(5) A provider that is located in—

''(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

''(B) a county that is not in a metropolitan statistical area.

''(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

''(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

''(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

''(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

''(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

''(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

''(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

''(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

''(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

''(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

''(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

''(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

''(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

''(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

''(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

''(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

''(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

''(B) determines that the eligible provider is—

''(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

''(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

''(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

''(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

''(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

''(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds $1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

''(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

''(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

''(1) to monitor the quality of care and services furnished to veterans under this section; and

''(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

''(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.''.

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097B(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

''1703C. Veterans Care Agreements.''.

SEC. 1097E. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking ''a contract (or agreement under section 1720(c)(1) of this title)'' and inserting ''an agreement''.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking ''contract (or agreement)'' each place it appears and inserting ''agreement''.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

''(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 1097F. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

''§ 1725. Reimbursement for emergency treatment and urgent care

''(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

''(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

''(A) to the hospital or other health care provider that furnished the treatment or care; or

''(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

''(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

''(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

''(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

''(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

''(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

''(A) establish the maximum amount payable under subsection (a); and

''(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

''(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

''(i) constitute payment in full for the emergency treatment or urgent care provided; and

''(ii) extinguish any liability on the part of the veteran for that treatment or care.

''(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

''(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

''(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

''(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

''(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

''(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

''(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

''(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

''(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'emergency treatment' means medical care or services furnished, in the judgment of the Secretary—

''(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

''(B) until—

''(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

''(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

''(2) The term 'health-plan contract' includes any of the following:

''(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

''(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

''(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(D) A workers' compensation law or plan described in section 1729(a)(2)(A) of this title.

''(3) The term 'third party' means any of the following:

''(A) A Federal entity.

''(B) A State or political subdivision of a State.

''(C) An employer or an employer's insurance carrier.

''(D) An automobile accident reparations insurance carrier.

''(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

''(4) The term 'urgent care' shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

''1725. Reimbursement for emergency treatment and urgent care.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 1097G. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) Veterans Health Administration, Veterans Choice Program.''.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Veterans Health Administration, Veterans Choice Program.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 1097H. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(c) ANNUAL TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

''(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.''.

SEC. 1097I. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

Subpart B—Other Health Care Administrative Matters

SEC. 1097J. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

''§ 1725A. Reimbursement of certain entities for emergency medical transportation

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

''(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

''(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

''(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

''(d) DEFINITIONS.—In this section, the terms 'emergency treatment' and 'health-plan contract' have the meanings given those terms in section 1725(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

''1725A. Reimbursement for emergency medical transportation.''.

SEC. 1097K. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

''§ 1705A. Management of health care: information regarding health-plan contracts

''(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

''(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

''(A) The name of the entity providing coverage under the health-plan contract.

''(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

''(C) The identification number for the health-plan contract.

''(D) The group code for the health-plan contract.

''(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

''(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

''(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term 'health-plan contract' has the meaning given that term in section 1725(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

''1705A. Management of health care: information regarding health-plan contracts.''.

SEC. 1097L. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking ''(a) The hours'' and inserting ''(a)(1) Except as provided in paragraph (2), the hours''; and

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

''(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.''.

PART III—FAMILY CAREGIVERS

SEC. 1097M. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

''(B) for assistance provided under this subsection—

''(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 1097N(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

''(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

''(I) on or before May 7, 1975; or

''(II) on or after September 11, 2001; or

''(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and''.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or''.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(VI) through the use of contracts with, or the provision of grants to, public or private entities—

''(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

''(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.''.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

''(I) The assessment by the family caregiver of the needs and limitations of the veteran.

''(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

''(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.''.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

''(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.''.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting ''(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)'' after ''evaluate''.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

''(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

''(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

''(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.''.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking ''independent'';

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

''(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.''.

SEC. 1097N. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection

(a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term ''Program'' means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 1097M of this Act.

SEC. 1097O. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1720G note) is amended by inserting '', including a description of any barriers to accessing and receiving care and services under such programs'' before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.''.

SEC. 1097P. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the ''Committee'').

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 1097Q. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

PART IV—FACILITY CONSTRUCTION AND LEASES

Subpart A—Medical Facility Construction and Leases

SEC. 1097R. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $161,700,000.

SEC. 1097S. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

SEC. 1097T. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account $1,915,600,000 for the projects authorized in section 1097R.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account $190,954,000 for the leases authorized in section 1097S.

(c) LIMITATION.—The projects authorized in section 1097R may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subpart B—Leases at Department of Veterans Affairs West Los Angeles Campus

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

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

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

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

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

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

(B) Education.

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

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

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

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

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

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

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

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

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

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

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

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

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

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

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

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

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

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

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

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

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

(3) INSPECTOR GENERAL REPORT.—

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

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

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

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

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

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 1097U of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 1097U of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

PART V—OTHER VETERANS MATTERS

SEC. 1097V. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

PART VI—OTHER MATTERS

SEC. 1097W. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request,

shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4664. Ms. KLOBUCHAR (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. PILOT PROGRAM ESTABLISHING A PATIENT SELF-SCHEDULING APPOINTMENT SYSTEM FOR THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PILOT PROGRAM.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a pilot program under which veterans use an Internet website to schedule and confirm appointments for health care at medical facilities of the Department of Veterans Affairs.

(b) SELECTION OF LOCATIONS.—The Secretary shall select not fewer than three Veterans Integrated Services Networks in which to carry out the pilot program under subsection (a).

(c) CONTRACTS.—

(1) AUTHORITY.—The Secretary shall seek to enter into a contract with one or more contractors that are able to meet the criteria under paragraph (3) to provide the scheduling and confirmation capability described in subsection (a).

(2) NOTICE OF COMPETITION.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals for the contract described in paragraph (1).

(B) OPEN REQUEST.—The request for proposals issued under subparagraph (A) shall be full and open to any contractor that is able to meet the criteria under paragraph (3).

(3) SELECTION OF VENDORS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall enter into a contract with one or more contractors that have an existing commercially available online patient self-scheduling capability that—

(A) allows patients to self-schedule, confirm, and modify outpatient and specialty care appointments in real time through an Internet website;

(B) makes available, in real time, any appointments that were previously filled but later canceled by other patients; and

(C) allows patients to use the online scheduling capability 24 hours per day, seven days per week.

(4) INTEGRATION WITH EXISTING INFRASTRUCTURE.—The Secretary shall ensure that a contractor awarded a contract under this section is able to integrate the online scheduling capability of the contractor with the Veterans Health Information Systems and Technology Architecture of the Department.

(d) DURATION OF PILOT PROGRAM.—

(1) IN GENERAL.—Except as provided by paragraph (2), the Secretary shall carry out the pilot program under subsection (a) during the 18-month period beginning on the commencement of the pilot program.

(2) EXTENSION.—The Secretary may extend the duration of the pilot program under subsection (a), and may expand the selection of Veterans Integrated Services Networks under subsection (b), if the Secretary determines that the pilot program is reducing the wait times of veterans seeking health care from the Department and ensuring that more available appointment times are filled.

(e) REPORT.—Not later than one year after commencing the pilot program under subsection (a), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the outcomes of the pilot program, including—

(1) whether the pilot program demonstrated—

(A) improvements to the ability of veterans to schedule appointments for the receipt of health care from the Department; and

(B) a reduction in wait times for such appointments; and

(2) such recommendations for expanding the pilot program to additional Veterans Integrated Services Networks as the Secretary considers appropriate.

(f) USE OF AMOUNTS OTHERWISE APPROPRIATED.—No additional amounts are authorized to be appropriated to carry out the pilot program under subsection (a) and such pilot program shall be carried out using amounts otherwise made available to the Secretary of Veterans Affairs for the medical support and compliance account of the Veterans Health Administration.

SA 4665. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT.

(a) SHORT TITLE.—This section may be cited as the ''Constitutional Concealed Carry Reciprocity Act of 2016''.

(b) RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

''§ 926D. Reciprocity for the carrying of certain concealed firearms

''(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

''(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

''(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

''(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

''(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Reciprocity for the carrying of certain concealed firearms.''.

(3) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by

this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SA 4666. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, Mrs. BOXER, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1097. ELIGIBILITY OF CERTAIN INDIVIDUALS FOR INTERMENT IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(10) Any individual—

''(A) who—

''(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and

''(ii) at the time of the individual's death resided in the United States; or

''(B) who—

''(i) the Secretary determines served honorably with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 4667. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4509 submitted by Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1037. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) SUBMISSION OF CERTIFICATION.—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the application of sanctions that are not related to national security space launch activities.

SA 4668. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4647 submitted by Mr. SHELBY and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1037. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) SUBMISSION OF CERTIFICATION.—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the application of sanctions that are not related to national security space launch activities.

SA 4669. Mr. SASSE (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 591 and insert the following:

SEC. 591. MODIFICATION OF THE MILITARY SELECTIVE SERVICE ACT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that there are important legal, political, and social questions about who should be required to register for military selective service and how the Military Selective Service Act benefits the national security of the United States of America.

(b) SUNSET OF MILITARY SELECTIVE SERVICE ACT.—The Military Selective Service Act (50 U.S.C. 3801 et seq.) is amended by adding at the end the following new section:

''SEC. 23. This Act and the requirements of this Act shall cease to be in effect on the date that is three years after the date of the enactment of this National Defense Authorization Act for Fiscal Year 2017.''.

(c) TRANSFERS IN CONNECTION WITH SUNSET.—

(1) PROHIBITION ON REESTABLISHMENT OF OSSR.—Notwithstanding the proviso in section 10(a)(4) of the Military Selective Service Act (50 U.S.C. 3809(a)(4)), the Office of Selective Service Records shall not be reestablished after the sunset of the Military Selective Service Act pursuant to section 23 of that Act (as added by subsection (b)).

(2) TRANSFER OF ASSETS AND RESOURCES.—Not later than 180 days after the sunset of Military Selective Service Act as described in paragraph (1), the assets, contracts, property, and records held by the Selective Service System, and the expended balances of any appropriations available to the Selective Service System, shall be transferred to the Administration of General Services.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to the public on an Internet website of the Department of Defense available to the public, a report on the current and future need for compulsory military selective service. The report shall recommend and justify one of the courses of action as follows:

(1) Maintain the current selective service system.

(2) Expand the pool of individuals subject to selective service.

(3) Repeal the Military Selective Service Act and move to an all volunteer force.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 9, 2016, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Implications of the Supreme Court Stay of the Clean Power Plan.''

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

COMMITTEE ON THE JUDICIARY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 9, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on June 9, 2016, at 2 p.m., in room SR–301 of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. GARDNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 9, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that Frederick L. Dressler, a national security fellow in the office of Senator AYOTTE be granted the privilege of the floor during consideration of S. 2943, the National Defense Authorization Act.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Philip Hines, a detailee on my staff, be granted floor privileges through the end of the 114th Congress.

I also ask unanimous consent that Janet Temko-Blinder, another detailee on my staff, be granted floor privileges through the end of the 114th Congress.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that my military fellow, Dave Deptula, be granted floor privileges for the remainder of this session of Congress.

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

COMMEMORATING THE 100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS PROGRAM OF THE ARMY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 487, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 487) commemorating the 100th anniversary of the Reserve Officers' Training Corps program of the Army.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 487) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR FRIDAY, JUNE 10, 2016

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 8:15 a.m., Friday, June 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that the filing deadline for second-degree amendments to S. 2943 be at 8:45 a.m. tomorrow; finally, that notwithstanding the provisions of rule XXII, the cloture vote with respect to S. 2943 occur at 9 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 8:15 A.M. TOMORROW

Mr. GARDNER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:14 p.m., adjourned until Friday, June 10, 2016, at 8:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES INVESTOR PROTECTION CORPORATION

BONNIE A. BARSAMIAN DUNN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2017, VICE ORLAN JOHNSON, RESIGNED.

FEDERAL MARITIME COMMISSION

MICHAEL A. KHOURI, OF KENTUCKY, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2021. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. TERRENCE J. O'SHAUGHNESSY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RON J. ARELLANO
DANE E. BERENSEN
STEPHEN W. BISHOP
GREGORY S. CARDWELL
GEOFFREY D. CHRISTMAS
THOMAS W. DOBKINS
ANTHONY J. EVERHART
MATTHEW T. GRIFFIN
CHARLES H. HALL
JOSEPH B. HARRISON II
SUZANNE T. HUBNER
STEPHEN M. KANTZ
TIMOTHY E. LOWERY
ALAN C. MENGWASSER
JOSIE L. MOORE
GARY M. OLIVI
RUSSELL G. SCHUHART II
BRIAN L. SCHULZ
KENNETH G. SMITH
ROBERT J. SPROAT
PATRICK A. STAUB
FREDERICK B. STEVES
YONNETTE D. THOMAS
PATRICK A. THOMPSON
JOSHUA J. VERGOW
WILLIAM M. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KATIE M. ABDALLAH
DANIEL W. BERGER
THOMAS E. CHILDERS, JR.
FREDERICK L. CRAWFORD
DARIN D. DEBOW
JAY F. ELSON
PAUL F. FARRELL, JR.
MATTHEW R. FOMBY
TRISHA N. FRANCIS
RANDAL E. FULLER
WILBUR L. HALL II
ANDREW R. LUCAS
JAMES D. MCCARTNEY
NANCY MOULIS
TONY R. NICHOLS
MATTHEW P. OHARA
JAMES A. PAPPAS
ALBERTO O. PEREZ
PHILLIP C. PETERSEN
MERZON J. QUIAZON
GARY L. RAYMOND
STEPHANIE A. SMITH
MICHAEL L. SOUTH II
THOMAS E. STEWART
RYAN C. TASHMA
VICTOR T. TAYLOR, JR.
YOLANDA M. TRIPP
NATHAN J. WINTERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MATTHEW J. ACANFORA
DAVID J. AMBROSE
DAVID J. BERGESEN
MICHAEL A. BETHER
JAMES F. BRENNAN
DONALD L. BRYANT, JR.
JASON K. CUMMINGS
DAVID B. DAMATO
ROBERT J. DIRGA
GARY R. DONLEY, JR.
BRIAN B. DURAND
DONALD C. FERGUSSON
KATIE A. HAMILTON
COREY M. JACOBS
DAVID P. KAWESIMUKOOZA
ANDREW E. MAROCCO
EDWARD A. MCLELLAN III
ROMAN C. MILLS
KENNETH B. MYRICK
JASON S. NAKATA

CHRISTOPHER A. NIGON
DANIEL R. RAHN
CAROLINE E. ROCHFORT
ANDREW M. SCHIMENTI
MELINDA K. SCHRYVER
TEDDY G. TAN
ALEXANDER J. TERESHKO
MICHAEL S. TIEFEL
JASON C. TURSE
DENNIS A. WISCHMEIER
JOSEPH A. ZERBY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KENNETH O. ALLISON, JR.
JAMES L. BELL
IVAN R. BORJA
CURTIS BROWN
TERRELL A. BURNETT
ZEVERICK L. BUTTS
KYLE A. CALDWELL
BRIAN N. CARROLL
JAMES M. CATTEAU
FREDIRICK R. CONNER
ROBERT J. DAFOE
AARON C. ERICKSON
KEITH B. FOSTER
HENRY FUENTES
CLEMENTE V. GATTANO
DANA S. GIBSON
RUSSELL J. GOFF, JR.
KIRBY A. HALLAS
RICHARD C. HIRN
CHAD A. HOLLINGER
JAMES J. HORNEF
STEPHEN E. KASHUBA
TERRY L. KERR
RICHARD B. KILLIAN
RUSSELL A. LAWRENCE
THOMAS L. LOOP
WAYNE E. MARK
JACK E. MORRIS
TODD D. NELSON
TODD M. OAKES
ERIC C. OLSEN
CHRISTOPHER S. PALMERONE
JAMES S. PIRGER
BRIAN PONCE
MARK A. PUTTKAMMER
RANDY R. REID
STEVEN R. REYNOLDS
MATTHEW T. RIGGINS
PAUL V. ROCK
SHAWN T. RUMBLEY
MICHAEL K. SIMS
DONOVAN B. WORTHAM
FELIX O. WYATT
TIMOTHY L. YEICH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BENJAMIN P. ABBOTT
THOMAS P. ABBOTT
RAUL T. ACEVEDO
PATRICK T. ACKER
JEFFREY M. ADAMS
JOSEPH R. ADAMS
DOMINICK ALBANO
WILLIAM H. ALBERT
CAMERON M. ALJILANI
DAWN C. ALLEN
DOUGLAS W. ALLEY
REX T. AMAN
ERNEST L. ANDERSON, JR.
ERIC L. ASTLE
DAVID W. AYOTTE, JR.
JOHN P. BAGGETT
TRAVIS A. BAGWELL
KYLE J. BAKER
JOHN P. BALBI
JUSTIN D. BANZ
ROBERT I. BARKER
WESLEY A. BARNES
BRETT E. BATEMAN
BRIAN J. BAUMGAERTNER
ADAM T. BEAN
ANDREW N. BEHLKE
ERIC J. BELL
BRIAN D. BERNARDIN
RICHARD BETANCOURT
BRIAN A. BETHEA
JEFFREY D. BETZ
CHAD M. BIBLER
RAYMOND G. BIEZE III
ROBERT C. BIGGS
JAY D. BIJEAU
CHARLES G. BIRCHFIELD
DAVID A. BIZZARRI
JEREMIAH BLANCO
WILLIAM C. BLODGETT, JR.
JASON R. BOLES
BRIAN M. BOURGEOIS
DANIEL A. BOUTROS
DANIEL J. BOYER
KARL BRANDL
DAVID P. BRENNAN
BRIAN C. BROADWATER
AARON D. BROWN
DARRELL W. BROWN II
PATRICK S. BROWN
JEFFREY S. BRUNER
DWIGHT A. BRUNGARD
CHRISTOPHER L. BRYAN
WILLIAM A. BUELL
MICHAEL P. BUKOLT, JR.
DAVID L. BURKETT
JOSEPH L. CALDWELL
LENNARD D. CANNON
JEREMY L. CARLSON
GUILLERMO I. CARRILLO
CHRISTOPHER J. CARROLL
RYAN R. CARSTENS
KRISTOPHER A. CARTER
LARRION D. CASSIDY
PHILLIP J. CASTANEDA
LOUIS F. CATALINA IV
DUSTIN D. CHAPIN
SCOTT A. CHARNIK
DOUGLAS S. CHASE
STEPHEN D. CHIVERS
CHARLES A. CHMIELAK
BENNETT M. CHRISTMAN
JEFFREY J. CLARK
CHRISTOPHER J. CLAY
DONALD J. CLEMONS
PAUL K. COCKER
DAVID S. COHICK
JOHN C. COLEMAN
DANIEL M. COLON
JAMES P. CONKLIN
CRAIG H. CONNOR
SEAN R. COOK
KENNETH T. COOKE
DAVID J. CORDOVA
CLINTON A. CORNELL
JEFFREY B. CORNES
DONALD H. COSTELLO III
MATTHEW B. COX
CARL R. CRINGLE
TIKO S. CROFOOT
DEVERE J. CROOKS
RAYMOND B. CROSBY
NORMAN B. CRUZ
DIANE S. CUA
BRIAN A. CUMMINGS
CHRISTOPHER R. CUMMINS
THOMAS E. CUNNINGHAM III
MICHAEL J. CURCIO
DONALD J. CURRAN III
ADDISON G. DANIEL
SCOTT A. DARRAN
DAVID J. DARTEZ
THOMAS R. DAVIS
DANIEL J. DECICCO
ALLEN P. DECKERS
ROY D. DECOSTER
JAMIE L. DELCORE
CHARLES B. DENNISON
ANDREW J. DESANY
STEVEN L. DOBESH
JEREMY B. DOUGHTY
JAMES R. DOWNES
DAVID R. DRAKE II
STEPHEN C. DUBA, JR.
KEVIN C. DUCHARME
AUSTIN W. DUFF
WILLIAM M. DULL
RYAN T. EASTERDAY
CHRISTOPHER S. EDWARDS
THOMAS J. EISENSTATT
ROBERT K. ELIZONDO
MATTHEW T. ERDNER
JEREMY R. EWING
MICHAEL J. FABRIZIO
JEFFREY C. FASSBENDER
DAVID W. FASSEL
SCOTT P. FENTRESS
WILLIAM J. FIACK
CHRIS T. FISHER
JEFFREY W. FISHER
CHRISTINE L. FIX
MICHELLE R. FONTENOT
MICHAEL D. FORTENBERRY
WILLIAM P. FRANK
NICHOLAS J. FRAZIER
JOSEPH S. FREDERICK
TERRENCE E. FROST
JAMES L. FUEMMELER
NEIL R. GABRIEL
MARK P. GANDER
DAVID M. GARDNER
ROBERT J. GARIS
ANTHONY M. GARNER
PATRICK M. GEGG
WAYNE S. GEHMAN
DARREN D. GERHARDT
MICHAEL R. GERHART
DONANN M. GILMORE
ALAPAKI F. GOMES III
LUIS A. GONZALEZ
LETWA L. GOODEN
JOHN J. GORMAN
ROSE A. GOSCINSKI
ERIC R. GOULD
JAMES D. GRANT
MATTHEW F. GRAY
MATTHEW T. GRIFFIN
JARROD B. GROVES
JONATHAN J. HAASE
JAKE L. HAFF IV
ETHAN D. HAINES
ROBERT D. HALE
RICHARD D. HALEY
JUSTIN T. HALLIGAN
NICHOLAS S. HAMPTON
BRYAN M. HANEY
JAMES C. HANLON
RONALD V. HATT
JONATHAN T. HAYES
PETER W. HAYNES
TORY T. HEGRENES
ADAM N. HEIL
AARON L. HELGERSON
MICHAEL C. HELTZEL
JAMES M. HENRY
SAMUEL W. HERBST
THOMAS A. HERROLD
KEITH R. HEYEN
JOHN A. HILBURN
WADE B. HILDERBRAND
TIFFANY F. HILL
KENNETH B. HOCKYCKO
RODERICK L. HODGES
JAMES H. HOEY
JONATHAN A. HOPKINS
MATTHEW R. HOPKINS
BRYAN M. HOPPER
BRADLEY A. HOYT
GREGORY J. HRACHO
JAKE M. HUBER
BARRY E. HUDSPETH
AMBER L. HUNTER
ERIC D. HUTTER
BRENT S. JACKSON
DONTE L. JACKSON
LOREN M. JACOBI
BRIAN A. JAMISON
DALLAS R. JAMISON II
BRENT H. JAQUITH
KYLE B. JASON
GARY E. JENKINS, JR.
DEBORAH A. JIMENEZ
JOHN D. JOHN
HARLAN M. JOHNSON
JED R. JOHNSON
BOBBY R. JONES
JOSHUA L. JONES
KIMBERLY E. JONES
STERLING S. JORDAN
CHAD S. KAISER
JOHN R. KAJMOWICZ
COLIN J. KANE
TERRI D. KANSY
RYAN R. KENDALL
JALAL F. KHAN
SEAN S. KIDO
DONALD B. KING
NOLAN S. KING
JUDDSON M. KIRK
HAMISH P. KIRKLAND
ERIC M. KIRLIN
DANIEL E. KITTS
KRISTOPHER D. KLAIBER
JEDEDIAH A. KLOPPEL
GREGORY C. KNUTSON
BRIAN R. KOLL
MATTHEW R. KOOP
ANDREW B. KOY
MATTHEW B. KRAUZ
ADAM J. KRUPPA
MARK D. KURTZ
KELLY J. LADD
IAN P. LAMBERT
MATTHEW J. LAMBERT
KENNETH J. LANDRY
DAVID F. LANE
ROBERT D. LANE
ZACHARY W. LAPOINTE
HECTOR C. LAUS
RICHARD I. LAWLOR
STEVEN C. LAWRENCE
BRETT C. LEFEVER
THEODORE J. LEMERANDE
JONATHAN E. LENTZ
LEONARD M. LEOS
JOSHUA R. LEWIS
JOSEPH V. LIBASCI
IAN J. LILYQUIST
ROBERT R. LITTMAN
CRAIG E. LITTY
MICHAEL E. LOFGREN
JARED F. LOLLER
DUSTIN T. LONERO
BRADLEY D. LONG
BRIAN J. LOUSTAUNAU
DAMON B. LOVELESS
SCOTT M. LOWE
KEITH A. LOWENSTEIN
ERIC S. LOWRY
BRIAN S. LUEBBERT
MATTHEW P. LUFF
THOMAS D. LUNA
NATHAN D. LUTHER
MATTHEW J. MAHER
CASEY M. MAHON
SUZANNE L. MAINOR
WILLIAM F. MAJOR, JR.
NICHOLAS C. MALOKOFSKY
SCOTT P. MALONEY
LEBO R. MANCUSO
CHARLES G. MANN
ROBIN N. MARLING
KEVIN M. MARSH
IRA E. MARSHALL
JAMES L. MARTELLO
WILLIAM F. MARTIN
DANIEL M. MARTINS
DAVID B. MATSUMOTO
JAMES P. MAY
KEVIN L. MCCARTY
BARRY D. MCCULLOCH
JESSE A. MCFADDEN
TIMOTHY J. MCKAY
MATTHEW A. MCKENNA
MATHEW J. MCKERRING

PAUL J. MCKERRY
MICHAEL V. MCLAINE
PETER T. MCMORROW
KEVIN R. MCNATT
RUSSELL P. MEIER
SEAN W. MERRITT
CHRISTOPHER G. METZ
RYAN E. MEWETT
PAUL C. MEYER
ERIC E. MEYERS
ANTHONY J. MILITELLO
ROBERT D. MIMS
PETER C. MITALAS
JOSEPH B. MITZEN
SCOTT A. MOAK
MARK R. MONAHAN
NATHAN K. MOORE
PATRICK D. MORLEY
SAMUEL P. MORRISON
STEPHEN P. MORRISSEY
MICHAEL K. MOSI
JAMES J. MOTT
MATTHEW T. MULCAHEY
DANIEL M. MURPHY II
NATHAN A. MURRAY
MATTHEW D. MYERS
JOHN C. NADDER
THOMAS C. NEILL, JR.
MICHAEL R. NEILSON
JOHN W. NELSON
PETER H. NELSON
TERRY A. NEMEC
GREGORY S. NERY
CHRISTIAN R. NESSET
SEAN M. NEWBY
BENJAMIN P. NEWHART
CHANDRA S. NEWMAN
STEPHEN P. NIEMANN
MATTHEW J. NIESWAND
JASON M. NOYES
BRYANT A. NUNN
DANIEL B. OAKEY
DANIEL K. OHARA
DOUGLAS W. OLDHAM
TRISTAN V. OLIVERIA
MICHAEL T. OREILLY
PATRICK K. OREILLY, JR.
RYAN P. OVERHOLTZER
WARREN R. OVERTON
AUDRY T. OXLEY
RICARDO V. PADILLA
MICHELLE D. PAGE
MICHAEL A. PAISANT
ASHLEY L. PANKOP
LARRY J. PARKER
MICHAEL M. PATTERSON
SAMUEL D. PELLEY
CHRISTOPHER P. PENN
TODD B. PENROD
ANTHONY R. PEREZ
JOHN D. PERKINS
MATTHEW N. PERSIANI
ANDREW L. PETERS
JOHN C. PETERSON, JR.
MATTHEW P. PETERSON
DUSTIN W. PEVERILL
MICHAEL E. PIANO
MATTHEW L. PICINICH
BRADLEY S. PIKULA
MICHAEL R. POE
JANICE A. POLLARD
BENJAMIN C. POLLOCK
MICHAEL J. POPLAWSKI
DANIEL R. POST
DOUGLAS PRATT
COLIN A. PRICE
TREVOR J. PROUTY
JONATHAN P. PUGLIA
STEVEN C. PUSKAS
TRAVIS A. PYLE
PRESTON M. RACKAUSKAS
ANDREA M. RAGUSA
THOMAS G. RALSTON
KYLE C. READ
MICHAEL P. REDEL
DANIEL A. REIHER
PAUL B. RENWICK
THOMAS D. RICHARDSON
RYAN K. ROGERS
CHRISTIAN R. RONDESTVEDT
MICHAEL G. ROOT
JERREMY T. RORICK
JACOB M. ROSE
MICHAEL B. ROSS
PAUL L. ROULEAU
CHRISTOPHER S. ROWAN
ANDREW T. ROY
JASON P. RUSSO
SCOTT M. RYAN
SCOTT W. SABAU
NICHOLAS M. SACHON
PATRICK A. SALMON
BRIAN S. SAUERHAGE
NICHOLAS P. SAUNDERS
BRIAN J. SCHNEIDER
MYCEL D. SCOTT
DAVID T. SECHRIST
JARED SEVERSON
KEVIN L. SHACKELFORD
WILLIAM A. SHAFER
MATTHEW R. SHELLOCK
BRIAN P. SHERRIFF
ALEXANDER L. SIMMONS
BRANDON L. SIMPSON
LADONNA M. SIMPSON
JARED M. SIMSIC
ERIC J. SKALSKI
STEPHEN R. SKODA
JASON D. SLABAUGH
RICHARD A. SMITH
WADE K. SMITH
HORST D. SOLLFRANK, JR.
JAMES J. SORDI, JR.
JOSEPH M. SPINKS
STEPHEN D. STEACY
JAMES W. STEFFEN
SETH A. STEGMAIER
DOUGLAS G. STEIL
MICHAEL R. STEPHEN
JEFFREY J. STGEORGE
ANDREW D. STILES
JON P. SUNDERLAND
CHRISTOPHER D. SUTHERLAND
LUKE J. SWAIN
GREGG W. SWEENEY
MATTHEW J. SWEENEY
NICHOLAS J. SYLVESTER
PHILLIP SYLVIA
JARED A. THARP
ADAM J. THOMAS
COLIN J. THOMPSON
SHANNON M. THOMPSON
AHREN O. THORNTON
DAVID M. TIGRETT
SCOTT K. TIMMESTER
JASON E. TIPPETT
BRIAN W. TOLLEFSON
MICHAEL P. TRUMBULL
JAMES M. UDALL
CHAD K. UPRIGHT
ALLYN G. UTTECHT
TODD W. VALASCO
SANTICO J. VALENZUELA
JONATHAN J. VANECKO
WILLIAM D. VANN
NATHANIEL R. VELCIO
RYAN G. VEST
STEVEN E. VITRELLA
STEVEN J. WAGNER
BENJAMIN D. WALBORN
JOHN I. WALDEN III
ADAM J. WALKER
DANIEL E. WALKER
JEFFERY A. WALKER
BRADFORD D. WALLACE
DONALD J. WALLACE
DAVID M. WALSTON
JUSTIN A. WARD
JERROD E. WASHBURN
BRIAN P. WATT
MICHELLE D. WEISSINGER
GORDEN S. WELLS
JASON D. WELLS
NATHAN S. WEMETT
KRISTOFER J. WESTPHAL
DANNY F. WESTPHALL, JR.
STEPHEN J. WEYDERT
BRADLEY R. WHITTINGTON
JOHN C. WIEDMANN III
STEPHEN A. WIEGEL
ANDREW R. WIESE
KATHRYN S. WIJNALDUM
SCOTT T. WILBUR
JOHN R. WILKINSON
CHRISTOPHER S. WILLIAMS
JACOB J. WILLIAMS
JASON R. WILLIAMS
JAMES P. WILLIAMSON
RICHARD M. WINSTEAD
CHRISTOPHER T. WINTERS
NICHOLAS E. WISSEL
JASON M. WITT
MICHAEL K. WITT
GABRIEL D. YANCEY
STEPHEN V. YENIAS
KATHLEEN J. YOUNGBERG
RICHARD J. ZAMBERLAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PETER BISSONNETTE
ROBERT P. CARR
KRISTINA M. CHENERY
SHANNON M. FITZPATRICK
KIMBERETTA Y. GREEN
MARK B. LESKOFF
LAURA L. MCDONALD
TERESA S. MITCHELL
SHALETHA R. MORAN
JEFFREY L. MORIN
DAVID E. PAVLIK
ERIC L. POND
CINDY T. ROSE
CHRISTOPHER J. SCHLOBOHM
JOHN M. TIMOTHY
ZAVEAN V. WARE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MYLENE R. ARVIZO
BOBBY A. BASSHAM
CARL K. BODIN
MARK F. BOSEMAN
JEREMY J. BRAUD
DAVID T. BURGGRAFF
SCOTT R. DELWICHE
COLIN J. DUNLOP
DURWARD B. DUNN
JOSHUA M. FIELDS
JOHN M. GALLEBISHOP
JONATHAN W. GANDY
RICHARD C. GARGANO
JASON A. HICKLE
CHARLES Y. HIRSCH
ANTHONY C. HOLMES
JOHN D. JUDD
BIRUTE I. JURJONAS
JOSEPH E. KRAMER
MATTHEW J. MALINOWSKI
ARMANDO MARRONFERNANDEZ
JEROME S. MCCONNON
DAVID A. MCGLONE
JOSEPH D. MEIER
CHRISTOPHER MENDOZA
MATTHEW R. ONEAL
JONATHAN E. PAGE
UPENDRA RAMDAT
JOHN A. RAMSEY
SARAH B. RICE
BRIAN D. SNEED
WILLIAM J. SUMSION
JACK A. TAPPE
CHAD N. TIDD
ERROL A. WATSON, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DAVID R. DONOHUE
MICHAEL B. EVANS
PETER J. FIRENZE
DUANE C. FRIST
REGAN G. HANSON
DOUGLAS D. HOOL
MILO J. KACIAK
STEPHEN E. KRUM
MICHAEL G. NEWTON
DANIEL J. RADOCAJ
KIMBERLY J. RIGGLE
ADAM SCHANTZ
TIMOTHY F. TUSCHINSKI
RICHARD M. ULLOA
JASON D. WEAVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RANDY J. BERTI
STEVEN J. BRYANT
REECO D. CERESOLA
THOMAS M. CLEMENTSON
STEPHEN C. KEHRT
JEFFREY A. LAKE
JOHN D. LESEMANN, JR.
DONOVAN A. MAXWELL
JOSE A. RIEFKOHL
TIMOTHY S. RYAN
JULIA M. TROBAUGH
MICHAEL WINDOM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JODIE K. CORNELL
JENNIFER L. CRAGG
CHARLES J. DREY
JOHN E. FAGE
REANN S. MOMMSEN
SEAN B. ROBERTSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PATRICIA H. AJOY
JENNIFER N. BARNES
LISA C. BERG
DANIEL G. BETANCOURT
JAIMILYN D. DAVIS
PATRICK C. DRAIN
ANGELA M. EDWARDS
JAMES H. FURMAN
JOSE R. GOMEZ
NAM H. HAN
MICHELE N. LOWE
JOSEPH P. MANION
ERIK RANGEL
ANNE D. RESTREPO
KEVIN A. SELF
WADE C. THAMES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIN M. CESCHINI
SARAH L. FOLLETT
KIMBERLY M. FREITAS
PATRICK J. HAVEL
RUSSELL G. INGERSOLL
DAVID R. LEWIS
DAVID R. MARINO
SCOTT E. MILLER
MATTHEW PAWLENKO
HEATHER H. QUILENDERINO
MATHIAS K. ROTH
JONATHAN A. SAVAGE
KEITH B. THOMPSON

GIANCARLO WAGHELSTEIN

WITHDRAWALS

Executive Message transmitted by the President to the Senate on June 9, 2016 withdrawing from further Senate consideration the following nominations:

CASSANDRA Q. BUTTS, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS, WHICH WAS SENT TO THE SENATE ON FEBRUARY 5, 2015.

NAVY NOMINATION OF REAR ADM. (LH) DAVID F. STEINDL, TO BE REAR ADMIRAL, WHICH WAS SENT TO THE SENATE ON JULY 15, 2015.

EXTENSIONS OF REMARKS

KEN KUEHNL

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to recognize Kenneth Kuehnl, the retiring Wisconsin state adjutant of the Disabled American Veterans (DAV). He is retiring after serving as department adjutant and chief operating officer for the past 11 years.

Ken began his service in 2005 and served as department commander from 1996–1997. He has been a member of Kenosha Chapter 20 of DAV for 34 years. Ken is a Vietnam War veteran whose service started in April of 1971.

Mr. Speaker, Ken has served his fellow veterans for decades with dignity. He is a strong advocate for his cause, and he works tirelessly on behalf of those who served before, alongside, and after him. Ken put his heart and soul into his work to serve his brothers and sisters in arms. I want to personally wish Ken and his wife Lynn all the best, both now and in the future.

HELPING HOSPITALS IMPROVE PATIENT CARE ACT OF 2016

SPEECH OF

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. McDERMOTT. Mr. Speaker, I would like to acknowledge the staff who helped make the Helping Hospitals Improve Patient Care Act possible.

First, I would like to thank the Democratic staff: Amy Hall, Sarah Levin, Melanie Egorin, Daniel Foster, JC Cannon, and Daniel Jackson. And on the Republican side: Emily Murry, Lisa Grabert, Nick Uehlecke, and Taylor Trott.

I would also like to thank the staff at CMS: Ira Burney, Anne Scott, Lisa Yen.

And the staff at the House Office of Legislative Counsel: Ed Grossman—Ed has been there for as long as I have been here, so any bill that gets out of here without Ed looking at it is a pretty rare bill—and Jessica Shapiro, who was instrumental in drafting this legislation and for years has taken a leading role in drafting countless other Medicare bills in the House.

Finally, I would like to thank the staff of the Congressional Budget Office who worked on this bill: Tom Bradley, Lori Housman, Kevin McNellis, and Jamease Kowalczyk.

We appreciate their hard work.

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

SPEECH OF

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in support of this resolution, which urges the German government to ensure that Holocaust victims live with dignity, comfort, and security in their remaining years. Today there are approximately 500,000 Holocaust survivors living around the world. Within the next decade, it is estimated at least 50 percent of them will pass away. The 300 welfare agencies serving Holocaust victims worldwide desperately need support to help the most isolated, disabled, and vulnerable survivors receive critical services.

A Holocaust survivor in South Florida, who is 95 and a widower, sadly illustrates this need. He survived a Hungarian forced labor battalion and two concentration camps, Mauthausen and Günskirchen. He now requires assistance with everyday activities including bathing, dressing, and meal preparation. He receives a total of 32 hours a week of home care funded by the Claims Conference and the U.S. government. He has unmet needs of 50 hours per week and would greatly benefit from increased funding from the German Government.

I urge support for this critical resolution to allow Holocaust survivors to live their remaining years with dignity.

CELEBRATING ERIKA VOYZEY AS A THREE-TIME HIGH SCHOOL TRACK & FIELD STATE CHAMPION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Erika Voyzey, an exceptional high school track & field athlete from Tyrone, Pennsylvania.

Erika has been a track and field athlete to watch since 2013, when she competed in the PIAA state championship as a freshman. She managed to finish 11th, jumping 5′2″, but this was only the beginning of her illustrious career.

The next year, she returned to the PIAA state championship as a sophomore and secured her first state championship with a jump of 5′7″. And the next year, she returned as a junior to beat her personal best and become the first female athlete from Tyrone to win two state championships, with a jump of 5′8″.

Well Mr. Speaker, I am proud to say that Erika raised the bar yet again, this year taking first place as a senior, and achieving an outstanding 5′10″ jump earlier in the season. With this milestone, she tied the PIAA record that has been held since 1979 and became the only three-time PIAA state champion in Tyrone Area High School's history.

Perhaps Erika's most impressive aspect, though, is that she never neglected her education in pursuit of her passion. This past week, Erika graduated from Tyrone Area High School where she was the salutatorian. Starting this year, Erika will attend the University of Miami, where she will be a student athlete. Erika will double major in Aerospace Engineering and Mechanical Engineering, as well as competing on the track team.

Today I am honored to recognize Erika Voyzey's tremendous achievements, and I look forward to her future accomplishments. I have no doubt that she will continue doing what she has always done—raise the bar and clear new heights, both athletically and academically.

SALT FORK GIRLS TRACK TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding success of the Salt Fork Girls Track Team.

The Salt Fork Storm posted 52 points to give the school its first ever Class 1A girls track state title on Saturday, May 21. Leading the way were Jenny Kimbro, Abby Nicholson, and Katie Witte. Kimbro won the long jump, the 100-meter hurdles and the 300-meter hurdles, and finished third in the 200-meter dash, Nicholson took fourth in the shot put and sixth in the discus, while Witte took fifth in the discus. Their efforts were enough to bring the title home to Salt Fork.

I would like to congratulate girls athletic director Jason Baccadutre and head coach Gail Biggerstaff, who worked hard to help Salt Fork achieve this victory.

Kimbro will move on this fall to the University of Iowa, where she will continue her hurdling career, while Nicholson will go on to shot put for Eastern Illinois University. I wish them success as they continue their track and field careers.

And I look forward to the continued success of the Salt Fork girls track team, and I extend my best wishes for another outstanding season next year.

RECOGNIZING THE LEADERSHIP OF MIKE GRAYUM TO THE NORTHWEST INDIAN FISHERIES COMMISSION AND THE PUGET SOUND REGION

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. KILMER. Mr. Speaker, I rise today to recognize Mike Grayum, who will retire this year after 11 years as the Executive Director of the Northwest Indian Fisheries Commission (NWIFC) in Washington State. Mike is one of NWIFC's original employees and has served in various positions with the Commission since 1976.

NWIFC is stronger, more unified, and better positioned to serve its member Tribes because of Mike's service and leadership. Born out of the Boldt Decision over 40 years ago, NWIFC has been a critical voice in natural resource policy at the local, state, and federal levels. Mike has played an integral role in developing that voice and crafting policies to support NWIFC's mission and help navigate often-challenging issues.

In addition to assisting member Tribes in their resource management practices, Mike partnered with past NWIFC Chair Billy Frank Jr. and Current Chair Lorraine Loomis in educating elected officials, government agency staff, and the public at-large on Tribal Treaty Rights, including producing the vital document Treaty Rights at Risk. Mike has played an important role in protecting these sacred cultural practices and joined countless Tribal Leaders from around the region in highlighting their importance to past, present, and future generations.

Mr. Speaker, for the past four decades, Mike Grayum has fiercely advocated for policies to protect our environment, restore natural habitat for salmon and other species, and recover Puget Sound. He has undoubtedly served as a mentor to younger staff at NWIFC and member Tribes and has helped grow the next generation of stewards of our environment and protectors of Tribal Treaty Rights. Thankfully, NWIFC is blessed to have Justin Parker continue that tradition and lead these efforts in the future as the next Executive Director.

Mr. Speaker, I am pleased to join Tribal Leaders, environmental advocates, local elected officials, and salmon lovers from throughout the Pacific Northwest in expressing my gratitude today in the United States Congress for Mike Grayum's 40 years of leadership and dedication. As the proud Representative of Washington's 6th Congressional District in the House of Representatives, I offer my best wishes for a happy retirement.

2016 SERVICE ACADEMY APPOINTMENTS FROM THE 27TH CONGRESSIONAL DISTRICT OF TEXAS

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. FARENTHOLD. Mr. Speaker, I would like to congratulate the 2016 Service Academy appointees from the 27th Congressional District of Texas.

The following outstanding young men and women have accepted academy appointments:

Joshua Aaron Agosto, Burkburnett High School, United States Merchant Marine Academy; Lucas Antonio Beltran, Richard King High School, United States Naval Academy; Roberto Esai Cervantes, Calallen High School, New Mexico Military Institute, United States Merchant Marine Academy; Julian Eduardo Flores, St. Stephens's Episcopal School, United States Air Force Academy; Amanda Nicole Madrid, Richard King High School, United States Air Force Academy; Matthew Joseph Moffitt, W.B. Ray High School, United States Military Academy; Austin M Nguyen, W.B. Ray High School, United States Military Academy; Gavin Senterfitt, Richard King High School, New Mexico Military Institute; Alana Stern, Gonzales High School, United States Naval Academy Preparatory School, Greystone Preparatory School at Schreiner University, United States Naval Academy; Tanner Strawbridge, W.B. Ray High School, United States Naval Academy; Clayton Daley Thompson, Flour Bluff High School, United States Naval Academy Preparatory School.

I ask my colleagues to join me in celebrating these remarkable students achievement. I'm confident they will serve our country well and I pray success will follow them in all their future endeavors.

IN HONOR OF PRIDE MONTH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. FARR. Mr. Speaker, throughout June, LGBT community members and allies across our country will march down Main Street to celebrate the tremendous progress we have made towards equality. I rise today to honor the many individuals in my district, as well as across the country, who have fought for generations for the right to be treated fairly and with decency. You have led the charge against bigotry, towards equality. We celebrate Pride Month in honor of you.

In the 24 years that I've served in Congress, the understanding and acceptance of the LGBT community has greatly improved. Families across the country have opened their hearts to welcome increasingly diverse neighbors and loved ones. This change can also be felt in the halls of Congress. Just this past month, an amendment to prevent discrimination against Federal employees and contractors on the basis of sexual orientation or gender identity passed the House with bipartisan support, after having been defeated just the week before. Discrimination against the LGBT community is increasingly being recognized for what it is—bigotry—and federal policy is starting the long trek to catch up.

I do not deny that there is still much work to be done. North Carolina's recent move to target transgender children proves that bigotry and hate still must be fought and defeated. We must continue to work towards a Federal prohibition of discrimination based on actual or perceived sexual orientation or gender identity. I am a proud cosponsor of legislation that would do just that, the Equality Act, and remain committed to ensuring Congress enacts laws to fully protect the rights of all Americans, regardless of gender, ethnicity or race.

I am proud to represent communities all along the Central Coast who celebrate our diversity and continue to fight towards the equality that the LGBT community so rightly deserves. Just this past Sunday, Santa Cruz celebrated their Pride Parade, just as they've done for forty-one years. Marchers, musicians, and drummers marched, danced, and waved flags of every color down Pacific Avenue. We are inspired by the beat of their drum to march on towards equality.

BRETAGNE: A K–9 HERO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. POE of Texas. Mr. Speaker, heroes and servants of our country come in all shapes and sizes. Sept. 11, 2001 is one of those days that will live in infamy. The shameful attack of that morning, as President Bush noted in his address, was meant to frighten our nation. But we did not descend into chaos and retreat. September 12 was a day that saw our country united and resolved. A helping hand was extended by individuals and organizations from all across this nation.

We all came together, and in doing so we won the first battle of the war on terror. The men responsible for that attack wanted to shake the foundations of America, but in the wake of the disaster we demonstrated the power of our country, e pluribus unum, in full glory.

An example of that glory manifested can be found in Texas Task Force One, which came over 1600 miles to lend a hand in the search for survivors. One invaluable member of that force was Bretagne (pronounced Britney), a rescue dog of the Cy-Fair Volunteer Fire Department in Cypress, Texas. She helped members of the rescue team search the rubble of the World Trade Center.

It is important that we show tribute to all, even the four-legged soldiers. Sixteen year old Bretagne, a golden retriever from Cypress, Texas, was the last living search and rescue dog who worked at Ground Zero after the 9/11 terrorist attacks. She recently passed away at age 16. She was a beloved member of the team, and we are grateful for her service to this country.

She first became a rescue dog in 2000, at the Cy-Fair Fire Department. Bretagne not only aided the heroes of 9/11, but also located and rescued hundreds of citizens after natural disasters such as Hurricane Katrina in New Orleans. When in Houston, Bretagne visited elementary schools, as a symbol to the children that courage doesn't just have one face.

To the despair of the Cypress community that so loved and adored her, brave little Bretagne's health declined. Her years of loyal service and devotion to the American people began to take a toll, and the veterinarians were given no choice but to put her down.

She was given the hero's salute by the fire department just the other day, as she made her last walk into the office. I too salute you, Bretagne, and all other surviving heroes of 9/11. Our nation deeply thanks all of you.

And that is just the way it is.

GOREVILLE HIGH SCHOOL BASEBALL TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding success of the Goreville High School Baseball Team.

The Goreville Blackcats defeated Dozer Park 17–7 on June 4 to give the school the 2016 Class 1A boys' baseball state title. After finishing second in 2010 and third in 2011, this is the Blackcats' first state title, and it was achieved in record-breaking fashion. Coming to bat trailing 7–3 in the bottom of the fifth inning, Goreville pushed across 14 runs, the most runs in one inning by any team at the state tournament since the IHSA went to its current four-class system. Additionally, Goreville's 17 runs set a new Class 1A record.

I know a great deal of hard work and dedication went into this team victory, and I would like to congratulate boys athletic director Todd Tripp, head coach Shawn Tripp, and assistant coaches Kenton Parmley and Bryan Webb, who worked hard to help Goreville achieve this victory.

Members of the state championship team include: Blaine Dunning, Nolan Vaughn, Jared Vaughn, Logan Verble, Brendon Davis, Caleb Murley, Tyler Pritchett, Brant Glidewell, Braden Webb, Grant Venus, Chance Duringer, Zane Schuetz, Peyton Geyman, Logyn Frassato, Peyton Massey, Connor Johnson, and Brodie Lenon.

I look forward to the continued success of the Goreville baseball team, and I extend my best wishes for another outstanding season next year.

HONORING MR. LYNN MAURICE STINSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr Speaker, I rise today to honor Lynn Maurice Stinson, who is a chairman, leader, and educator.

Lynn Maurice Stinson was born in Grenada, MS in 1947 to Minnie Louise Stinson and Sam Metcalf. He was raised by his maternal grandparents, Willie B. and Susie Stinson. His early education was at Grenada Colored School and Willia Wilson Elementary in Grenada. Stinson graduated from Carrie Dotson High School in Grenada, MS in 1966.

Stinson's desire to continue his education led him to enroll in Coahoma Community College in Clarksdale, MS where he earned an Associate of Arts degree. Stinson then chose to attend Jackson State University in Jackson, MS where he earned a Bachelor's of Science degree in Education. Stinson returned back to his home area and began his career in education at Stone Street Elementary in Greenwood, MS. His first position was teaching the integrated study of the Social Sciences and humanities to promote civic competence to 7th and 8th grade students. Stinson's passion was to help each student reach their full potential. He always reminded his students to dream big and work even harder.

A few years later, Stinson transferred to Threadgill Elementary, also in Greenwood, MS where he taught Social Studies. He later transferred to Greenwood Middle School and eventually retired in 2003 with 30 years of service. Stinson has been a strong supporter of education and those committed to working in the field of education. He is a past president of the Mississippi Association of Educators (MAE) in Greenwood, MS. Stinson also used his skills to help adults in his hometown, Grenada, by teaching GED night classes for several years.

In Stinson's early years, he was a participant in the Civil Rights Movement as the community worked to secure equal rights for all citizens. The reality of past conditions and his firsthand knowledge of the effort to open doors to African Americans has driven Stinson to continue his service to the community after his retirement.

Stinson presently holds the position of Election Commissioner for the City of Grenada. He has served in this position since 2005 with a top priority of assuring that the election process in Grenada is fair to all, and with the highest level of integrity. Stinson also serves on the Board of Trustees for Holmes Community College where he is the chairperson of the Insurance Committee.

Stinson is a proud member of the 100 Black Men of Grenada, Inc., where he serves as the chairman of the Education Committee. Stinson is involved in supporting youth and young adults as they strive to prepare themselves for their future and the workforce.

Stinson is a dedicated member of Belle Flower Missionary Baptist Church in Grenada, MS, and has served many years on the deacon board. He also serves as chairman of finance for the Grenada Baptist District Association Men's Department.

When he is not volunteering and participating in church activities, he enjoys traveling and playing golf.

He has been married to Queen Brooks Stinson for 43 years. They have one daughter, Monica Stinson, who resides in Brandon, MS.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Lynn M. Stinson, a Chairman, Leader and Educator for his dedication to serving others and giving back to the African American community.

IN HONOR OF THE HOLY MONTH OF RAMADAN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to show support for the Muslim community in Georgia, as well as the Muslim community the world over, as they prepare for the month of Ramadan.

Ramadan is a holy month in the religion of Islam dedicated to spiritual meditation and personal reflection. For 30 days, Muslims will refrain from vulgarity, bad behavior and unfavorable habits, along with abstaining from food and drink from sunrise to sunset.

In the wake of national discrimination and intolerance, the Fourth District has been working to build a community that is welcoming and accepting to Muslims and practitioners of all faiths. Recently, Gwinnett County began an outreach initiative called "Building Bridges" that connects government officials to Muslims and other diverse groups. In DeKalb County, local officials have been visiting mosques and meeting with local Muslim leaders in an effort to build a strong, trusting relationship.

Such efforts to build understanding and good will with members of the Muslim community can be seen throughout the various cities of the Fourth District. In 2015, 125 people came together in Stone Mountain for a rally to welcome new refugees—this at a time when refugees were being rejected and attacked in our public discourse, politics, and media. The city of Clarkston has been called a "safe haven" for refugees for years. The leaders and citizens of Clarkston have done an excellent job of integrating refugees into the community, helping them learn to adjust to American culture, and providing access to housing, education, and job opportunities.

I commend my district for its efforts to be inclusive, welcoming, and hospitable, and I fully support and encourage initiatives that help bridge cultural gaps while ensuring a safe, friendly and nurturing community.

For Muslims, this next month is devoted to charity, loved ones, community, peace and faith—values that are universally respected, particularly in the great state of Georgia.

I join my constituents within the Fourth Congressional District in sending the best of regards to the Muslim community during this significant month, and wishing all Muslims a Ramadan Kareem.

HONORING THE 70TH ANNIVERSARY OF SAN JOAQUIN MEMORIAL HIGH SCHOOL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COSTA. Mr. Speaker, I rise today to celebrate the 70th anniversary of San Joaquin Memorial High School in Fresno, California—a private Catholic high school located in Fresno, California, in the heart of the San Joaquin Valley.

San Joaquin Memorial High School was founded in 1945, as the only Catholic high school in the greater Fresno area that is part of the Roman Catholic Diocese of Fresno. Named after the men and women of the San Joaquin Valley who gave their lives serving our country during World War II, San Joaquin Memorial is the first Diocesan Catholic High School in the Monterey-Fresno Diocese. Since its founding the school has grown from being a small high school, to serving over 600 students today.

Over the last 70 years, many generations of students have walked the halls of San Joaquin Memorial, and have continued on to become leaders throughout the Central Valley, and beyond. San Joaquin Memorial mission has always been dedicated to developing future citizens and leaders. Memorial promotes a standard of excellence that challenges students through a rigorous college preparatory curriculum, and faith based program. These programs are designed to challenge students to

become active, and engaged members of their communities in order to enhance their learning experience.

In addition to being top academic achievers, students also perform hundreds of hours of community service to the greater Fresno community through San Joaquin Memorial's Service Learning program. Service-learning offers students the opportunity to process what they learn in the classroom, and apply it by serving their community in a variety of ways. Each year, students are required to serve at least twenty hours in their communities, through a variety of local charities. Many students choose to volunteer with many community based organizations that serve the neediest of people in the Central Valley, including serving meals at the Poverello House, Community Food Bank, Catholic Charities, and volunteering on Kids Day to raise money for Valley Children's Hospital.

When young men and women graduate from San Joaquin Memorial, they are prepared to enter college, and ninety-nine percent of all Memorial graduates do attend a four year university upon graduation. Memorial works to inspire their students to become compassionate and conscientious leaders, so that they are equipped to serve their communities in a variety of professions.

San Joaquin Memorial is an inclusive community that embraces diversity and challenges each student to reach their full potential. Many outstanding alumni have walked Memorial's halls and now have established themselves in distinguished careers in law, medicine, business, education, government, technology, the military, sports, and other notable fields. As an alumnus of San Joaquin Memorial, it gives me great pleasure to celebrate this momentous occasion with the students, faculty, staff, and fellow alumni of Memorial.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to join me in recognizing San Joaquin Memorial High School of Fresno, as they celebrate its 70th anniversary. I extend my best wishes for the school's continued success in shaping the lives of young students, creating model citizens, and serving our communities throughout the Valley, and our nation.

THE SPIES AMONG US—AND GOVERNMENT ABUSE OF 702 A

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. POE of Texas. Mr. Speaker, almost 3 years have passed since Edward Snowden revealed the extent of surveillance that was occurring on U.S. citizens. Edward Snowden is no patriot. However, the alarming information about the NSA's abuse of power he revealed cannot be ignored.

Until Snowden, most Americans were unaware that their own government was trampling on their Fourth Amendment rights. Most people did not know their every move could be tracked by Big Brother. They trusted that this agency acted purely in the interest of national security to keep us safe. Post 9/11 and with two ongoing wars, many believed that government surveillance—including warrantless searches and seizures—was limited to foreign nationals, not American citizens. That would be consistent with federal law and the Constitution. But unfortunately, this is not always the case.

In recent years, we have learned that the agency has misused and expanded the intent of Section 702 of the Foreign Intelligence Surveillance Act (FISA). NSA uses Section 702 as a means to gather not only data but content and to allow law enforcement to later search this data for information about American citizens without a warrant. Because it gathers and searches content of individual communications, I believe Section 702 is more intrusive than even Section 215 which has garnered significant attention.

FISA permits the collection of such data of a suspected agent of a foreign power, but the federal government is also storing and later searching the content of emails, text messages and phone calls of American citizens —all without a warrant.

In the course of this collection, the data of American citizens, many of which have done nothing wrong or illegal, gets collected. That kind of reverse targeting of American citizens is not what Congress intended, is inconsistent with the Constitution, and it must stop. It's time for Congress to reign in this blatant violation of the Fourth Amendment and stop the warrantless searches of Americans. This issue—protecting the Fourth Amendment—has unified liberals and conservatives. My colleague Congressman LOFGREN and I may not agree on every issue before Congress, but we agree on this 100 percent.

Earlier this year, Congresswoman ZOE LOFGREN (D–CA), Congressman THOMAS MASSIE (R–KY) and I introduced H.R. 2233, the End Warrantless Surveillance of Americans Act. The bill would prohibit warrantless searches of government databases for information that pertains to U.S. citizens. It would also forbid government agencies from mandating or requesting ''back doors'' into commercial products that can be used for surveillance. The legislation mirrors an amendment we offered to the USA Freedom Act when it came up last year.

Failure to address this gaping loophole in FISA leaves the constitutional rights of millions of Americans vulnerable and unprotected. This bill also ensures that the federal government does not force companies to enable its spying activities. The NSA has and will continue to violate the constitutional protections guaranteed to every American unless Congress intervenes. Until we fix this and make the law clear, citizens can never be sure that their private conversations are safe from the eyes of the government. Last year, the House of Representatives overwhelmingly passed similar legislation as an amendment to DOD Appropriations and I unanimously passed one provision of this bill as an amendment to the DOJ appropriations bill. Yet, we have still not seen any action on the standalone bill. Why wouldn't Congress move on an issue that has so much bipartisan support?

We need to push this standalone legislation and also push that 702 be significantly reformed when FISA is reauthorized to ensure that information regarding American citizens can NEVER be searched by law enforcement unless it was collected through a search authorized by a warrant. Technology may change but the Constitution does not.

It is our duty to make this right and ensure that the Fourth Amendment rights of the people we represent will no longer be trampled on by the NSA. The Fourth amendment right against unlawful search and seizure must be protected in both the physical and digital worlds at all times. Thank you for coming today and I look forward to working together to work towards this goal.

And that is just the way it is.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SWALWELL of California. Mr. Speaker, I was unable to be present for votes taken Tuesday, June 7, due to it being primary election day in California. Had I been present, I would have voted as follows:

Roll Call Vote Number 269 (Passage of H. Con. Res. 129): YES

Roll Call Vote Number 270 (Passage of H.R. 4906): YES

Roll Call Vote Number 271 (Passage of H.R. 4904, the Making Electronic Government Accountable By Yielding Tangible Efficiencies (MEGABYTE) Act of 2016): YES

Roll Call Vote Number 272 (Passage of H.R. 1815, the Eastern Nevada Land Implementation Improvement Act): YES

HONORING HIS HOLINESS THE DALAI LAMA

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. POCAN. Mr. Speaker, I rise today to honor His Holiness the Dalai Lama and welcome him to our nation's capital during his upcoming trip. I would like to recognize His Holiness for his outstanding commitments to promoting nonviolence, increasing religious tolerance, and advancing human rights around the world.

For over 50 years, His Holiness has led the effort to preserve the rich and unique cultural, historical, linguistic, and religious heritage of the people of Tibet. He received the Nobel Peace Prize in 1989 and a Congressional Gold Medal in 2007 for his efforts to bring a peaceful resolution to the political situation in Tibet and promote non-violent methods for resolving the conflict.

His advocacy and teachings on religious tolerance, non-violence, and peace are so needed in our current global community. His Holiness' unwavering commitment to preserving and protecting the human rights of marginalized communities around the globe is an example for us all.

Mr. Speaker, it is with great honor that I recognize his Holiness the Dalai Lama today.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 272, I am not recorded.

Had I been present, I would have voted aye.

IN RECOGNITION OF CALDONIA ''PEACHES'' ANDERSON

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Caledonia ''Peaches'' Anderson on a distinguished career with the UAW and for receiving the UAW Local 600 ''Spirit of King Award'' for 2016.

Peaches was born and raised in Detroit, Michigan, graduating from Detroit Central High School in 1964. After her graduation, she was married and had two children. She came from a hard working union family, and in 1969, she chose that path as well and was hired at the Ford Motor Company, where she worked at the Brownstown Plant and became a member of UAW Local 600, a local that she has loved for so many years since then.

In her time with Local 600, Peaches became deeply involved with the local and fighting for the rights of all members in the workplace. She served as an alternate Committeeperson, Chair of the Women's Committee, Unit Recording Secretary, Co-Chair of the Education Department Training Program, and Employee Resource Coordinator. Due to her hard work, she was asked to join the Local 600 staff, and then was asked to join the UAW National Ford Department where she worked as the Joint Programs Coordinator on Special Programs until her retirement in 2008. At that time, she had retired having worked for over 39 amazing years.

If there was a job that needed doing, Peaches was and is there. She is the bedrock of a community that works hard to help others and fights for equality for all. She knows the challenges so many working men and women face; but nothing is an obstacle. For Peaches, it is always ''let's take it on, what do we need to do?'' She is tireless in her commitment to everyone,

After she retired, Peaches continued to serve her brothers and sisters in the UAW now serving as the President of the UAW Local 600 retirees chapter. Peaches has focused her energy on taking care of her mother Ernestine and on being a wonderful mother to her children and a loving wife to her husband Alonzo. She is also deeply involved in the community, she is politically active, and she volunteers faithfully at her church. It is amazing to see all of the things Peaches continues to do and always with a smile on her face. As everyone has come to know about her, she lives by the Peaches Rule which is to ''treat people like she wanted to be treated.'' Peaches is one-of-a-kind, and I am honored to be able to call her a friend.

Mr. Speaker, I ask my colleagues to join me today to honor Caldonia ''Peaches'' Anderson for her many contributions to our community. I thank her for her leadership and friendship, and wish her many years of success and happiness.

HONORING KEITH M. KING

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful and ambitious young man, Mr. Keith M. King. He has shown what can be done through hard work, dedication and a desire to live a productive life.

Keith M. King was born April 20, 1959 in New Orleans, LA. He lived there until age two then moved to Las Vegas, Nevada with his grandparents until he turned seven, then his move was to Chicago, IL with his parents. He lived there for another three years and decided to move to Mississippi because of the violence in Chicago. Mr. King was then ten years old and stayed in Mississippi with his parents until the age of twelve. He then returned back to Las Vegas, Nevada with his grandparents and resided with them for another four years. At the age of sixteen Mr. King moved back to Mississippi with his parents because of racial riots at his school in Las Vegas.

Mr. King was half way through the 10th grade as he continued to live in Mississippi until he graduated from the Jefferson County High School in Fayette, Mississippi. Prior to graduating from high school he joined the Army on the delay entry program on December 16, 1976 and entered the service on August 8, 1977. He completed his basic training in Fort Jackson, SC and completed his advanced individual training in Fort Benning, GA. He was stationed at Scofield Barracks in Honolulu, HI. During Mr. King's tour, he was deployed throughout the Pacific. Some of his tours were: Guam, USA, Korea, The Philippines Islands, Australia, The Big Island of Hawaii, Japan and Samoa.

On August 8, 1980 Mr. King ETS from regular service and joined the Army Reserves in December 1980. His first unit was the 386th Transportation Unit in Natchez, MS. Mr. King was still with this unit when they got activated on August 27, 1990 to go to Saudi Arabia to serve in the Desert Shield/Desert Storm War. They stayed in every state in the United States which included Panama, and overseas on numerous occasions. In 1999 Mr. King transferred to the 412th Eng. Battalion in Vicksburg, MS and in 2000 he was deployed and made his sixth and final deployment to Korea before his military career ended. In 2001 he transferred from the 412th Eng. Battalion to the 296th Trucking Company in Brookhaven, MS. On August 30, 2002 Mr. King retired from the military with over twenty-five years of military service for his country. He retired with the rank of E–7, Sergeant First Class.

Mr. King is married to his lovely wife, Sandra Gamble-King for thirty-one years. They have three children. Their oldest daughter has one daughter, the middle son has a set of twins and their baby boy is only sixteen. They have two godchildren who they love very much.

Mr. King has a total of twenty-three years of law enforcement experience. He started his law enforcement career in Fayette, MS with the Fayette Police Department and at Alcorn State University Police Department both at the same time. Three years later he left the Fayette Police Department and joined the Jefferson County Sheriff's Office. After working with the Sheriffs Office for six years, Mr. King decided to go back to school in 2006 to expand his career and pursue a Criminal Justice Degree, which he obtained in 2010. He graduated with a Bachelor of Arts degree having a GPA of 3.5 and he's still with the Alcorn State University Police Department as a Lieutenant.

Mr. King is on the deacon's board at his church, he sings in the choir, and plays the piano for two different churches. He is an author of inspirational writings. His first published book is entitled ''Crying, Through GOD'S Eyes''. He has completed two more books that have not been published yet and is currently working on another one. He has a weekly column in the Fayette Chronicle, the Glory Journal and the GAD About Magazine in Fayette, MS; along with a column in the Bluff City Post in Natchez, MS.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Keith M. King for his dedication to the U.S. military, the 2nd Congressional District and serving his country and community.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. TURNER. Mr. Speaker, on June 7, 2016, I was unable to vote on roll call votes 269, 270, 271, and 272. Had I been present I would have voted ''yea'' on the motion to suspend the rules and pass H. Con. Res. 129, ''yea'' on the motion to suspend the rules and pass H.R. 4906, ''yea'' on the motion to suspend the rules and pass H.R. 4904, and ''yea'' on the motion to suspend the rules and pass H.R. 1815.

IN HONOR OF JAMES A. BUSSEY, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to congratulate and celebrate his 90th birthday, a dear friend of longstanding to my wife, Vivian and me, Mr. James A. Bussey, Sr. A 90th birthday celebration was held on Saturday, June 4, 2016 at 5:00 pm at the National Infantry Museum and Soldier Center in Columbus, Georgia. David Viscott once said that, ''The purpose of life is to discover your gift. The Work of life is to develop it. The Meaning of life is to give your gift away.'' Mr. James Bussey has given his life away in service to others and we are all better for it.

James Andrew Bussey was born in Harris County, GA in 1926 and attended Spencer High School, where he graduated in 1944. Upon graduation, James was accepted into Morehouse College in Atlanta, GA, where he remained for one year before marrying Ms. Marguerite Lindsey in 1947 and moved to Columbus, GA.

Mr. Bussey is an industrious man who worked two jobs every week to support his

family because he wanted to provide a better life for them. He constantly had to fight the scourge of racism and because of this, he left Columbus in 1957 to move to Washington, DC where he obtained employment at the Washington Hotel. But, the stench of racism was not far behind as Mr. Bussey discovered that his weekly paycheck was $20 less than that of his White counterparts. Left with a heavy heart, Bussey immediately returned to Columbus.

Because of his grit, determination and unwavering faith in God, Mr. Bussey found employment as a mail handler with the United States Postal Service. He took pride in delivering the mail and especially enjoyed the East Highland route, which allowed him to visit his mother and grandmother, frequently. Becoming a Mail Handler allowed Mr. Bussey to connect with his community on a personal level and he was known to sing as he walked with joy along his daily route. In addition, he would support and assist community members with literacy troubles, and would read and respond to mail whenever asked. Mr. Bussey's dedication to his job as a Mail Handler and passion for members of his community granted him the recurring opportunity to drive the postal vehicle in the annual Christmas parade, in Columbus.

Mr. Bussey retired from the United States Postal Service in 1976, and upon his retirement, returned to college with his undying resilience and dedication, where he earned a Bachelor of Arts degree from Columbus College in 1988. Mr. Bussey became a proud member of the Alpha Phi Alpha Fraternity, Inc., and to this day lives by their mission to promote brotherhood and service to all mankind.

Furthermore, Mr. Bussey is a longtime active member of St. James AME Church where he is an officer, a member of the Sons of Allen, and a soloist with the choir. He has volunteered with the Columbus Ambassadors of the Columbus Visitors Bureau and has appeared on stage at the Liberty Theater as an adult performer in musical productions at the Three Arts and River Centers.

Mr. Bussey continues to live a selfless and generous life, serving as a proud Christian, husband, father and friend and has been blessed with four children, James Jr., Janet, Margaret and Michael. I have known Mr. Bussey and the Bussey family for almost 50 years. He is one of the finest human beings that I have ever met in my lifetime. None of the success that he has obtained in life would have been possible without the love and support of his loving wife, Marguerite. He is an example of what Jesus meant when he said, ''He that is great among you shall be a servant and he that is greatest among you shall be a servant unto all.''

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, along with the more than 730,000 constituents of the Second Congressional District in extending our best wishes to James A. Bussey, Sr. on his 90th birthday. As we celebrate another year of this outstanding citizen's life, we would do well to follow the example of his legacy of striving to improve the quality of life of others giving the gift of his extraordinary life away for the betterment of humanity.

HONORING EVE GARCIA

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to recognize Eve Garcia, a woman from my district who saved the life of a six-year-old boy on April 29, 2016. Ms. Garcia stepped out of her home in West Palm Beach, Florida to find the young boy drowning in a neighborhood pond. Without hesitation, she rushed into the water and pulled the struggling boy to safety.

A bystander called 911, while Ms. Garcia continued to hold and comfort the young child. He was rushed to the hospital where he was treated then later released with no residual side effects from the horrific incident.

I would like to acknowledge and thank Ms. Garcia for her quick response and heroic actions. Her selflessness in that moment helped to save a young boy's life and, as his family is ever thankful for her actions, I am also thankful to have such a caring woman in my community.

In honor of Ms. Eve Garcia and her actions, I am pleased to recognize her before the United States House of Representatives.

HONORING KASPRINA MOTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Kasprina Moton.

Ms. Moton is going to pharmacy school at Xavier University, and her plan is to come back to Mississippi to serve the under served and minorities that cannot afford their medical treatments and medications. She has participated in various activities throughout the state of Mississippi. She is a 2006 graduate from Gentry High School in the top 10 percent of her class. She graduated from Jackson State University with a 3.7 GPA with a Bachelor's of Science in Chemistry. She graduated from Ole Miss Medical Center Pharmacy Tech program in the top 5 percent of her class. She won Miss. NOBeChe of Jackson Mississippi and she also won the Leadership scholarship of the Boys and Girls club in Jackson, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Kasprina Moton for her dedication to serving others and giving back to the community.

HONORING THE LIFE OF VIVIAN HICKEY

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. BUSTOS. Mr. Speaker, I rise today to honor the life and legacy of Vivian Hickey, who passed away on April 28, 2016 at the age of 100. She will be greatly missed by the Rockford community after influencing so many lives during her many years of service to the State of Illinois.

As a member of the Illinois Board of Higher Education, the original Rock Valley College's Board of Trustees, and the Illinois State Senate, Vivian was an icon and force in Rockford politics and public education. She was first appointed to the Illinois Senate to fill the 34th District seat following the death of Betty Ann Keegan in 1974, sparking the tradition of what soon became known as ''The Woman's Seat'' in Rockford. Vivian went on to serve one full term in that role, survived a fight against cancer, and became known as an impassioned leader in Illinois and an independent fighter for women and families. Vivian was a true inspiration for many people, whose passion and dedication made her a uniting force within our region.

Mr. Speaker, I am grateful for Vivian's contributions and service to our community, and my thoughts and prayers are with her friends and family during this difficult time.

RECOGNIZING THE 110TH CELEBRATION OF THE ANTIQUITIES ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I wish to recognize and celebrate the 110th anniversary of the Antiquities Act this week. The National Antiquities Act was signed into law by President Theodore Roosevelt on June 8, 1906. This legislation serves as a historic cornerstone in conservation, allowing our presidents to protect public lands with national or notable importance by designating national parks and monuments.

The Antiquities Act remains a critical tool in preserving our American history and in educating our American and foreign visitors about the American experience. These parks preserve our nation's landscapes that reflect the diverse beauty of our country—such as Katmai National Monument in Alaska, Grand Teton National Park in Wyoming, the Petrified Forest in Arizona, Papahanaumokuakea Marine National Monument in Hawaii, Mojave Trails in California, Marianas Trench Marine National Monument in the Northern Mariana Islands, and Grand Sequoia National Monument in California. These parks reflect the history of people who called our land home—such as the Azectec Ruins in New Mexico, Russell Cave in Alabama, the Gila Cliff Dwellings in New Mexico, the Navajo National Monument in Arizona, and Ellis Island in New York.

Further, these parks reflect the history of our nation's birth, struggles, and growth as well as citizens who played key roles in these efforts—such as Fort McHenry in Maryland, Castle Clinton National Monument in New York, Little Bighorn Battlefield in Montana, Fort Sumter in South Carolina, Appomattox Court House in Virginia, Booker T. Washington National Monument in Virginia, George Washington Carver National Monument in Missouri, the Belmont-Paul Women's Equality National Monument, and the World War II Valor in the Pacific National Monument in Hawaii, Alaska, and California. The importance of our lands

and monuments is well documented in our American culture—in songs that praise ''our redwood forests'' or our ''purple mountain majesties,'' music that captures the emotion of the Grand Canyon, and images of the Statue of Liberty that move our spirits and evoke our patriotism.

In my home City of Chicago rests the Pullman National Monument and Historic District that honors the 1894 factory strikes and their role in our nation's labor and civil rights movements. The Pullman District reflects the long history that the City of Chicago has with the birth of the Union Movement. I am proud to represent ''Teamsters Row'' in Chicago, the home of this important national labor union that champions the rights of workers.

In closing, I am pleased to recognize the 110th anniversary of the Antiquities Act and honor the substantial impact the Act has made in the preservation of our national and cultural history and environmental treasures.

RECOGNIZING MRS. LINDA CANLAS ON HER RETIREMENT FROM FAITH RINGGOLD ELEMENTARY SCHOOL

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Mrs. Rosalinda Valencia ''Linda'' Canlas on her retirement as Principal from Faith Ringgold Elementary School in Hayward, California.

Linda has been an active proponent of public education throughout her career. She has instilled a sense of leadership, moral courage, and personal responsibility in the many students that have had the privilege to be seated in her classroom. Her dedication to those students who were not well served by other schools is commendable.

While serving as principal, Linda has actively sought to implement a program to improve the quality of education, introducing effective teaching practices, standards-based curricula and a culture of effective collaboration between school staff and parents. Her efforts have proven to be successful, with Faith Ringgold seeing a 28 percent increase in academic performance over a three-year period.

She was elected as a Trustee to the New Haven Unified School Board in 2010, and she has served as a Board Member, the Clerk, and the Board's President. She helped spearhead the movement to rename Itliong-Vera Cruz Middle School, honoring the farm labor leaders who worked alongside Cesar Chavez.

Linda's dedication to our community extends beyond her commitment to education. She is an active member of her local parish, and serves as a committee member of the Ukulele Festival of Northern California. She has also raised her family to share in her dedication to public service. She is the proud mother of two daughters. One is now a licensed attorney and the other is beginning a career of her own as a public school teacher.

Linda's commitment to the students at Faith Ringgold and in schools across the Hayward and New Haven Unified School Districts is truly extraordinary. I want to acknowledge her for her dedication to a sustainable future and congratulate her on her well-deserved retirement.

CELEBRATING THE 50TH ANNIVERSARY OF TONY AND JULIET CAMPOS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Tony and Juliet Campos on their 50th anniversary. Individually, Tony and Juliet each have a lot to be proud of, but together, as a couple, their accomplishments and passion to give back to the community are truly remarkable.

Tony and Juliet met in 1965 at a wedding in Fresno, California. At the time, Juliet was working in her hometown of Chino, California, and Tony was trying to make it in the sheep herding business. As a new immigrant from Orondritz, Spain, Tony knew it was fate when he met a young lady whose family emigrated from a Basque town just a couple hundred miles away from Orondritz.

In 1966, they were married in Chino and moved to Caruthers, California. Tony and Juliet partnered with Tony's brothers, and started a modest farming operation, Campos Brothers Farms. Tony's business savviness and charisma along with Juliet's tenacity, quick wit and humor complimented each other perfectly, and their small business turned into one of the largest almond processing plants in the country.

Tony and Juliet's success reaches far beyond their family business. They are parents of three, Steven, Joe, and Jeannine and grandparents of ten, Vanessa, Antonio, Audrey, Ava, Grace, Mathieu, Olivia, Vivian, Sophia, and George. Faith and family are most important to Tony and Juliet, and whether you are a long distance relative, friend, or business colleague, you will always be treated with the utmost respect.

Giving back to the community has always been a priority for Tony and Juliet. Most recently, Juliet was recognized by California State University, Fresno with the Common Threads Award for her contributions to the agriculture industry and philanthropic endeavors. And last August, Tony was honored at Fresno State's Ag One Community Salute for his contributions to agriculture and service to the community.

Mr. Speaker, it is with great respect that I ask my colleagues in the U.S. House of Representatives to join me in recognizing Tony and Juliet Campos on their 50th anniversary. I wish them continued happiness as they celebrate this momentous occasion with family and friends.

HONORING JANA L. CLANTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, the late Ms. Jana Leigh Clanton. Jana was born January 24, 1996 in Flowood, Mississippi.

Jana confessed Christ at an early age and joined Mt. Able Missionary Baptist Church under the leadership of Rev. Willie A. Travis, Sr., where she was a faithful steward, serving as a clerical volunteer to the church secretarial staff and a member of the Mt. Able Anointed Believers Praise Dance Ministry.

Jana was a Presidential Scholar at Tougaloo College, where she majored in English with an emphasis in Pre-Law and was a student leader, serving as a member of the Student Government Association, a member of Alpha Lambda Delta honor society and member of the Tougaloo Ambassadors for Meritorious Scholars (T.A.M.S.), student recruitment association.

Jana graduated with honors from Madison Central High School in May 2014, most recently became licensed as a Certified Pharmacy Technician, and accepted a position at CVS Pharmacy. Though she loved science, Jana's dream was to become the first African American Female U.S. Supreme Court Justice.

To her family, Jana was affectionately known as ''Jana Pooh Pooh''. She will always be remembered for her willingness to help others and for her passion for reading. Jana always lived life on her own terms and never met a stranger.

She leaves to mourn her death, her loving and devoted parents, Minister Johnny L. and Vicky L. Clanton, Sr.; her adoring and loving siblings, Waikinya J. S. and Johnny L. Clanton, Jr.

Mr. Speaker, I ask my colleagues to join me in recognizing Jana Leigh Clanton.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PERLMUTTER. Mr. Speaker, on June 7, 2016, due to technical difficulties I was not able to register a vote on H.R. 4906. I wish to reflect my intentions on roll call No. 270, as a ''YEA'' vote.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. LEE. Mr. Speaker, if I had been present on Wednesday, June 8, and Thursday, June 9, 2016 I would have voted the following ways:

No on Question of Consideration of the Resolution—the Rule for H.R. 5325—Legislative Branch Appropriations Act, 2017.

No on Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 4775, H. Con. Res. 89 and H. Con. Res 112.

No on H. Res. 767—Rule providing for consideration of H.R. 4775—Ozone Standards Implementation Act of 2016, H. Con. Res. 89—Expressing the sense of Congress that a carbon tax would be detrimental to the United

States economy, and H. Con. Res. 112—Expressing the sense of Congress opposing the President's proposed $10 tax on every barrel of oil.

Yes on H.R. 3826—Mount Hood Cooper Spur Land Exchange Clarification Act.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 271, I am not recorded.

Had I been present, I would have voted aye.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, yesterday I inadvertently voted ''nay'' on Roll Call No. 279, on Representative POLIS' amendment to H.R. 4775 that would adopt the text of H.R. 1548, the BREATHE Act, which would amend the Clean Air Act to repeal the prohibitions against aggregating emissions from oil and gas sources. As an original cosponsor of H.R. 1548 and a strong supporter of policies to protect the public and our environment from the dangers of Hydraulic Fracturing, or fracking, I duly intended to vote ''yea'' on this amendment and appreciate this opportunity to note my support.

HONORING BREALAND PENDLETON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Breland Pendleton.

Breland Pendleton is the daughter of Mr. Christopher and Aubrey Pendleton of Terry, MS. She is one of four siblings: Chris, Braydon and Aubrey Pendleton. Currently, Breland is a Senior of Terry High School where she will be graduating 6th out of a class of 320.

Breland Pendleton is a very outgoing young lady that has served in several capacities in her school; showing great leadership skills and the qualities of a great team member. Breland has been a member of the Band, Flag Team (Senior Captain), Tennis Team (Senior Captain), Beta Club (Senior Secretary), National Honor Society (Junior Treasury, Senior Vice-President), Interact Club (Senior Secretary) and the National Society of High School Scholars. Breland has over 40 hours of community service which varies from local school participation, helping at the Food Network, serving at Stewpot, working with the school blood drive, contributor to the Angel Tree and other various community projects. Breland will further her education at Xavier University of Louisiana, where she will major in Biochemistry. Breland is a shining example for Terry High School and her community as she works to make it a better place.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable student, leader and community volunteer, Ms. Breland Pendleton, for her hard work and dedication at Terry High School and throughout the communities of Mississippi.

IN RECOGNITION OF THE HEROISM OF CPL. PHILIP E. LOUR

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the incredible heroism of one of my constituents, Cpl. Philip E. Lour, a veteran of World War II, a leader, and an American patriot. Mr. Lour first began serving our nation immediately after graduating from high school at the age of 17. He enlisted in the U.S. Army Air Corps, in 1942, where he quickly developed an interest in communications, and eventually an expertise in Morse code. However, life had different plans for him.

After he was accepted into the Army Specialized Training Program, Mr. Lour soon found himself heading to the front lines due to the program being shut down. Mr. Lour fought in one of the war's most infamous battles, the Battle of the Bulge, where he survived the surprise Nazi assault that incurred the highest casualties for any operation in World War II in Europe. In January, 1946, Mr. Lour retired from the Army as a hero and patriot with the thanks of a grateful nation.

Mr. Lour's service to our nation did not end upon returning home. After graduating from Yale University with a degree in engineering, achieved through the GI Bill, he went on to work for the National Advisory Committee of Aeronautics (NACA). His work at NACA continued for eight years before he transitioned to operational analysis at Langley Air Force Base in Newport News, Virginia. He eventually retired as Deputy Director for the Concepts Analysis Agency in the Department of the Army.

Mr. Lour's long career of service to our nation speaks volumes of his character. He exemplifies hard work, leadership, bravery, and ambition in all aspects of his life, from his education to his service abroad His dedication to the United States serves as a model for all Americans.

I am honored to recognize Mr. Lour today for his selfless contributions to our great nation. Whether it has been fighting on the front lines in WWII, or by making his neighborhood more beautiful with his extraordinary azalea garden, it is clear that Mr. Philip E. Lour has dedicated his life to improving the lives of those around him. He is respected and loved by many.

Mr. Speaker, I ask that my colleagues join me in saluting Philip E. Lour for his lifetime of service to the United States of America. I wish him all the best in his future endeavors.

IN MEMORIAM OF MICHAEL RATNER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. CONYERS. Mr. Speaker, I rise today, with my colleague Congresswoman BARBARA LEE, to pay tribute to Attorney Michael Ratner, a fearless champion for justice and peace, who passed away on Wednesday, May 11, 2016 at the age of 72.

For nearly half a century, the talented and tenacious Michael Ratner brought cases with the Center for Constitutional Rights in U.S. courts related to war, torture, and other human rights violations. Throughout his decades of legal service, he was and remains a giant in the field on Constitutional law and the law of war.

He was born in Cleveland on June 13, 1943. His father, Harry, was a Jewish immigrant from Russia, and his mother, the former Anne Spott, helped resettle refugees after World War II, during which numerous family members of the couple were killed. After graduating in 1966 from Brandeis University, Michael Ratner earned his juris doctorate from Columbia Law School. He took a year off of law school to work for the NAACP Legal Defense and Educational Fund on a Baltimore school desegregation case. He then clerked in Manhattan for Judge Constance Baker Motley, the first African American woman to serve on the federal bench.

In 1971, Ratner joined the Center for Constitutional Rights, a nonprofit organization headquartered in Manhattan. From 1984 to 1990, he served as the Center's legal director and became the Center's president in 2002 serving until 2014. He was also president of the National Lawyers Guild and of the European Center for Constitutional and Human Rights.

Ratner brought cases for war crimes and other human rights violations all over the world. Seeking to hold Bush administration officials accountable for torture, he filed cases under the Universal Jurisdiction principle in international courts, including in Germany, Spain, Canada, Switzerland, and France.

Ratner also oversaw litigation that successfully challenged New York City's stop-and-frisk policing tactic.

Under his leadership, the Center for Constitutional Rights was the first human rights organization to stand up for the human rights of Guantanamo detainees. Ratner was a founding member of the Guantanamo Bay Bar Association which grew to include more than 500 attorneys. This Association provided pro bono representation to prisoners at Guantanamo—one of the largest mass defense efforts in U.S. history. Michael acted as counsel in the landmark case Rasul v. Bush, which was the first successful Guantanamo case in the United States Supreme Court.

He is survived by his wife, Karen Ranucci, a video producer; his children, Jake and Ana; his sister Ellen and his brother Bruce.

Mr. Speaker, we ask that all our colleagues join us in honoring the life and work of Attorney Michael Ratner. He will truly be missed, but he will live on through the work of the countless social justice lawyers and activists he inspired.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,228,398,127,636.98. We've added $8,601,521,078,723.90 to our debt in 6 years. This is over $8.6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING LOUISE SMITH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful and ambitious mother, Mrs. Louise Smith. Mrs. Smith has shown what can be done through hard work, dedication and a desire to live a productive life.

Louise Smith was born on February 21, 1925 in Laurel, Mississippi.

Mrs. Smith married Samuel Smith on March 10, 1946 and together they had 11 children, 5 boys and 6 girls. They moved to Yazoo City, Mississippi in the 1950s. When the youngest child was enrolled in kindergarten, Mrs. Smith enrolled in beauty school and later received her license to become a hairstylist. She and her good friend, Dorothy Casey, co-owned a beauty salon in downtown Yazoo City which opened in early 1970s and remained open for over 30 years. When you stopped by to get your hair done, you not only received a great hair styling, but you also got many words of wisdom with a little gospel to lift up your spirits until the next time you came.

Mrs. Smith was once a member of Chapel Hill Baptist Church on Brickyard Hill in Yazoo City with her husband and children. There she and several other women met and formed a gospel group known as the Gospel Carolettes. Her husband sang with them as well. The Gospel Carolettes not only sang in church but at various Christian events spreading the news of the gospel. They also sang on the radio station WAZF each Sunday morning.

Mrs. Smith left Chapel Hill Baptist Church with her husband and children to become a member of New Zion Baptist Church where her son, Rev. Willie E. Smith, is the pastor. There she not only served as a Mother of the church, but also works with the Mission women. Mother Smith taught Sunday School and sang in the choir at New Zion.

Mrs. Smith has been a mother and/or grandmother figure to many in the church and in her neighborhood; always welcoming others into her home, which has always displayed an array of beautiful flowers in the yard and many green plants indoors for comfort, decoration and fresh air. Louise enjoys gardening and preparing dinner with vegetables from her garden on Sundays for her children, grandchildren, great-grandchildren and any other visitors from the community.

Mrs. Smith has pushed to be a role model not only for her children and grandchildren, but to all in her community.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Louise Smith for her dedication for change and serving her community.

HONORING PATRICIA DERIAN, CHAMPION OF HUMAN RIGHTS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to remember Patricia Derian, former State Department human rights chief, who, as the Washington Post reported, ''helped save thousands of lives by giving humanitarian concerns greater weight in U.S. foreign policy.'' Patt, who grew up in Virginia and first gained a national reputation as a fighter for civil rights in Mississippi, died on May 20 at the home she and her husband, Hodding Carter III, shared in Chapel Hill, NC.

Patt graduated from the University of Virginia nursing school in 1952 and moved with her then-husband to Jackson, Mississippi. There she volunteered for Head Start, fought to integrate public schools, and participated in the 1968 challenge to the state's all-white Democratic National Convention delegation. She also served as president of the Southern Regional Council and on the executive committee of the American Civil Liberties Union.

In 1976, Patt took a leadership role in Jimmy Carter's presidential campaign. President Carter appointed her State Department coordinator for human rights and humanitarian affairs, a position Congress upgraded to Assistant Secretary. ''If you want a magnolia to decorate foreign policy,'' she told future Secretary of State Warren Christopher, ''I'm the wrong person. I expect to get things done.''

Patt Derian proved as good as her word, ruffling numerous feathers along the way. She persuaded the President to exert influence over international lending institutions by opposing loans to Argentina, Ethiopia, Laos, Uruguay, and other human rights violators. She helped engineer the release of thousands of political prisoners in Indonesia, Bangladesh and Pakistan. Her reports to Congress shed light on previously ignored subjects such as labor practices, women's rights, and female genital mutilation. Jacobo Timerman, an Argentine journalist imprisoned and tortured over many years, credited Ms. Derian with helping engineer his release and saving ''thousands and thousands of lives all over the world.''

In 1978, Patt married Hodding Carter, a well-known Mississippi journalist who was then Assistant Secretary of State for Public Affairs. They relocated to Chapel Hill in 2005, where my wife Lisa and I came to treasure their friendship and their continued political and civic leadership, locally and nationally. Hodding was Patt's loving caretaker in her years of declining health and continues in multiple teaching and other leadership roles at the University of North Carolina.

Because of Patt Derian's ''determination and effective advocacy,'' President Carter said upon her death, ''countless human rights and democracy activists survived that period, going on to plant the seeds of freedom in Latin America, Asia, and beyond.'' She was a great humanitarian who was not afraid to challenge the constraints generally placed on diplomacy and foreign policy. As a result, we now have a broader, morally-grounded view of our country's interests and of what we stand for in the world. That is a legacy of major importance: may we rededicate ourselves to it as we remember Patt Derian with gratitude and affection.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 270, I am not recorded.

Had I been present, I would have voted aye.

IN RECOGNITION OF DR. KAREN RUE'S RETIREMENT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. BURGESS. Mr. Speaker, I rise today to recognize Dr. Karen Rue, Superintendent of Schools at Northwest ISD. Dr. Rue is retiring from this leadership position after over ten years of exemplary public service to its students, faculty and staff.

During her term as superintendent, Dr. Rue skillfully met the challenges of a rapidly growing school district. Dr. Rue guided NISD's transformation from an educational entity serving 8,700 students in a largely rural area to a more suburban district with an expanded enrollment of more than 21,000. She successfully shepherded the passage of three bond elections, with the overwhelming support of the community, to meet this dynamic growth. During this period, academic performance was increased to ensure that graduates would be equipped for success in higher education and prepared to compete in a global workforce. During Dr. Rue's tenure, the district saw the opening of two new high schools, Byron Nelson, and V.R. Eaton. Additionally, she was instrumental in the implementation of community-based accountability, the expansion of specialized NISD academies and the development of the Outdoor Learning Center.

Dr. Rue has been nationally recognized as a leading proponent of the importance of a digital learning environment to equip all students to be ''future ready.'' She was selected to participate in the Connected Superintendents Summit at the White House, was named one of the nation's Top 50 Innovators in Education by the Center for Digital Education and was chosen as a finalist in the eSchool News Tech-Savvy Superintendent Awards program. In addition, she was elected by her peers to serve as president of the Texas Association of School Administrators and was named Region XI Superintendent of the Year. Dr. Rue is also a dedicated community leader, having served as President of the Northwest Communities Partnership and as a director of the 35W Coalition.

Cumulatively, Dr. Rue has dedicated 37 years to improving the quality of American

public education. She began her impressive career as a 6th grade teacher, then served as Executive Director of Elementary Education at Katy ISD, and as Superintendent of Schools of Tuloso-Miday ISD before assuming her position as superintendent of schools for NISD. I salute Dr. Rue for her exemplary career and extend best wishes upon her retirement and future endeavors. It is my privilege to represent Northwest ISD in the U.S. House of Representatives. Dr. Rue's positive impact and dedicated service to Northwest ISD will not soon be forgotten.

HONORING YAZOO CITY ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INC.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a group of women who has shown what can be done through hard work, dedication and a desire to serve their community, Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. The Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. has served the Yazoo County community and the State of Mississippi through informational meetings, social and civic engagement.

The Yazoo City Alumnae Chapter was granted their 30th chartering in the state of Mississippi on February 2, 1997. Francine Wallace and Edwina Fox, in 1995, had the idea to create a chapter in Yazoo and placed an article in the local newspaper. Other Delta's in the area quickly responded, desiring to continue the mission to which they had pledged themselves in their college years and together they worked with the state leadership, the southern Region Manager and the national Headquarters to achieve this objective. Not being swayed, it took several attempts to acquire the approvals to establish the Yazoo City Alumnae Chapter. The Yazoo City Deltas traveled to the State Cluster to share their desire to focus on the high rate of teenage pregnancies in Yazoo County as it was the highest rate in the state of Mississippi. Relating their dedication to fighting this devastating trend, the Southern Region Manager, on their second attempt approved the chartering of the Yazoo City Alumnae Chapter. On February 2, 1997 at the St. Stephen United Methodist Church 12 members, Mary Ann Brewer, Teresa Bonner, Diane Delaware, Zellee Delaware, Sandra Younger, Tamara Dodd, Edwina Gordon-Fox, Marilyn Hathorne, Gloria Elayne Owens, Francine Wallace, the late Juanita Scott-Washington and Mary Joshua Young stood and committed to carry out the public service mission of their beloved sisterhood throughout Yazoo County. Thus, this was the beginning of the Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Mr. Speaker, I ask my colleagues to join me in recognizing the Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. for its dedication to serving others and giving back to the community.

IN HONOR OF THE 51ST ANNIVERSARY OF PAYSON CONCRETE AND MATERIALS

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. GOSAR. Mr. Speaker, I rise today in honor of a business from my district, Payson Concrete and Materials, Incorporated.

Payson Concrete and Materials recently celebrated their 51st anniversary in business. George Randall opened the business in 1965. His brothers, Robert and Fred, joined him soon after and the family has been serving the communities of Payson, Pine and Tonto Basin ever since. Providers of concrete, asphalt and road paving services to eastern Arizona, the Randalls now employ 35 people, many of whom have been with the company for over 20 years. Their loyalty shows a commitment to excellence in every aspect of their company, from customer to employee. The Randall Brothers are also very active and generous in their community. Every year, they make major contributions to the local community. Robert Randall has also invested in the future of Pine. Mr. Randall, along with other local businessmen, has invested his own time and money into drilling a well with the capability of providing the citizens of Pine with a fresh source of water.

Payson Concrete and Materials is the type of family-owned and operated business that is all too rare in this day and age. It models the kind of community involvement that should be commonplace in our country. On behalf of the people of Arizona and the United States, we thank them for all that they do.

AMERICA'S HEALTH MEASURES PROTECTION ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce legislation to protect the health regulations of the United States, and thereby the health of Americans, from the pernicious use of the Investor-State Dispute Settlement mechanism that exists in free trade agreements like NAFTA and the TPP.

Abuses of the ISDS provision have already had harmful effects on the health of our Canadian neighbors, as an ISDS lawsuit essentially forced the Canadian government to abandon its ban of the gasoline additive MMT, a known human neurotoxin.

My legislation, which amends the Bipartisan Congressional Trade Priorities and Accountable Act of 2015, known as the TPA, makes it explicitly clear that protecting the health of Americans is a paramount trade negotiating objective of the United States. As it stands today, the TPA falls short of this goal.

During negotiations of the Trans Pacific Partnership, several nations demanded the ability to dismiss ISDS claims made against their tobacco control measures. This insistence was a tacit acknowledgment that companies use ISDS lawsuits to challenge reasonable state health regulations.

But why only single out tobacco control measures? What about safeguards for other public health measures like lower drug prices under Medicare, food safety regulations, clean air and water regulations, or the Toxic Substances Control Act recently passed by Congress? The fact that a last minute "tobacco carve-out" was inserted into the TPP is proof that the trade negotiating objectives currently in TPA are not explicit enough to protect the health of Americans.

The purpose of my legislation is to ensure that all health regulations in the United States are protected from unscrupulous abuses of trade arbitration mechanisms that fall outside of the United States justice system. My legislation instructs the United States Trade Representative to explicitly ensure that no trade agreement gives an investor group the power to hold the health of Americans hostage for monetary gain.

Trade is important to our society, but it should not come at the expense of the health of Americans. I urge my colleagues to support this legislation.

HONORING THE LIFE OF MRS. VALERIE BENDER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Mrs. Valerie Bender. Mrs. Bender passed away on April 29, 2016, at the age of 60 as she valiantly battled breast cancer for seven years. Known by all who met her as a selfless individual, Mrs. Bender led a prolific career as a reporter and was loved deeply by friends and family.

Mrs. Bender began her journalism career as a reporter in Florida. After having moved to Virginia and working there for a short time, her merits earned her the esteemed role of managing editor at the Wilmington News Journal. Mrs. Bender went on to work at the Fresno Bee where she served for 20 years. While at the Fresno Bee, she held a variety of different positions that included serving as Features Editor, Assistant Managing Director, Director of Community Publications, and Vice President of Custom Publications. In February 2014 Mrs. Bender was named President and Publisher of the Merced Sun-Star, a role that was certainly well earned and deserved.

Among her many activities and passions, Mrs. Bender was an advocate for breast cancer awareness and was deeply passionate about art. She made it a point to promote mammogram examinations among the young women that she met and went on to become part of Sistah's Just Surviving, a support group for cancer survivors. Mrs. Bender was viewed as a role model by members of the group because of her genuine and loving persona. Furthermore, Mrs. Bender was on the board of trustees at the Fresno Art Museum and showed constant support for young up-and-coming artists in the community. She was able to take her passion for art and effortlessly apply it to her career. During her time at the Fresno Bee, she became so well known for her "eye-popping" art designs that she was called away by other McClatchy newspapers for assistance in making their papers more appealing for up to several weeks at a time.

Throughout her battle with cancer, Mrs. Bender continued to work tirelessly and contributed in numerous ways to the Fresno Bee. She was known for her kindness and fierce devotion to her friends and family. In the wise words of Mrs. Bender, ''Life is precious and while it's easy to ask 'why me?' the most important thing is still family and friends . . . I have a husband and a daughter who love me.''

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to honor the life of Mrs. Valerie Bender. Often compared to feminist icon Rosie the Riveter, Mrs. Bender was a source of inspiration for all those she touched. She was a loving mother, wife, and journalist and everyone around her benefitted greatly by having her in their lives.

HONORING NORTH CAROLINA STATE UNIVERSITY LIBRARIES: 2016 NATIONAL MEDAL FOR MUSEUM AND LIBRARY SERVICE

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the North Carolina State University Libraries on receiving the 2016 National Medal for Museum and Library Service. This prestigious award, offered annually by the Institute of Museum and Library Services, is the nation's highest honor given to museums and libraries for exceptional service to their communities.

The North Carolina State University Library system has transformed how libraries involve the community to understand, learn, and participate in a myriad of educational activities. The system strengthens North Carolina's K–12 education pipeline, increases the public's literacy, and prepares tomorrow's researchers with college- and workforce-ready skills.

Through cutting-edge programming at all of their locations, North Carolina State University has built a library system that can support the university's students and advanced research, while also serving as an incubator for Triangle businesses. This library was one of the first to leap into the digital age, and has been a terrific example for other academic research libraries around the world. Their creative recruitment tactics for librarians and their crowdsourcing of ideas from student committees have made this library an invaluable asset to our state.

There are several key spaces for students, faculty, and the community to utilize at the North Carolina State University Libraries. These include digital media editing and production spaces, as well as gaming spaces for creating simulations and virtual environments. Library patrons have access to the D.H. Hill Makerspace, which is equipped with 3D printers, scanners, and laser cutters for users to explore a variety of ideas. There is even an Immersion Theater where students and faculty can display their work on a panoramic screen—I recently had the opportunity to experience a fully recreated historic speech given by John Donne in 1622.

North Carolina State University Libraries are one of just ten recipients of the National Medal for Museum and Library Service. NCSU Libraries have had a remarkable impact on the entire state of North Carolina. There were approximately 2.25 million visitors to the library last year, with nearly 12,000 registered visitors from 76 countries, 42 states, and 46 counties in North Carolina.

As we congratulate all the libraries' leaders, it is also important to recognize Susan K. Nutter, winner of the 2016 Association of College and Research Libraries' (ACRL) Academic/Research Librarian of the Year. As the Vice Provost & Director of Libraries, Susan has been instrumental in building the innovative library system we see today.

Mr. Speaker, once again, I offer congratulations to the North Carolina State University Libraries—and each of the nine other National Medal winners—for achieving this distinction for their path-breaking innovations and dedication to serving their communities.

HONORING JALEXIS EVANS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Jalexis Evans.

Jalexis is the daughter of Latoya Lee and Samuel Evans and the granddaughter of Shirley Evans and the late Glenda Nelson. She is a native of Mound Bayou, Mississippi where she attended John F. Kennedy Memorial High School before being accepted into the Mississippi School for Mathematics and Science in Columbus, Mississippi. While attending John F. Kennedy she was class president, the founder of the mentorship program, ''Girl Talk'', and a cheerleader. In her spare time, she volunteers in her community with organizations such as St. Gabriel's Mercy Center, New Life Church, and local nursing homes.

One of the greatest impacts she believes she has made is with the mentoring program she initiated. Girl Talk was created solely to help empower, encourage, and equip young girls in the community. They've done things such as visit nursing homes, make Christmas with kindergartners, and host a tea party for young ladies in middle school to teach proper etiquette.

Jalexis also spends time playing piano and guitar. During her tenure at John F. Kennedy she played the trumpet in the marching band.

A passion of Jalexis is caring for the youth in her community. Though she believes involvement in the community is crucial, she also believes her education will take her far. She works diligently to ensure that her future goals are within her grasp. Attending the Mississippi School for Mathematics and Science has granted her many more opportunities to do so. At this school, she receives the best education possible for high schoolers in the Magnolia state while enriching her knowledge on cultural diversity. Jalexis aspires to enroll into Tulane University where she desires to attend the Tulane Accelerated Physician-Training Program and earn her medical degree. She plans to become a pediatric oncologist after attending medical school. She has yearned to be a doctor since the young age of three. Her love for children pushed her towards the field of pediatrics and her grandmother's fight with cancer led to her interest and passion for oncology. It also instilled within her a strong determination to find a cure for cancer.

She pursues success in her everyday life by continuing to be an example and role model to her sisters: SaMaria, Cilyse, and London, and to be helpful in anyway she can while still achieving her goals day by day.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Jalexis Evans for her educational achievements and dedication to other youths.

HONORING THE WORLD WAR II AND KOREAN WAR VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II and Korean War veterans who traveled to Washington, D.C. on June 8, 2016 with Honor Flight Chicago, a program that provides World War II and Korean War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on June 8th answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theater to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Harold C. Aichholzer, Donald G. Alpers, Sidney R. Anderson, George D. Aurand, O. Robert Baccega, Daniel T. Barker Sr., Richard W. Bernardini, Claude T. Bjork, Julien F. Bloom, Paul Bobolia, Anthony F. Boecker, Robert George Bollman, Joseph E. Borowiak, Richard H. Burns, Thomas Calhoun, Robert G. Callaghan, Libero F. Calzavara, Paul T. Carrano, Charles A. Clark, Fred P. Claussen, John Considine, Donald E. Cramer, Robert E. Cutts, Allan D. Danielson, Charles Joseph Doherty, Robert L. Drennen, William N. Drish, Sr., Milton L. Duehr, Richard Eldorado, Ronald K. Erickson, Jerry R. Forst, Jr., William F. Galambos, Robert M. Gerhold, William Gilkey, Lawrence L. Gurtowski, James Guzzaldo, Donald E. Hahn, Roy L. Halvorsen, Raymond A. Handley, Robert P. Havlik, Albert W. Hellwig, Frank J. Hochman, Robert J. Horn, George E. Jaffke, (Oury L. Johnson, Jr., Thomas L. Kelliher, James M. Kirk, John A. Kotan, Jr., Anthony J. Kowalczyk, Louis F. Kueltzo, Jr., Donald Larsen, Ruel F. Lehman, Jr., Stuart Letchinger, Marvin Daniel Levy, Robert T. Lewandowski, Burton A. Lewis, John H. Lichter, Ronald F. Lotz, Joseph B. Lyznicki, Robert Magnuson, Frank Mangels, Raymond J. Manista, Sherwin Marks, Jon R.

Marshall, Melvin Mathias, Lloyd A. McCarthy, William P. Merci, Lloyd T. Millard, Joseph S. Musick, Richard S. Nadder, Michael J. Nannini, Leo J. Napolitano, George J. Nastav, Jack J. Nikoleit, Carl H. Nordeen, Joseph F. Pappalardo, Harry O. Parker, Roger L. Payne, Donald E. Pechous, Francis J. Pendergast, William L. Pierce, Eugene C. Piltaver, Waldo M. Pool, Robert P. Prible, John A. Quick, Robert Rodriguez, John J. Rogers, Norman J. Sachman, Paul Sanders, Robert W. Schaerer, Charles William Shepherd, Raymond Shlemon, Serio J. Siena, Robert Sinclair, Richard V. Skagen, Frank Slay, Richard J. Slomczynski, James Demetrios Sotirakos, John M. Spaulding, Francis D. Stammer, George R. Tamminga, William N. Tauber, Jack Tomaselli, Robert E. Turk, Robert J. Weinmeier, Michael Werner, Charles A. White, Jr., Melvin Williams, Jerome A. Wirkus, Francis A. Wroblewski, John C. Yoder.

IN MEMORY OF EDMONIA L. BROCK

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to honor the memory of a distinguished public servant and exemplary Christian lady, Mrs. Edmonia L. Brock. Mrs. Brock devoted her life to spreading the Gospel and faithfully serving her community through public service.

Mrs. Brock was born on September 3, 1918 in Lake Charles, Louisiana. At the age of five, she relocated to Houston where she would go on to graduate magna cum laude and as valedictorian of her class at Phyllis Wheatley High School. She completed her education in the field of nursing.

Mrs. Brock married Robert L. Bogany with whom she had two children. In 1947, she would go on to marry Henry A. Brock and have four children in addition to Mr. Brock's other children.

Mrs. Brock would become the ''Mother of the Church'' and State Supervisor of the Women's Department at the New Day Deliverance Holiness Church until she passed away. Additionally, she was a licensed and appointed District Missionary who also served as the International Women's Supervisor and organizer for the Living Gospel Fellowship. She taught weekly Bible study at the Manda Ann Convalescent Home, served as Director of the Sunshine Choir, a Sunday School Teacher and assisted with the prison ministry.

In addition to her lifelong service in her community, across this nation and internationally, Mrs. Brock authored three books: ''An Orphan's Triumph,'' ''The Power of Prayer,'' and ''The Book of Poems,'' for which she received numerous awards.

Finally, Mr. Speaker, Mrs. Edmonia L. Brock will be missed dearly by her surviving children, Henry Brock, Jr., Loretta Amos, Eddie Brock, and Charles Brock; 31 grandchildren, 55 great-grandchildren, 28 great-great grandchildren; as well as her other family members and friends. May she rest in the peace she has earned through her life of service to her community.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 269, I am not recorded. Had I been present, I would have voted aye.

HONORING MS. TY'RIANNE PERRY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ty'Rianne Perry.

Born Ty'Rianne Perry to great parents. Ty'Rianne has played a big part in community service and helping out her peers. She has participated in the breast cancer awareness walk. Ty'Rianne volunteers at the Boys and Girls Club once a month. She also tutors and mentors young children. She volunteers at the Golden Living Nursing Home where she plays games and reads stories to the patients.

Ty'Rianne is highly respected among friends. She speaks up for children and people who cannot speak up for themselves. She is very outspoken.

She also participates in a Blood Drive twice a year. Ty'Rianne loves helping others. She had the opportunity to participate in the Chick-fil-A Leader Academy. She also went to Camp John Hay for selected teenagers who volunteered at Boys and Girls Club. Ty'Rianne has walked in the MLK March many times. She encourages everyone to make a difference in their community and get up and help out.

Mr. Speaker please help us to congratulate Ms. Ty'Rianne Perry for making a difference in her community.

SUPPORT FOR THE REGION OF TIBET

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SENSENBRENNER. Mr. Speaker, I would like to take this opportunity to offer a statement of my support for the region of Tibet. I have, during my tenure in the House of Representatives, been a strong supporter of the region of Tibet. There should be no divisiveness between political parties on the issue of Tibet and protecting their citizens from the repressions that they face around the world. Tibet is a unique region, and I hope that future actions in the House of Representatives will continue to support the Tibetan community in finding sustainable peaceful solutions.

The repression of Tibetans around the world has prompted the United States to take action to protect Tibetan citizens in their constant struggle for religious and cultural freedom. That is why in June of last year, Representative LOFGREN and I introduced the Tibetan Refugee Assistance Act, which would provide visas to Tibetan refugees.

Our bill would address the plight of Tibetan citizens who have been displaced from their homes for a multitude of reasons, and would be an incredibly useful step in the right direction for future relations between Tibet and the United States. The bill would provide 3,000 immigrant visas over a three-year period to Tibetan citizens who have been displaced.

I first traveled to India and met His Holiness the Dalai Lama in 2008, and it is an experience that I surely will never forget. The unique privilege of meeting with the head of state and spiritual leader of Tibet was one that led me to an even greater appreciation of Tibet, and brought me to first introduce legislation in 2008 supporting Tibetan refugees.

Eight years later we look at the same issue. This is not a new problem, as the epidemic has been occurring for years. We hope to make significant progress to aid many of these displaced Tibetans who have yet to free themselves from the rule of the Chinese government.

On behalf of the 5th District of Wisconsin, I welcome His Holiness the Dalai Lama to the United States and ask for continued perseverance from my colleagues on this issue. I hope to find a peaceful and manageable solution for the region of Tibet.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote on the Question of Consideration of the Resolution, the Rule for H.R. 5325, Legislative Branch Appropriations Act, 2017 (Roll Call Number 283), I would have voted ''no.''

Had the question failed, Rep. Castro would have been able to offer his bill H.R. 3785, Correcting Hurtful and Alienating Names in Government Expression (CHANGE) Act. H.R. 3785 would strike the term ''illegal alien'' from federal law and replace it with the term ''undocumented foreign national.'' Rep. Castro offered an amendment in Rules Committee to H.R. 5325, which was not made in order, that would reverse House Republican language restricting the Librarian of Congress from implementing changes to subject headings from ''illegal alien'' to ''undocumented immigrant.''

I support the Library of Congress's decision to no longer use the subject heading ''illegal alien'' and instead use ''noncitizens'' and ''unauthorized immigration.'' The phrase ''illegal alien'' is offensive and dehumanizing to many, and I support the Library's thoughtful decision.

50TH ANNIVERSARY OF THE AMERICAN CIVIL LIBERTIES UNION OF NEVADA

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. TITUS. Mr. Speaker, I rise today to recognize and celebrate the 50th anniversary of the American Civil Liberties Union of Nevada.

Since 1966, the ACLU of Nevada has continuously worked to defend the civil rights and civil liberties of all Nevadans through public advocacy, litigation, and education.

The many dedicated board members, directors, volunteers, and staff over the years have made it an exceptional organization of critical importance to our state. I would like to thank current Executive Director Tod Story for his leadership and tireless work on behalf of the ACLU and people of Nevada.

I would also like to recognize the 50th anniversary celebration honorees: Jan Jones Blackhurst, Paula Francis, Colin Seale, Sheila Leslie, and Richard Siegel. Thank you for being champions of democracy and for your years of service to Nevada promoting justice, free speech, individual rights, and progressive leadership.

Congratulations on 50 years of great work. Thank you for your contributions to our community, and here's to 50 more years defending the rights and liberties of Nevadans. Count on me to be your friend and advocate in Washington.

HONORING MS. NETTIE JACKSON UPON HER RETIREMENT

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to honor Ms. Nettie Jackson who has dedicated her life to helping folks live healthier lives. Ms. Jackson is retiring today after 25 years of service at the American Heart Association.

Her list of accomplishments is long, including 12 years of participation in my annual health fair. She has been involved in key legislation in Georgia including the Georgia Smoke Free Act and the Automated Defibrillator Public Access Law. She's been involved in lowering the instances and causes of strokes by bringing in National Ambassadors for the Organization for the Power to End Stroke Cause Initiative, facilitating the AHA/ASA First Power Awards in Atlanta, and leading receptions to bring Power to End Stroke Ambassadors together from all over the Southeast United States. She helped coordinate the ''Straight From The Heart: Sister To Sister Conference'', and Walking for Wellness hosted at Spelman College among other conferences and workshops for healthcare professionals.

She has been recognized for her outstanding work with several awards including: NAACP State Conference Woman of Distinction, Concerned Black Clergy Community Service Award, Morehouse School of Medicine Inaugural Torch Awards, Georgia Ethnic Health Network Advocacy Award, Georgia Secretary of State Outstanding Citizen Award and the American Heart Association's Rome Betts Award which is the National Staff of Excellence Award. She will be missed by the many people whose lives she has touched, but her retirement is certainly well earned.

I rise today to ask my colleagues to join me in thanking Ms. Nettie Jackson for her many great works and to wish her a wonderful retirement.

HONORING MAYOR RAMSAY

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize the passing of one of Monroe County's most respected and decent public servants. Richard ''Dick'' Ramsay, a former Marathon mayor and city councilman, small-business owner and airplane pilot, passed away on June 2nd at the age of 74.

A true visionary that worked tirelessly to better his community, Mayor Ramsay played a pivotal role in the incorporation of Marathon, FL. He possessed a genuine passion for the Florida Keys, passion that was reflected in his dedication to public service.

When Dick moved to Marathon, he purchased Surfside gas station near the Vaca Cut Bridge. Upon retirement is when Dick decided to become active with municipal issues.

Dick's contributions to Marathon are both significant and extensive. He served three two-year terms on the City Counsel and expressed great interest in issues concerning Marathon Florida Keys International Airport. One of his many successful projects was the newly installed U.S. Customs and Border Protection Facility, which now allows international flights to clear U.S. Customs in Marathon for the first time in decades.

Beloved by his family, his friends, and his community, Dick Ramsay will be dearly missed by all. I am honored to have been able to call him my friend. My thoughts and prayers go out to the Ramsay family and the Florida Keys for the loss of such an active and caring member of the community.

CELEBRATING LGBT PRIDE MONTH

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PALLONE. Mr. Speaker, today I rise to recognize the continued struggle for LGBT equality as we celebrate National LGBT Pride Month this month.

I am, and will continue to be, an ally of the LGBT community in its fight for a more equal and just future. LGBT rights are human rights and our diversity of identities and experiences makes us a stronger and more dynamic nation.

I remember just 20 years ago standing in the House chamber voicing my strong opposition to and voting against the Defense of Marriage Act. A lot has changed since that vote, and marriage equality is now the law of the land.

Despite that progress, LGBT individuals are still marginalized and discriminated against every day. And so our fight for equality continues. A couple weeks ago, I visited Highland Park, in my district, the 6th District of New Jersey, where the Board of Education unanimously voted for a policy ensuring transgender rights. The new policy—one of the strongest and most inclusive policies in the country—protects transgender students' privacy and allows all students to access school bathrooms, locker rooms, and programs based on their affirmed gender. I am proud to represent such an inclusive and accepting community.

So as we in Congress work to pass critical legislation—such as the Equality Act, which would include sexual orientation and gender identity as protected classes in much of our civil rights legislation—to promote a more equal society, I will continue to recognize the voices and people in the towns and cities I represent, who fight hard every day to build more open and accepting neighborhoods and communities.

I stand with the LGBT community in New Jersey—and across the country—in celebrating diversity and equality and in reaffirming the commitment to secure a future free of irrational fear, prejudice, and discrimination.

PERSONAL EXPLANATION

HON. KATHERINE M. CLARK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. CLARK of Massachusetts. Mr. Speaker, I was regrettably detained on June 8th, and I was not present for Roll call number 276. Had I been present, I would have voted no.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. JACKSON LEE. Mr. Speaker, on Tuesday, June 7, I missed Roll Call Votes 269 through 272 due to my necessary attendance in my district attending to representational duties. Had I been present, I would have voted as follows:

On Roll Call 269, I would have voted yes. (H. Con. Res. 129—Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to through a financial commitment to address the unique health and welfare needs of vulnerable Holocaust victims)

On Roll Call 270, I would have voted yes. (H.R. 4906—To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes (Rep. CONNOLLY—Oversight and Government Reform))

On Roll Call 271, I would have voted yes. (H.R. 4904—Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016 (Rep. CARTWRIGHT—Oversight and Government Reform))

On Roll Call 272, I would have voted yes. (H.R. 1815—Eastern Nevada Land Implementation Improvement Act (Rep. HARDY—Natural Resources))

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COHEN. Mr. Speaker, on May 18, 2016, while I was in an office meeting, the legislative signal bells in my office malfunctioned due to a loose electrical connection, and neither I nor my staff accompanying me knew that a vote had been called. The Architect of the Capitol's Electrical Engineering Branch later repaired the signal bells.

If present, I would have voted ''no'' on H. Res. 735.

CONCERNS ABOUT TURKISH CIVIL SOCIETY

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today out of concern for the welfare of one of our most important NATO allies; the Republic of Turkey. I need not remind this House that Turkey is an indispensable ally in the fight against ISIL, and the effort to restore stability in the Middle East. Nor do I need to remind the members of this body that Turkey bears a burden of biblical proportions as it struggles to safely host almost three million refugees while simultaneously defending against an unprecedented wave of terror attacks. The geopolitical vicissitudes in Turkey's vicinity present the most serious challenge to Turkish territorial integrity since the founding of the Republic.

However, history has consistently shown that great civilizations do not fall to outside forces unless they are rife with internal turmoil. Under its current leadership, Turkey has regrettably embarked in a troubling direction. Once considered the shining example of a vibrant democracy with the potential to mediate between the Middle East and West, crackdowns on civil society under President Erdogan have forced many of us to reassess the nature of our countries' partnership. Repressive policies against political opposition, journalists, and women rights advocates constitute just a few of these concerns. Questionable use of antiterrorism laws to molest financial institutions, corporations, and academics associated with political opposition such as the Gulen movement raise concerns about Turkey's continued commitment to democratic principles. In a robust republic, civic organizations such as the Gulen movement cannot and should not be designated as terrorist organizations without evidence for the sake of political expediency.

There can be no doubt about America's continued commitment to defend our NATO allies; nor can we forget the substantial military buildup in Armenia, where Putin has deployed advanced fighter aircraft and attack helicopters just 25 miles from the Turkish border. This is the same NATO border that Russian military aircraft have regularly violated, culminating in the downing of a Russian bomber by Turkish defense forces. However, we must not forget the prerequisite requirements to be a member of the NATO alliance; that each member of the alliance be ''determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law.'' It is my hope that President Erdogan's administration will remember this commitment to democratic principles even in the face of regional instability.

Daily Digest
Senate

Chamber Action

Routine Proceedings, pages S3667–S3786

Measures Introduced: Nine bills and four resolutions were introduced, as follows: S. 3039–3047, S.J. Res. 35, and S. Res. 485–487. **Pages S3719–20**

Measures Reported:

S. 3040, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017. (S. Rept. No. 114–274)

S. 1879, to improve processes in the Department of the Interior, with an amendment in the nature of a substitute. (S. Rept. No. 114–275)

S. 2944, to require adequate reporting on the Public Safety Officers' Benefit program, with amendments.

S. 2992, to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, with an amendment in the nature of a substitute.

S. 3009, to support entrepreneurs serving in the National Guard and Reserve, with an amendment in the nature of a substitute.

S. 3024, to improve cyber security for small businesses. **Page S3719**

Measures Passed:

Reserve Officers' Training Corps 100th Anniversary: Senate agreed to S. Res. 487, commemorating the 100th anniversary of the Reserve Officers' Training Corps program of the Army. **Page S3783**

Measures Considered:

National Defense Authorization Act—Agreement: Senate continued consideration of S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto:

Pages S3668–77

Withdrawn:

McCain Amendment No. 4229, to address unfunded priorities of the Armed Forces.

Pages S3668–77, S3680

Pending:

McCain Amendment No. 4607, to amend the provision on share-in-savings contracts. **Page S3680**

Reed (for Reid) Amendment No. 4603 (to Amendment No. 4607), to change the enactment date. **Page S3684**

During consideration of this measure today, Senate also took the following action:

By 43 yeas to 55 nays (Vote No. 95), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Reed/Mikulski Amendment No. 4549 (to Amendment No. 4229) (listed below). **Pages S3668, S3677–79**

By 56 yeas to 42 nays (Vote No. 96), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on McCain Amendment No. 4229 (listed above). **Pages S3679–80**

Reed/Mikulski Amendment No. 4549 (to Amendment No. 4229), to authorize parity for defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015, fell when McCain Amendment No. 4229, was withdrawn. **Page S3680**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 8:15 a.m., on Friday, June 10, 2016; that the filing deadline for second-degree amendments to the bill be at 8:45 a.m.; and that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the bill occur at 9 a.m. **Page S3783**

Commerce, Justice, Science, and Related Agencies Appropriations Act—Cloture: Senate began consideration of the motion to proceed to consideration of H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016. **Pages S3677–S3715**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for

military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. Page S3677

Subsequently, the motion to proceed was withdrawn. Page S3677

Nominations Received: Senate received the following nominations:

Bonnie A. Barsamian Dunn, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2017.

Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner for a term expiring June 30, 2021.

1 Air Force nomination in the rank of general.

Routine lists in the Navy. Pages S3783–86

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Cassandra Q. Butts, of the District of Columbia, to be Ambassador to the Commonwealth of The Bahamas, which was sent to the Senate on February 5, 2015.

1 Navy nomination in the rank of admiral. Page S3786

Messages from the House: Page S3719

Measures Referred: Page S3719

Executive Reports of Committees: Page S3719

Additional Cosponsors: Pages S3720–23

Statements on Introduced Bills/Resolutions: Pages S3723–24

Additional Statements: Pages S3718–19

Amendments Submitted: Pages S3724–83

Authorities for Committees to Meet: Page S3783

Privileges of the Floor: Page S3783

Record Votes: Two record votes were taken today. (Total—96) Pages S3679, S3680

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:14 p.m., until 8:15 a.m. on Friday, June 10, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3783.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

Committee on Appropriations: Committee ordered favorably reported an original bill (S. 3040) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017.

SUPREME COURT STAY OF THE CLEAN POWER PLAN

Committee on Environment and Public Works: Committee concluded a hearing to examine implications of the Supreme Court stay of the Clean Power Plan, after receiving testimony from Missouri State Representative Jack Bondon, Belton; Katie Dykes, Connecticut Department for Energy and Environmental Protection Deputy Commissioner for Energy, Hartford; Allison Wood, Hunton and Williams LLP, Washington, D.C.; Michael McInnes, Tri-State Generation and Transmission Association, Inc., Westminster, Colorado; and Richard Revesz, New York University School of Law Institute for Policy Integrity, New York, New York.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 2944, to require adequate reporting on the Public Safety Officers' Benefit program, with amendments.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported the nomination of Carla D. Hayden, of Maryland, to be Librarian of Congress for a term of ten years.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nomination of Susan S. Gibson, of Virginia, to be Inspector General of the National Reconnaissance Office.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 40 public bills, H.R. 5415–5444; and 4 resolutions, H. Con. Res. 135; and H. Res. 773–775, were introduced. **Pages H3662–63**

Additional Cosponsors: **Pages H3664–65**

Reports Filed: Reports were filed today as follows:

H.R. 5053, to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns,with an amendment (H. Rept. 114–612); and

S. 1109, to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes (H. Rept. 114–613). **Page H3662**

Recess: The House recessed at 11:30 a.m. and reconvened at 12 noon. **Pages H3577–78**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Kent Clark, Grace Gospel Fellowship, Pontiac, Michigan. **Page H3578**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H3578, H3635**

Oath of Office—Eighth Congressional District of Ohio: Representative-elect Warren Davidson presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a facsimile copy of a letter received from Ms. Patricia Wolfe, Elections Administrator, State Board of Elections for the State of Ohio, indicating that, according to the preliminary results of the Special Election held June 7, 2016, the Honorable Warren Davidson was elected Representative to Congress for the Eighth Congressional District, State of Ohio. **Page H3797**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentleman from Ohio, the whole number of the House is 435. **Page H3798**

Puerto Rico Oversight, Management, and Economic Stability Act: The House passed H.R. 5278, to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, by a recorded vote of 297 ayes to 127 noes, Roll No. 288. **Pages H3600–35**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–57 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. **Page H3611**

Agreed to:

Bishop (UT) amendment (No. 1 printed in H. Rept. 114–610) that makes technical and cross reference corrections to the bill, while addressing its general workability; deletes the opt-in option for other territories, provides an initial funding mechanism for the Oversight Board, permits the Board the opportunity to review territorial laws enacted between May 4, 2016 and the full appointment of the Board, moves up the timeline for when the president must have appointed members to the Board, and provides considerations to the Oversight Board when determining venue; **Pages H3627–28**

Graves (MO) amendment (No. 2 printed in H. Rept. 114–610) that gives priority to protecting federal taxpayer assets in Puerto Rico, such as mass transportation assets; **Pages H3628–29**

Jolly amendment (No. 3 printed in H. Rept. 114–610) that requires the Congressional Task Force on Economic Growth in Puerto Rico to report back to Congress on recommended changes to Federal law and programs that would reduce child poverty; **Page H3629**

Byrne amendment (No. 4 printed in H. Rept. 114–610) that sets a deadline of 18 months for the report required in Section 410; **Pages H3629–30**

Byrne amendment (No. 5 printed in H. Rept. 114–610) that requires GAO to submit a biannual report to Congress on the debt and revenue levels of each territory, the drivers of each territory's debt, the effect of federal policy on each territory's debt, and the ability of each territory to repay its debt; **Pages H3630–31**

Duffy amendment (No. 6 printed in H. Rept. 114–610) that temporarily eliminates in Puerto Rico a statutory cap that limits the total number of census tracts within a Metropolitan Statistical Area that can be designated as qualified census tracts under the Small Business Administration's HUBZone program; requires the SBA to implement a risk-based approach to requesting and verifying information from firms applying to be designated or re-certified as a qualified HUBZone small business; and **Pages H3631–32**

Serrano amendment (No. 7 printed in H. Rept. 114–610) that preserves the ability of the Puerto Rico Commission for the Comprehensive Audit of the Public Debt to continue its work in analyzing

the legality of certain debts issued by the Commonwealth, and allow the government of Puerto Rico or the Oversight Board to act upon any determination by the Commission. **Page H3632**

Rejected:

Torres amendment (No. 8 printed in H. Rept. 114–610) that sought to strike Section 403 (by a recorded vote of 196 ayes to 225 noes, Roll No. 287). **Pages H3632–34**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H3635**

H. Res. 770, the rule providing for consideration of the bill (H.R. 5278) was agreed to by a yea-and-nay vote of 241 yeas to 178 nays, Roll No. 284, after the previous question was ordered without objection. **Pages H3581–86, H3596–97**

Pursuant to Sec. 2 of H. Res. 770, upon passage of H.R. 5278 the House shall be considered to have: (1) stricken all after the enacting clause of S. 2328 and inserted in lieu thereof the provisions of H.R. 5278, as passed by the House; and (2) passed the Senate bill as so amended.

Directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2328: The House agreed by unanimous consent to H. Con. Res. 135, directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2328. **Page H3635**

Legislative Branch Appropriations Act, 2017: The House began consideration of H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017. Consideration is expected to resume tomorrow, June 10th. **Pages H3635–55**

Agreed to:

Blumenauer amendment (No. 3 printed in H. Rept. 114–611) that requires the Architect of the Capitol to conduct a feasibility study regarding the installation and operation of Capital Bikeshare stations on Capitol Grounds; and **Pages H3652–53**

Welch amendment (No. 4 printed in H. Rept. 114–611) that transfers $500,000 from the Capital Construction and Operations account to the Capitol Building and House Office Buildings accounts, appropriating $250,000 to each; would bring the Capitol and House office buildings into compliance with General Services Administration requirements for federal buildings regarding lactation stations for breastfeeding mothers. **Pages H3653–54**

Proceedings Postponed:

Ellison amendment (No. 2 printed in H. Rept. 114–611) that seeks to reprogram funds to create an Office of Good Jobs for the House of Representatives; and **Pages H3651–52**

Blackburn amendment (No. 6 printed in H. Rept. 114–611) that seeks to provide for a one percent across the board cut to the bill's spending levels; accounts for the Capitol Police, Architect of the Capitol-Capitol Police Buildings, Grounds and Security, and Office of the Sergeant At Arms shall not be reduced. **Pages H3654–55**

H. Res. 771, the rule providing for consideration of the bill (H.R. 5325) was agreed to by a recorded vote of 237 ayes to 182 noes, Roll No. 286, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 181 nays, Roll No. 285. **Pages H3586–96, H3598–99**

A point of order was raised against the consideration of H. Res. 771 and it was agreed to proceed with consideration of the resolution by a yea-and-nay vote of 231 yeas to 170 nays, Roll No. 283. **Pages H3587–89**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H3581.

Quorum Calls—Votes: Three yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H3588, H3596–97, H3598–99, H3599–H3600, H3633–34, and H3634–35. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:27 p.m.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Homeland Security held a markup on the Homeland Security Appropriations Bill, FY 2017. The Homeland Security Appropriations Bill, FY 2017, was forwarded to the full committee, without amendment.

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup on the Financial Services and General Government Appropriations Bill for FY 2017; and Report on the Revised Interim Suballocation of Budget Allocations for FY 2017. The Financial Services and General Government Appropriations Bill for FY 2017 was ordered reported, as amended. The Report on the Revised Interim Suballocation of Budget Allocations for FY 2017 passed.

STOPPING THE MONEY FLOW: THE WAR ON TERROR FINANCE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities; and Subcommittee on Terrorism, Nonproliferation, and Trade of the House Committee on Foreign Affairs, held a joint hearing entitled ''Stopping the Money Flow: The War on

Terror Finance''. Testimony was heard from Andrew Keller, Deputy Assistant Secretary for Counter Threat Finance and Sanctions, Bureau of Economic and Business Affairs, Department of State; Daniel Glaser, Assistant Secretary for Terrorist Financing, Department of the Treasury; Theresa Whelan, Acting Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, Department of Defense; and William Woody, Chief of Law Enforcement, U.S. Fish and Wildlife Service.

CONGRESSIONAL BUDGETING: THE NEED TO CONTROL AUTOMATIC SPENDING AND UNAUTHORIZED PROGRAMS

Committee on the Budget: Full Committee held a hearing entitled ''Congressional Budgeting: The Need To Control Automatic Spending and Unauthorized Programs''. Testimony was heard from public witnesses.

THE ADMINISTRATION'S OVERTIME RULE AND ITS CONSEQUENCES FOR WORKERS, STUDENTS, NONPROFITS, AND SMALL BUSINESSES

Committee on Education and the Workforce: Full Committee held a hearing entitled ''The Administration's Overtime Rule and Its Consequences for Workers, Students, Nonprofits, and Small Businesses''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade concluded a markup on the ''FTC Process and Transparency Reform Act of 2016''; H.R. 5111, the ''Consumer Review Fairness Act''; H.R. 5092, the ''Reinforcing American Made Products Act''; and H.R. 5104, the ''Better Online Ticket Sales Act''. The following bills were forwarded to the full committee, without amendment: H.R. 5111 and H.R. 5092. The following bills were forwarded to the full committee, as amended: H.R. 5104 and the ''FTC Process and Transparency Reform Act of 2016''.

THE IMPACT OF LOW OIL PRICES ON ENERGY SECURITY IN THE AMERICAS

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing entitled ''The Impact of Low Oil Prices on Energy Security in the Americas''. Testimony was heard from Amos Hochstein, Special Envoy and Coordinator for International Energy Affairs, Bureau of Energy Resources, Department of State; Melanie Kenderdine, Director, Office of Energy Policy and Systems Analysis, Department of Energy; and Adam Sieminski, Administrator, U.S. Energy Information Administration.

EXAMINING THE PRESIDENT'S FY 2017 BUDGET PROPOSAL EUROPE AND EURASIA

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, and Emerging Threats held a hearing entitled ''Examining the President's FY 2017 Budget Proposal Europe and Eurasia''. Testimony was heard from Alina Romanowski, Coordinator of U.S. Assistance to Europe and Eurasia, Bureau of European and Eurasian Affairs, Department of State; Daniel Rosenblum, Deputy Assistant Secretary for Central Asia, Bureau of South and Central Asian Affairs, Department of State; Thomas Melia, Assistant Administrator, Europe and Eurasia Bureau, U.S. Agency for International Development; and Ann Marie Yastishock, Deputy Assistant Administrator, Bureau for Asia, U.S. Agency for International Development.

LEVERAGING U.S. FUNDS: THE STUNNING GLOBAL IMPACT OF NUTRITION AND SUPPLEMENTS DURING THE FIRST 1,000 DAYS

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''Leveraging U.S. Funds: The Stunning Global Impact of Nutrition and Supplements During the First 1,000 Days''. Testimony was heard from Beth Dunford, Assistant to the Administrator, Bureau for Food Security, U.S. Agency for International Development.

SRI LANKA'S DEMOCRATIC TRANSITION: A NEW ERA FOR THE U.S.-SRI LANKA RELATIONSHIP

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled ''Sri Lanka's Democratic Transition: A New Era for the U.S.-Sri Lanka Relationship''. Testimony was heard from public witnesses.

CENSUS 2020: EXAMINING THE READINESS OF KEY ASPECTS OF THE CENSUS BUREAU'S 2020 CENSUS PREPARATION

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Census 2020: Examining the Readiness of Key Aspects of the Census Bureau's 2020 Census Preparation''. Testimony was heard from John H. Thompson, Director, U.S. Census Bureau; Steve I. Cooper, Chief Information Officer, Department of Commerce; Harry A. Lee, Acting Chief Information Officer, U.S. Census Bureau; Carol Cha Harris, Director, Information Technology Acquisition Management Issues, Government Accountability Office; and Carol N. Rice, Assistant

Inspector General, Office of Economic and Statistical Program Assessment, Department of Commerce.

SNAP: EXAMINING EFFORTS TO COMBAT FRAUD AND IMPROVE PROGRAM INTEGRITY

Committee on Oversight and Government Reform: Subcommittee on Government Operations; and Subcommittee on the Interior, held a joint hearing entitled "SNAP: Examining Efforts to Combat Fraud and Improve Program Integrity". Testimony was heard from Kevin Concannon, Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture; Mary Mayhew, Commissioner, Maine Department of Health and Human Services; Mike Carroll, Secretary, Florida Department of Children and Family Services; Kay Brown, Director, Education, Workforce, and Income Security, Government Accountability Office; and a public witness.

BEARING THE BURDEN: OVER-REGULATION'S IMPACT ON SMALL BANKS AND RURAL COMMUNITIES

Committee on Small Business: Subcommittee on Economic Growth, Tax and Capital Access held a hearing entitled "Bearing the Burden: Over-regulation's Impact on Small Banks and Rural Communities". Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JUNE 10, 2016

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "Advancing Patient Solutions for Lower Costs and Better Care", 9:15 a.m., 2322 Rayburn.

Subcommittee on Energy and Power, hearing entitled "Home Appliance Energy Efficiency Standards Under the Department of Energy—Stakeholder Perspectives", 9:30 a.m., 2123 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled "18F and U.S. Digital Service Oversight", 9:30 a.m., 2154 Rayburn.

Next Meeting of the **SENATE**

8:15 a.m., Friday, June 10

Senate Chamber

Program for Friday: Senate will continue consideration of S. 2943, National Defense Authorization Act, with the filing deadline for second-degree amendments to the bill at 8:45 a.m., and the vote on the motion to invoke cloture on the bill at 9 a.m.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Friday, June 10

House Chamber

Program for Friday: Consideration of H. Con. Res. 89—Expressing the sense of Congress that a carbon tax would be detrimental to the United States economy. Consideration of H. Con. Res. 112—Expressing the sense of Congress opposing the President's proposed $10 tax on every barrel of oil. Continue consideration of H.R. 5325—Legislative Branch Appropriations Act, 2017.

Extensions of Remarks, as inserted in this issue

HOUSE

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