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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 7, 2016.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

THE INTERNAL REVENUE SERVICE

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

Mr. BLUMENAUER. Mr. Speaker, to understand what is wrong with American politics, especially the dysfunctional Republican House of Representatives, look no further than the spectacle surrounding the IRS and the impeachment of its Commissioner.

The Internal Revenue Service impacts 150 million American taxpayers every year, virtually every family and all legal businesses. This is how we finance essential services, from Social Security to medical research, our national defense, national parks, veterans' services, and so much more. Everything that matters to Americans depends on the ability to finance government efficiently and fairly.

Look, Americans from the dawn of the Republic have chafed at paying taxes, continuing a tradition that dates back to Biblical times, and almost everybody says they hate the IRS, which is the cheapest, quickest political applause line for any politician. Yet, over the years, we have managed to collect money that allows us to win wars, struggle through depressions, and provide what used to be some of the finest public services on the face of the planet.

Yes, the Internal Revenue Service administers a hopelessly complex, convoluted, and unfair Tax Code because that is what the American Congress has given them to work with. Congress created this mess and then blames the people who try to administer it.

If we are ever to make the IRS better, more efficient, and fairer, it is going to require a degree of cooperation, candor, and hard work. The current spectacle of destroying the reputation of a distinguished public servant, an accomplished businessman, is going to make that task even harder.

Make no mistake. The treatment of John Koskinen, with the possibility of being the first Cabinet official impeached in nearly 140 years, is not just embarrassing for the people who are perpetrating it; it represents a threat to the ability to administer the IRS.

John Koskinen came to this position after a lifetime of success in business as a turnaround expert at the highest levels as well as in public service, holding senior positions in both Republican and Democratic administrations. The Bush administration turned to him to prevent the implosion of the housing finance giant, Freddie Mac, and he spent 3 years guiding and rebuilding it.

There is absolutely no evidence that he did anything wrong. The Republican inspector general, a former Republican staff member, found nothing wrong. This impeachment action is going nowhere in the Senate. It has got to be an embarrassment for the Speaker, committee chairmen, and Republicans everywhere. It only serves to highlight ideological divisions, lack of respect for due process, and the exaggerated power of the Republican echo chamber of rightwing talk radio.

But it does more than add to disdain for the political process. It is a cloud over public service. While people claim we don't need the IRS or that our tax filing can be reduced to a postcard and that we can generate all the money we need with reduced tax rates and more exemptions, it is a fantasy that any responsible Republican businessperson or independent economist will verify.

Going down this impeachment path will make it harder to recruit somebody for the hardest job in government and will only deepen the divides at a time when we need clear thinking and nonpartisan cooperation to fix a broken IRS, establish the trust and hard work to make the mechanics of revenue collection work, and avoid the breakdown of the system.

This is playing with fire and should be beneath America's elected officials. Tarnishing the stellar reputation of an outstanding citizen who is doing his country a favor by volunteering to take this thankless task is simply something that should not be tolerated.

THE TIME FOR WAITING IS OVER

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, this is Suicide Prevention Month, and we have a lot of work to do.

In July the House passed H.R. 2646, our mental health reform act called the Helping Families in Mental Health Crisis Act; but since September 1, the beginning of Suicide Prevention Month, 826 people have died by suicide. Since we passed the bill, 7,434 have died from suicide.

Let me tell you one quick story about a young man, a constituent by the name of Chuck Mahoney, who, while in college, suffered from depression. Despite his fraternity brothers going to the administrators and to his counselor, and despite Chuck telling his counselor that he thought he was going to die and there was no reason to live, no one spoke up. No one told the parents.

Sadly, young Chuck, who had been a student, who had been captain of his high school football team, a decorated student with great grades, took his own life, hanging himself with his dog's leash, a suicide that could have been prevented if he had seen people who really could treat suicide.

But so often what happens in this Nation, when someone cries out for suicide risk, there is no one there to help. Actually, as it turns out, mental illness is a contributing factor in 90 percent of suicides. When a person makes a decision, it usually happens in the first 5 minutes or, at the most, the first hour. There is no time for waiting lists.

We have a crisis shortage of psychiatrists and psychologists. We have too few hospital beds. We need something like 100,000 more crisis hospital beds. We have not reauthorized the Suicide Prevention Act in this Congress. We simply don't have enough to treat for a problem that is treatable.

When you add to this people who may do a drug overdose, 90 percent of people who are addicted do not get any treatment. Of the 100 out of 1,000 who try to get treatment, 37 can't find any treatment. Of those 63 left who get treatment, only 6 of them get treatment because we simply don't have enough people to treat. This is the mess we are in as a country, but we can do something about that—but it gets worse.

In addition to these suicide deaths, if you look at just the mental illness-related deaths in this country, since September 1, as of today, 6,713 have died of a mental illness-related death and 60,000 since we passed our bill in July.

The House did its job, but now the Senate needs to do their job. We hear rumors that the Senate is talking about passing the continuing resolution and then going home—going home while this sits on the table in the Senate.

Mr. Speaker, I hope that those millions of Americans who have a family member who has been lost to suicide or a chronic illness or a homicide or freezing on some park bench in some unknown part of America, that those families will speak up and let the Senate know: Do not go home and leave this unfinished business on the table. I mean, after all, why campaign and say we could have done something but we didn't?

What we ought to be doing is looking at the passage in the Senate of H.R. 2646, which provides more psychiatric crisis hospital beds, more psychiatrists, more psychologists. It revises the HIPAA law that allows the compassionate communication between a doctor and a family member at very select times when someone is at high risk for their health or safety. It reauthorizes the Suicide Prevention Act. It does a host of other things, and all these things can happen only if it gets to the President's desk for a signature. But very little can happen if we maintain the status quo where people are left to die while Congress sits.

We did our job in the House. It took years, but when we passed this bill 422–2, Members of Congress, Members of the House of Representatives knew that they had passed a bill that could save lives, but only if we take action. If no action is taken, what do we do? What comfort is there to the families who are dying, who are suffering, saying we could have done something but we decided to wait?

The time for waiting is over. I hope, Mr. Speaker, that Members of the House and of the community at large will call their Senators and say the time for passage is now because where there is help there is hope.

THE PUERTO RICO CONTROL BOARD

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

Mr. GUTIÉRREZ. Mr. Speaker, I want to talk about the beautiful, enchanted island of Puerto Rico, the birthplace of my father and mother and my wife.

Yes, the colony of the United States in the Caribbean Sea where, in case you forgot, everyone is born a citizen and now even more of a colony of the United States now that Washington has appointed a Financial Oversight and Management Board or, as most people call it, the Control Board, la Junta de Control.

Seven members—four put forward by Republicans, three put forward by Democrats—were announced last week, and I was not pleasantly surprised. I have made it clear in this Congress and elsewhere that I oppose the PROMESA legislation that created the board that Congress passed before we left.

Now I look at the board, and I see a mix of people, some with ties to the former Tea Party Governor's regime, some with close ties to Wall Street, and most with experience examining the legal and administrative aspects of bankruptcy, not in governing an island of 3.5 million actual living, breathing human beings.

I was not surprised to see political insiders or those who are close to the bondholders. I assumed as much and still assume, until proven otherwise, that most everyone on the Control Board or who lobbies and influences or helps the Control Board is doing the bidding of the bondholders who profit from Puerto Rico's debt and economic hard times.

The fact that four of the seven members are Puerto Rican doesn't make me feel any more optimistic. If you look at recent history in Puerto Rico, just having a majority of Puerto Ricans shouldn't give you much comfort. Wasn't it Puerto Ricans who beat and pepper-sprayed demonstrators at the university and at the legislature, who have gone after journalists and unions and lawyers in politically motivated attacks, who have put the needs of investors, big Wall Street fat cats, and political insiders ahead of the people, the environment, and the future of the island?

The Control Board and its members, no matter who they are, start with a deep ocean of mistrust from the Puerto Rican people who question why a new layer of opaque, undemocratic, colonial oversight and control is being imposed in secrecy.

That is why I challenged the appointees to the board to go the extra mile to make their deliberations and meetings and decisions as transparent as possible. Do not meet in secret just because Congress allowed you to. When they are governing the people of Puerto Rico, will they do so in Spanish, the language of the Puerto Rican people? Will they even meet on the island of Puerto Rico? Will they make available the logs of who they meet with, who tries to exert influence over them, what Wall Street executives are spinning them or treating them to expensive meals and giving them gifts, as authorized under PROMESA? Yes, they can take gifts.

When this Control Board is making decisions that close schools or hospitals, that threaten the environment, public institutions, and every aspect of society in Puerto Rico, will the Puerto Rican people even be given a minimum amount of information in their own language about who is influencing the seven members of the Control Board?

The Junta de Control must take the extra effort to tell the Puerto Rican people what their decisions mean, why they are being made, and how decisions were determined.

As Members of Congress who have essentially grabbed the reins of self-determination from the Puerto Rican people and handed them to this Control Board, are we going to be afforded the level of transparency that we need to determine if what is happening is what we want to happen?

I understand, Mr. Speaker, that some of our colleagues do not like to be reminded of policy issues that were already voted on, especially complicated policy issues that don't seem to impact them directly or people in their district. They just want to vote on them and forget. Well, I am not going to let

Congress forget about Puerto Rico or the board that we have appointed to rule in secrecy over the people of Puerto Rico.

We cannot just set it and forget it like one of those super-duper wonder machines they sell on infomercials. Puerto Rico is ours. Its people are ours. Its land is ours. Its bays are ours. Its toxic landfills and lush forests, its schools and hospitals and health care clinics—these are all ours in the sense that we have been given a sacred duty to govern over Puerto Rico responsibly.

An unelected, unaccountable Control Board with no mechanism for oversight, with no commitment to transparency, with no promise of bilingualism or inclusion, stocked with insiders and people with questionable links to the very problems the board is supposed to resolve, this does not give me great confidence that this Congress will be alert when the people of Puerto Rico, our fellow citizens and, more importantly, our fellow human beings, are in need of help.

Tell the board, do not meet in secret, do not take the free gifts and dinners just because Congress allowed you to; serve the people of Puerto Rico.

□ 1015

URGING ACTION ON ZIKA

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 speak out against the paralysis in Congress over funding Zika virus eradication efforts.

I have been warning my colleagues in Congress for months that the Zika virus would severely impact our Nation, and especially south Florida, the gateway to the Americas. And while Washington has slumbered through the late summer, it has been a busy August in south Florida dealing with the fallout. It is because of Federal inaction that now Miami-Dade County will be spending $10 million of our own budget to cover for some of the expenses in the fight against Zika.

Back in February, I cosponsored four bills to help start comprehensive preparations for the virus' arrival, including opening up funding sources for mosquito control, freeing the administration to reprogram unspent Ebola funds for fighting Zika, and incentivizing pharmaceutical companies to begin developing treatments and vaccines for Zika.

In March, I requested that $177 million be made available specifically for aid to local mosquito control programs, extra funding for the CDC's Division of Vector-Borne Diseases, and new dollars for innovative mosquito control tool development.

In April, I voted in favor of using the FDA's Priority Review Voucher Program to incentivize Zika virus treatment development.

In May, I voted to give State and local authorities a temporary waiver providing more flexibility in using EPA-approved insecticides for mosquito control.

I also voted against an inadequate $600 million Zika supplemental funding bill, joining 183 other Members, because public health experts contended that it would not be enough to deal with the expected impact of Zika in the U.S.

In June, I voted in favor of a $1.1 billion Zika funding bill that passed the House but did not pass the Senate. Yesterday, the Senate again stopped any debate on Zika funding.

In response to a meager grant sum delivered to the State of Florida after the discovery of mosquito transmission in Wynwood, a section in the city of Miami, in early August, I led the entire Florida congressional delegation in a letter urging the CDC to deliver more funds to Florida, where they were most needed.

As a result of that letter and other efforts, the Obama administration announced that it would indeed reprogram another $81 million for anti-Zika efforts. But now, the CDC Director has stated that the CDC has no more funds available to use for Zika interdiction and eradication.

We need a comprehensive response, Mr. Speaker, that limits the spread of this virus as quickly as possible. This is long overdue. I was ready to go back into an emergency session weeks and weeks ago to pass a comprehensive package, but despite my pleas, this House did not reconvene. Now the House is back in session, but to this point, no votes on a Zika funding bill are scheduled.

How much longer do south Floridians need to wait for the government to commit more resources to fighting Zika?

My constituents are tired and fed up with excuses and buck-passing. I am sick of Congress' partisan fighting and political grandstanding. I stand united with the hardworking residents and families of south Florida, and I will continue working on their behalf to demand that this Congress do its job and protect the American people.

Let's pass the President's request for $1.1 billion to fight Zika and develop a vaccine—a clean bill, with no policy riders—and pass it before this virus spreads even wider throughout our great Nation.

Here we have a picture of an area of the district that is impacted already. We have other areas that are impacted. We have other areas in Florida. We have other areas throughout the United States. Let's stop Zika. We can do it. Let's pass the funding bill.

NATIONAL SECURITY

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

Mr. ISRAEL. Mr. Speaker, I rise today to discuss our national security.

Our first obligation as Members of Congress is to keep the American people safe. That responsibility ultimately rests with our Commander in Chief.

We need a Commander in Chief who will support our troops and their families. We need a Commander in Chief who is going to build robust alliances. We need a Commander in Chief who is going to be tough with adversaries. We need a Commander in Chief who is going to be smart on foreign policy.

Mr. Speaker, yesterday, the Republican nominee for President said that he would ask China to handle the problem of a nuclear North Korea. Now, I know that the Republican nominee for President has outsourced jobs to China. Now he is outsourcing national security to China.

He has insulted Gold Star families, Mr. Speaker. That is not supporting our troops and their families. He has announced that he would weaken our commitment to NATO. That is not building robust alliances. He has said that he has asked Russia to commit cyber espionage against the United States of America. That is not being tough with our adversaries. Outsourcing a nuclear-equipped North Korea to China is not being smart on foreign policy.

Mr. Speaker, the Republican nominee for President is dangerously unfit for command.

I understand that some don't have all the facts and may not be well-read. That is one thing. Not having the facts and not being well-read and being dangerous is a threat to the United States of America.

FUNDING FOR ZIKA VIRUS

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

Mr. JOLLY. Mr. Speaker, I rise today to talk about Zika. I rise with about 100 mosquitoes straight from Florida—Aedes aegypti mosquitoes capable of carrying the Zika virus. This is the reason for the urgency. This is the reason for the fear.

These mosquitoes can travel only 150 feet, but through the assistance of a plane ticket and researchers at University of South Florida, they have made their way from Florida to the well of this House.

Now, they are not active carriers, but they could be. The University of South Florida is one of very few research facilities capable of responding. Through the efforts and leadership of Dr. Robert Novak at the College of Global Health, his team of medical public health and research professionals led an insectary to study control and containment and medical and public health solutions to combat, eradicate, and ultimately find a vaccine for Zika. But they can only do so with money.

Mr. Speaker, it is time to act. The politics of Zika have gone on far too long. The politics of Zika are wrong.

The President proposed a plan that was imperfect. It assumes a 2-year crisis, when, in fact, there might only be

a 1-year crisis. It expanded Medicaid for non-Zika-related health care.

Why would we dilute Zika-related emergency funding with non-Zika-related health care?

It proposed construction of capital properties on leased lands with no recapture provision. That was the President's plan.

The Senate reached a bipartisan compromise of $1.1 billion. The House had its own plan. And through the leadership of the Appropriations Committee chairman, who traveled to study this issue, money has continued to flow, but we know that money will end.

Mr. Speaker, people are scared. During the 7 weeks of August recess that we were gone, cases of Zika rose from 4,000 to, by some estimates, over 16,000 in the country, including a new non-travel-related case in Pinellas County, Florida, my home, my community.

There are roughly a million people in that county who are scared, who have fear. In that fear, they are demanding action. And they are seeing inaction. And in that inaction, they are angry. Angry. And they should be.

It is now our job to try to explain to the American people why we know better. It is our job to respond to the fear and the anxiety and the anger of a population concerned about a pending public health crisis concerned about mosquitoes.

You see, I brought these mosquitoes here today to convey that fear and anxiety of millions of Americans and Floridians.

Can you imagine, Mr. Speaker, the fear and anxiety in this Chamber if these 100 mosquitoes were outside this jar, not inside this jar?

Members of Congress would run down the halls to the physician's office to be tested. They would spray themselves before coming down here.

This is the fear of Floridians right here. It is not good enough to work on a compromise for months and months and months with no solution. The time for the politics of Zika is over. The politics of Zika are garbage right now. The fact that candidates are going to spend money on commercials about Zika instead of responding together in a bipartisan, bicameral way in a divided government to a public health crisis that Americans understand, we are wasting time. That is why I am joined by these mosquitoes today.

FOREIGN INTERFERENCE IN U.S. ELECTIONS

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

Mr. SCHIFF. Mr. Speaker, I rise to express my deep concern with a pattern of foreign interference in U.S. elections and the need to confront Russian aggression and interference in all of its malicious forms.

Over the past several months, we have seen a clear pattern of cyberattacks and leaks designed to target our electoral institutions, including the DNC, DCCC, and our State election agencies, and to discredit the example of our democracy around the world. Evidence collected by private security firms indicates that these attacks are part of a Russian intelligence operation, a campaign of propaganda and disinformation known as active measures.

Sowing distrust and chaos in U.S. elections by a foreign adversary should concern Americans of all parties. Along with Senator FEINSTEIN, I have written to the President to urge that he make a public attribution of these attacks. If a hostile foreign power is attempting to disrupt or influence our elections, the American people have a right to know it. I also urge the GOP to refrain from using hacked documents, which can be easily doctored or seeded with false information. An attack on our election system is an attack on our democracy, and all Americans must stand against it.

It is time we acknowledge the hard truth that Russia poses a significant threat not only to the United States, but to freedom-loving people all over the world. It has invaded its neighbors and attempted to remake the map of Europe through the use of force. It has interfered in the elections of its neighbors. Now it is attempting to interfere in our own elections.

The GOP nominee sees nothing wrong with Russian behavior. He admires Putin, belittles NATO, expresses recognition for the illegal annexation of Crimea, and also expresses a positive receptivity to the idea of repealing sanctions on Russia for its illegal annexation of part of the land of its neighbor. He invites Russia to illegally hack his opponent.

This is dangerous. We are now engaged in a high stakes battle of ideas around the world. The United States, as always, is the beacon of democracy; and Russia, the champion of a creeping authoritarianism that is spreading its destructive influences in the Caucasus, Eastern Europe, and the West.

It is now an iron curtain descending across the continent by the slow smothering of freedoms the world holds dear: the right to choose one's own representatives, the right to speak as we choose, the right to associate with like mind and intent, and what has been described as the most precious right of all, the right to simply be left alone.

All of these universal human rights are under assault by a newly aggressive and belligerent Kremlin. We need a Commander in Chief who will resist this assault, not endorse; who will affront Russian aggression, not ratify it; who has the experience, judgment, and fitness to meet this and other grave challenges facing the United States of America.

□ 1030

HONORING THE LIFE AND DEDICATED SERVICE OF GEORGE KOEHL III

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

Mr. CONAWAY. Mr. Speaker, I rise today to honor the life and dedicated service of George Koehl III. On August 28 of this year, the Midland community celebrated his life and service with Sunday services and a memorial service on Saturday afternoon, August 27.

George was born and reared in Midland, Texas, to Maggie and George Koehl, Jr., on August 19, 1954, and he went to meet his Lord on his birthday, August 19, 2016. He graduated from Midland High School in 1972, and later received a bachelor's degree in church music and a master's degree in music theory and composition from Hardin-Simmons University in Abilene, Texas. While studying at Hardin-Simmons, George met the love of his life, DiAnn Schmidt. The two married and had four children and five grandsons.

After completing his degrees from Hardin-Simmons University, George answered God's call to service and began his career in ministry. Over the course of the next 16 years, George served as a youth and music minister for multiple congregations throughout Texas. In August of 1993, God called George back to his hometown to serve at the First Baptist Church of Midland, where he labored and worked for 23 years.

I was privileged to attend First Baptist Church throughout George's entire tenure. Under his leadership, the music ministry excelled and touched many lives. The Passion Plays at Easter and the Christmas programs he directed were first-class productions that were enjoyed by capacity audiences whose lives were blessed.

I watched George and DiAnn walk a path that I am not unfamiliar with in the battle of cancer. George battled his illness with grace and dignity and courage and a palpable faith in Jesus Christ. All who knew him were inspired by his dogged and iron-willed determination to not let cancer rob him of the service to Christ's kingdom. DiAnn set the bar for how spouses should support each other in good times and hard times, all the while battling cancer herself.

During George's memorial service on August 27, 2016, his children blessed us all in reaffirming their faith in a loving and sovereign God. While their prayers for their dad's healing on Earth were not answered, they acknowledged that God had healed their dad for all eternity.

Throughout his career, he consistently placed the needs of others ahead of his own, and he did so with the utmost integrity and devotion. The many qualities George exhibited serve as a shining example of how each of us should serve the Lord.

George lived a life that blessed everyone that he met and made every community he lived in a much better place. The City of Midland declared August 28 as George Koehl III Day. He is greatly missed, but his legacy will be carried on by the many people whose lives he has touched by his living example.

15TH ANNIVERSARY OF THE 2001 AUMF

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

Ms. LEE. Mr. Speaker, I rise today to really challenge my colleagues to restore Congress' constitutional oversight on matters of war and peace.

Next Wednesday, September 14, will mark the 15th year since Congress passed an open-ended blank check for endless war. This authorization surrendered our constitutional authority to the executive branch.

We continue to mourn the loss and cherish the memories of those killed in these attacks and continue to support and help those who were injured and whose lives were changed forever.

Now, just 3 days after the horrific terrorist attacks on 9/11, this House rushed to pass a 60-word authorization, with little debate, that has been used to wage endless war around the globe. In the 15 years since its passage, this authorization, designed to punish the perpetrators of the brutal and deadly attacks on September 11, has allowed endless war to rage out of control.

A recent report from the Congressional Research Service shows that this authorization has been used more than 37 times in 14 countries to justify military action, and this report only looked at unclassified military actions. How many others have been authorized that the American people don't know about?

The American people and Congress deserve to know what is being done in their name. Sadly, Congress has been missing in action.

It is unacceptable that our brave servicemen and -women are facing snipers and mortar rounds, but Congress can't even muster the courage to debate the war that we are asking them to now continue to fight. It is just plain wrong.

Mr. Speaker, we have a constitutional and moral duty to debate on this war and any war. So why have you not scheduled a debate on this vital issue that affects our national security?

I have asked, the President has asked, members of your own caucus, Mr. Speaker, have asked, even members of our military forces have asked, and still you have not scheduled a debate or vote. What is the hold up?

During the amendment debate surrounding this year's National Defense Authorization Act, we got a few moments to discuss this issue. We were allotted 10 minutes, the same amount of time allotted to debate what brand of sneakers should be available to our servicemembers. If these issues get 10 minutes of debate, one would think that our national security and the Constitution deserve more than a rushed amendment debate allotted.

Now, my colleagues and I might disagree on what specifics of an authorization should look like; and that is why we need this debate, so Members understand all of the options, the costs, and the consequences and we can advance policies that protect the Constitution and ensure our national security. The American people deserve more than a Congress that is missing in action.

In February of last year, President Obama sent a draft authorization to Congress. Mr. Speaker, it has sat on your desk ever since, with no action, no hearings, no formal debate, and not one vote.

While Congress has been missing in action, more bombs have fallen, more American servicemembers have been put in harm's way, and, yes, we have poured more than $1.7 trillion into warmaking.

Right now, any President can unilaterally wage war under the outdated 2001 authorization. The last four Presidents have bombed the Middle East. Will this Congress allow a fifth President the same unlimited power to wage unchecked war? We can't and we shouldn't. It is past time for this debate.

Now, in 2001, when I opposed this authorization, I challenged my colleagues with the words of the Reverend Nathan Baxter, the dean of the National Cathedral. He said:

> Let us hope that we may not, through our actions, become the evil that we deplore.

Fifteen years later, we, this Congress, have attacked our Constitution, the balance of power, and the voice of the American people on matters of war and peace. We, yes, have surrendered the Constitution and the voice of the American people. We have ignored the advice of our Founders and have divested our Nation's war-making power from Congress, which, yes, is the voice of the American people.

So it is past time to stop this lawlessness. It is past time to restore the Constitution. It is past time for us, as Members of Congress, to live up to our responsibility we were elected to fulfill. It is past time that we do our job and repeal the blank check for endless war and have a debate and a vote on a new authorization for this new war footing that this country has embarked upon.

RECOGNIZING 70TH ANNIVERSARY OF TRI-TOWN FIRE COMPANY

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 in recognition of the 70th anniversary of the Tri-Town Fire Company in Potter County, located in Ulysses, Pennsylvania, within the Pennsylvania Fifth Congressional District.

The company was founded in 1946, and currently serves Ulysses Borough, Northern Ulysses Township, Southern Bingham Township, Northern Hector Township, and Eastern Allegheny Township. Under the Tioga/Potter County Mutual Aid Plan, they also respond on the first alarm to certain calls in Harrison, Pike, Genesee, and Sweden Townships.

Although the fire company is located in a very rural area, they protect a large and vital part of America's national infrastructure, including the Northern Potter County natural gas storage field, compressor stations, transfer stations, pipelines, and wells.

The station is also responsible for protecting nearly 35,000 acres of Pennsylvania forestland, which is something of high importance to me as chairman of the House Agriculture Subcommittee on Conservation and Forestry.

Mr. Speaker, as a volunteer firefighter myself, I have the deepest respect for the men and women who step forward to help their communities, to help their neighbors, putting their lives on the line and asking for nothing in return.

I wish the men and women of the Tri-Town Fire Company the best of luck in the future.

HONORING SWEDEN VALLEY MANOR

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in honor of the efforts at Sweden Valley Manor, a nursing home in Coudersport, Potter County, serving people in that county, along with McKean, Tioga, and Cameron Counties.

In particular, I want to commend the efforts of local master gardener Bonnie Wood, who has worked over the course of the past 5 years to create what are now called ''Enabling Gardens'' at the facility.

As a former licensed nursing home administrator, the opportunity to visit Sweden Valley and, specifically, to visit these healing gardens—what a resource this is for the men and women and the individuals who live and work within that facility.

The gardens are designed so that residents can exercise their green thumbs. All the planters that Bonnie built are wheelchair-height, and a lazy Susan actually allows for the planters to rotate for maximum accessibility no matter what the physical mobility or orthopedic issues that an individual may be experiencing.

She has cultivated relationships with corporate sponsors, volunteers, and youth groups from across the region, and has also welcomed students involved in FFA and 4–H to work with Sweden Valley Manor's residents. Bonnie has educated staff and residents on how to take care of plants and where particular plants should be placed in a garden, dedicating her own time to get plants and vegetables started on their growth at the home.

Mr. Speaker, I am proud of Bonnie Wood's dedicated service to her community and to the citizens of Potter County and the surrounding region and, certainly, to the residents who make their home at Sweden Valley.

AMERICA NEEDS A STRONG AND SMART COMMANDER IN CHIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the Virgin Islands (Ms. PLASKETT) for 5 minutes.

Ms. PLASKETT. Mr. Speaker, I rise today to highlight a matter of critical and immediate importance to our national security.

As we combat the growing threat of terrorism both at home and abroad, it is absolutely critical that we elect a Commander in Chief who will be strong and smart when it comes to our national security, a Commander in Chief who will work with our allies, employ diplomacy across the globe, and be thoughtful when it comes to using military force to defend the United States.

Time and again, the Republican nominee has shown that he completely lacks the temperament to lead America on the world stage. Our Commander in Chief must support our men and women in the military and our veterans. Instead, our servicemembers and veterans have weathered verbal attack after verbal attack since the Republican nominee began his campaign.

Mr. Speaker, our men and women in uniform deserve better. Those of us who have children who can be called up deserve better. For those who put themselves in harm's way, they deserve better. For Americans who rely on the Commander in Chief to make reasoned, well thought-out, balanced decisions, they deserve better.

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

A TRUE MINNESOTA HERO

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 honor the incredible life of General John W. Vessey Jr.

Just 16 years old when he lied about his age and enlisted as a private in the Minnesota National Guard, John Vessey quickly found himself on the front lines in World War II. It didn't take long for John to distinguish himself as a war hero, and, in 1944, he received a battlefield commission.

General Vessey's military career didn't end with his service in World War II. More than two decades later, he also served in Vietnam.

In 1982, General Vessey was chosen as the Chairman of the Joint Chiefs of Staff by President Ronald Reagan, due to his impressive reputation for high integrity and strong character.

Some of us might remember General Vessey for becoming our Nation's longest serving active soldier, but most of us will remember him for the work he did for his fellow soldiers.

President Reagan once called him a ''soldier's soldier,'' which he undoubtedly was, as he never forgot about the men who stood next to him in battle, including the ones who never made it home. This was proven by his advocacy for MIA/POW issues, for which he was awarded the Presidential Medal of Freedom in 1992.

General John W. Vessey Jr. was a true Minnesotan hero and he is a legend. We were lucky to have him; and while he will be missed, he will never be forgotten.

□ 1045

MINNESOTA'S OWN BEST BUY TURNS 50

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate a Minnesota company that has reached a major milestone. This past month, Best Buy turned 50 years old.

Best Buy was founded in 1966 by Richard Schulze. Originally named The Sound of Music, this store sold stereo equipment to college students in the Twin Cities area. When the stereo market began to decline, the store eventually expanded its merchandise to offer other popular products, ultimately leading to major future success.

Like any business, Best Buy has faced highs and lows. In 1981, a tornado destroyed the main store in Roseville. Instead of letting the disaster win, Schulze and his employees banded together to continue to sell great products at a great price and provide excellent customer service along the way.

Today there are now 1,600 stores located throughout North America, proving that both determination and hard work can pay off. Their success is widely recognized, so much so that Forbes magazine even named Best Buy the company of the year in 2004.

Congratulations to Best Buy on 50 years of business. Thanks for representing Minnesota so well. And here's to the next 50 years.

PROOF OF TRUE SERVICE TO OUR COUNTRY

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor Matthew C.G. Boucher of Ramsey, Minnesota. Matthew recently received a Veterans' Voices Award meant to highlight the incredible contributions of Minnesota's veterans.

Matthew is a veteran of the Army National Guard and spent 12 years courageously serving our Nation. Today he continues his service to our country and to the State of Minnesota through his work as a middle school principal.

Matthew's love for the military and his fellow veterans is a large part of what inspires him in his current position.

At Fridley Middle School, he started a Veterans Day program to teach students to recognize the many sacrifices that the members of our military make. He also works to promote the belief within every one of his students that anything they set their minds to is possible. He is especially dedicated to helping his students pursue their education beyond high school.

Thank you, Matthew, for your brave service and for continuing to better our Nation. Our Nation and our State is a better place because of you.

A VOICE FOR VETERANS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor Jolaina Falkenstein of Carver, Minnesota, for receiving a Veterans' Voices Award. These awards are meant to honor the outstanding contributions made by Minnesota's veterans.

Jolaina is an Army Reserve veteran who serves as a senior noncommissioned officer in the 88th Regional Support Command.

In her primary role as a lead training officer for the Yellow Ribbon Reintegration Program, Jolaina strives to help military members prepare for deployment as well as for what they will need when they return home.

Additionally, Jolaina works as a licensed therapist for Lutheran Social Services, working with our military members and their families.

We are truly thankful to have an individual like Jolaina in our community. Not only has she served in the Armed Forces, but she continues to serve by providing our Nation's veterans and their families with the care that they not only deserve, but they so desperately need.

ZIKA FUNDING

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

Ms. JACKSON LEE. Mr. Speaker, there was such expectation, as Members returned from their work recess in August. Many times, the American people are quizzical, inquisitive about the structure of our work.

We are constitutionally mandated; and, in fact, we have major responsibilities of oversight; but we also are the umbrella on a rainy day. The Congress must rise to the occasion in time of war. It is our authority to declare war. We must rush to the aid of those Americans in need by our oversight over executive agencies, such as Homeland Security and FEMA, as we watched the suffering of our fellow Americans in the terrible storms of Baton Rouge, of the hurricanes up and down the east coast, of what happened on 9/11 or Sandy or Katrina or Rita or Hurricane Ike and many others. Hurricanes and others, it is up to us to do our work.

Well, we are not doing our work.

We left this place having had the Senate pass a $1.1 billion Zika funding bill—not what the executive asked, but a reasoned response to the crisis and emergency that we are facing. It is devastating in Puerto Rico, which is part of the United States. It is devastating

to the people there. They are suffering greatly. Now we have found cases in parts of Florida, including areas that my colleague, Congresswoman WILSON, represents, and areas around Miami Beach. More importantly, there are 2,000 Zika cases in the United States, 600-plus are pregnant women, babies not yet born; and 35 cases have been found to have been transmitted here in the United States—and yet fiddling is going on. Unnecessary riders are being included in something that should simply pass because it is an emergency.

Shame on those who would cloud legislation with preventing the health clinics that women need, run by Planned Parenthood, from getting money. Shame on those who would try to undermine the executive order about confederate flags in veterans cemeteries on official flagpoles. You have every right to put it at your personal grave, or the family does. How ridiculous, how undermining of our authority, our constitutional responsibility to govern this Nation.

I am saddened because the image that is being perceived is that we cannot do our job. We can. We have to be Americans united together, facing the emergency.

Many Americans are not focused on the Zika virus. I understand. It has been a time of summer and frolic and time with family. But most infectious disease doctors—the regional task force that I have organized: Dr. Hotez, an infectious disease doctor at Baylor who is well renowned; and Dr. Persse, a well renowned medical professional in public health; along with OB/GYN and State officials. I want to thank them for their work.

They are asking me: Where are the resources for mosquito control, for the research, for the vaccine?

Just so you know, the cost of a baby that has been impacted by this terrible disease is $10 million.

IRS COMMISSIONER

Ms. JACKSON LEE. Mr. Speaker, and then on the question of our duties, why would there be any discussion to impeach or to suggest the impeachment of a public servant like the IRS commissioner, who I know has done nothing wrong, including the words of the inspector general who can find nothing wrong that this retired private citizen, who came to help turn the IRS around, who came way after the trouble was raised about targeting different groups—he had nothing to do with it. And yet someone is suggesting he should be impeached.

What are you going to do with Americans who sacrifice and say, I want to serve, and then you abuse them and abuse the power of this Congress and suggest some kind of an impeachment?

I have gone through impeachment proceedings. Read the Madison papers. There is no suggestion of misconduct or treason by this individual.

We can't impeach people because the IRS is some entity that most of us would find not a welcomed guest at our dinner table. And then again, they do great work. They are a part of the structure of this government.

So I would ask the question: Why?

That is not oversight; that is abuse.

CELEBRATING THE RETURN OF THE CHIBOK SCHOOLGIRLS

Ms. JACKSON LEE. Mr. Speaker, I want to celebrate the return of the Chibok schoolgirls. Many of you know that 200-plus girls were taken back in 2014, in Nigeria, snatched out of their beds, snatched out of a boarding school, abused, and taken by Boko Haram. Boko Haram, of course, is an ISIS cousin.

I want to acknowledge that FREDERICA WILSON, LOIS FRANKEL, and myself, we went to Nigeria when they were taken. Mr. Speaker, I am delighted to celebrate those girls are back. But we are going to fight Boko Haram in every way that we can possibly fight.

Finally, congratulations to the University of Houston football team that beat Oklahoma.

MEDICARE PART B PROPOSED PLAN FOR DRUG REIMBURSEMENT

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today on behalf of seniors in the First Congressional District of Georgia. Many seniors in the First Congressional District of Georgia and across the Nation battle medically complex diagnoses, including cancer, rheumatoid arthritis, severe immune deficiency, epilepsy, and macular degeneration. These Medicare patients face significant complexities in their care and treatment options.

This spring, I joined over 240 of my colleagues in sending a letter to CMS that expressed our deep concerns with a sweeping, nationwide experiment that the Center for Medicare & Medicaid Innovation has proposed.

Patients and physicians in my district told me with no uncertainty that the CMMI experiment with part B drug payment will have negative consequences for millions of Medicare patients who depend on access to lifesaving treatments to live better lives. Under the part B drug experiment, in many cases, Medicare payment for certain drugs would be significantly below a physician's acquisition cost for the drug. This will put patients at tremendous risk, potentially forcing them to abandon treatments for other treatments that have shown less success. Ultimately, CMS will manipulate choice of treatment for Medicare patients using heavy-handed reimbursement techniques that undermine any efforts by medical professionals who have dedicated their lives to treating complex conditions like cancer.

To make matters worse, CMS sought little to no stakeholder input, and has provided little turnaround time before medication treatment will be based on cost, rather than what is best for the patient.

As a lifelong pharmacist, I trust clinically trained medical professionals to determine the best treatment for patients, not an unaccountable bureaucrat. Adding to the outlandish nature of this part B drug pilot project, there is nearly no escaping it. CMMI proposes to force nearly 75 percent of the country to participate in this Medicare drug experiment. 75 percent of the country is not a pilot project. It is near full implementation of a new program.

Just last week, CMS responded to the letter we sent them and simply thanked us for sharing our opinion. Such a brief and dismissive response is indifferent to the risk posed to our Nation's sickest patients and to this congressional body.

For all these reasons, I applaud my colleague from Indiana, Dr. LARRY BUCSHON, for sponsoring H.R. 5122 to prohibit CMS from moving forward with this dangerous, misguided experiment with seniors' lives. I proudly join him in his effort as a cosponsor of H.R. 5122 and encourage my colleagues to support this legislation.

REMEMBERING GEORGE KOMELASKY

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

Mr. FITZPATRICK. Mr. Speaker, George Komelasky of Northampton Township, Bucks County, Pennsylvania, was a friend and political colleague. His passing last month at the age of 66 was a personal loss that also leaves a gap in the township government where he served for 31 years. He was first elected in 1985, and he successfully was reelected just last year to another 6-year term.

At all times, George viewed his responsibilities in elective office as public service and performed intelligently and honorably term after term. Those with whom he served know he was conscious of his responsibilities to the taxpayers while providing necessary services that enhanced the quality of life in his hometown.

He was a leader who left his partisanship at the door and was viewed as a role model and also a mentor. Most of all, our friend, George Komelasky, will be remembered for his good nature and the values that guided his public and his private life.

MARGARET R. GRUNDY MEMORIAL LIBRARY

Mr. FITZPATRICK. Mr. Speaker, as we recognize the 50th anniversary of the Margaret R. Grundy Memorial Library in the borough of Bristol, Bucks County, Pennsylvania, we also acknowledge the legacy of United States Senator Joseph R. Grundy, who established this beautiful library on the banks of the Delaware River in the name of his sister Margaret.

This remains a privately funded public library with an ongoing mission:

opening doors, inspiring minds, and connecting community. Now in its milestone year, the library is a testament to the generosity and vision of Senator Grundy and Margaret Grundy and the dedication of those who followed.

The original mission has made this library a vital educational institution, valued by local and regional learners of every age. Grundy Foundation grants carry on the Grundy family legacy by continuing to improve the quality of life for residents of Bristol Borough and people throughout all of Bucks County.

The Grundy Foundation supports the Margaret R. Grundy Memorial Library, the adjacent Memorial Museum, and countless local projects.

On October 6, 2016, the library will hold a public anniversary celebration with a reception and exhibition featuring historic artifacts, photographs, and primary documents.

Heartiest congratulations to all of those involved, past and present, who have carried on and enriched so many lives and will continue to do so for generations to come.

□ 1100

LOUISIANA UPDATE

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

Mr. GRAVES of Louisiana. Mr. Speaker, I rise today to give an update from home. I represent south Louisiana. A few weeks ago, we had a rainfall event that has been categorized as a 1,000-year storm.

Mr. Speaker, in some areas of south Louisiana we received 31 inches of rain. To put that in perspective, that would take 5 years for the city of Bakersfield, California, to achieve that number. That would take 10 years for the city of Yuma, Arizona, to receive that level of rain. For those Americans that haven't realized they can live in the pleasure of the subtropics and you live up north, to translate that to snowfall, that is the equivalent of a 25-foot snowstorm; a storm that leaves 25 feet of snow. This is categorized, again, as a 1,000-year event: 31 inches of rain in, in some cases, as short as perhaps 36 hours.

Mr. Speaker, we have areas that have never, ever flooded, never seen water, never retained or held water in any way, shape, or form, that dealt with several feet of water in their homes and businesses. In Livingston Parish, Louisiana, it is estimated that 86 percent of the homes and 91 percent of the businesses were flooded. This has been a devastating event for many folks in our community.

Mr. Speaker, as we move forward, certainly the Stafford Act, the Federal disaster law, has a role in helping our communities to recover. But what happened when this storm first came about and the flooding began is that it wasn't the Stafford Act or FEMA that came to the rescue. It was our neighbors, it was our community, many of which were flooded themselves. They got their own boats and went out and rescued folks and rescued their neighbors to the tune of thousands and thousands of people rescued by what we deem the Cajun Navy. I had a chance to go out there in my own kayak and paddle board and rescue dozens of folks that were trapped in their homes.

Mr. Speaker, it didn't stop there. When shelters weren't open and weren't available, Cajun Navy shelters opened up. People just opened up their own homes and businesses to shelter those that were homeless. We had Cajun Navy chefs, many of which just for the first time deemed or designated themselves chefs, that cooked tens of thousands of meals not for compensation or because they were told to do so. They did it because we had friends and neighbors that were hungry and that were homeless. So we cooked for those folks.

And it didn't stop there. We had a cadre of folks that we deemed the Cajun Army that have come together and helped to gut and de-muck thousands and thousands of homes across south Louisiana, again, Mr. Speaker, not because they were compelled to do so by any requirement or compensation. They were compelled to do so out of their selflessness, out of their generosity, and out of their hospitality.

Mr. Speaker, we are now at a point to where the volunteerism, the hospitality, the generosity of our community is going to be exceeded. The needs are going to be greater than we can volunteer ourselves out of. We have thousands and thousands of homeowners across south Louisiana that are facing this scenario. They have a home that may be worth $200,000 but, because it was flooded and is entirely gutted now, it may be worth just half that. They may have a mortgage balance that is in excess of the value of the home, which means they are upside down in their mortgage.

But that is not all. They have lost both of their cars, adding tens of thousands of dollars to the equation. They have to rebuild their home, which adds tens or maybe even six figures of liability. They have to replace their clothes, their wardrobe. And in some cases, their employers are under water; therefore, they don't even have a way of making money.

Mr. Speaker, we are not a community that sits around and asks for a handout. That is not what we do. But in this case, I will say it again: as generous, as hospitable, as selfless as our community has been, we are now at a point to where we are unable to address the needs. Again, the Stafford Act works in most disasters. This one is an anomaly. This is an extraordinary disaster.

I am looking forward to working with colleagues on both sides of the aisle moving forward on tailoring a recovery package for this region. This is estimated or projected to be the fourth most costly flood event in U.S. history. It is an extraordinary event that, unfortunately, has not received the national media attention that most disasters of this nature would.

Disasters are awful. At some point, everyone in this country is going to experience some type of disaster—a flood, a tornado, a hurricane, an earthquake, a terrorist attack, or something else. When you have these catastrophic events, it is time for us to come together as a Nation to offer a helping hand. I am looking forward, again, to working with colleagues across the country to do that.

REMEMBERING JACOB WETTERLING

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

Mr. PAULSEN. Mr. Speaker, I rise today to remember and honor Jacob Wetterling and offer my deepest prayers to his family.

Over the weekend, we learned of the tragic details and reached the awful end of this 27-year-long saga filled with grief, with hope, and with pain that moved Minnesota and the entire Nation. It was 27 years ago, Mr. Speaker, that Jacob was taken, kidnapped from a small rural Minnesota community, and went missing.

As a community, we extend our deepest sympathies to Jacob's parents, Patty and Jerry Wetterling. Throughout these 27 trying years, they have remained strong and became tireless advocates for children's safety. Their efforts have resulted in widespread awareness of effective measures to protect children, Federal legislation to monitor known and potential predators, and the founding of the Jacob Wetterling Resource Center to inform and prevent similar tragedies from impacting other families. They channeled their heartbreak to activism for the good of children and their families all across this country even as they grieved themselves. Because of their efforts, countless children have been saved from various forms of exploitation.

Mr. Speaker, while this is not the ending that we had hoped for after all these years, Jacob will never be forgotten, nor will his family's undying love and commitment to protecting our precious sons and daughters.

Jacob, may you rest in peace.

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 7 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Marvin Jacobo, City Ministry Network, Modesto, California, offered the following prayer:

Master, I give thanks for our United States of America. I am grateful for every man and woman holding governmental positions of authority. Make Your truth known to them. Cause them to be men and women of integrity, concerned first and foremost with the common good. Grant them the deepest of insight to solve our most daunting challenges.

I pray that each Member would exercise the humility to discern how to best co-labor with those that might see issues differently than them. Make their hearts and ears alert to good counsel. Honor each one, Master, for the investment they make participating in this, our representative government. I pray a blessing over their families, acknowledging that they, too, sacrifice for the sake of our country. May our national proceedings be held in a spirit of mutual respect and civility.

I pray in the name of my Lord and Savior, Jesus Christ.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Florida (Ms. CASTOR) come forward and lead the House in the Pledge of Allegiance.

Ms. CASTOR of Florida 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 MARVIN JACOBO

The SPEAKER. Without objection, the gentleman from California (Mr. DENHAM) is recognized for 1 minute.

There was no objection.

Mr. DENHAM. Mr. Speaker, it is my honor today to introduce to the House our guest chaplain, Reverend Marvin Jacobo. Reverend Jacobo is the executive director of City Ministry Network, an incredible organization that is the catalyst for transformation in the city of Modesto, California.

As lifelong Modesto residents, Marvin and his wife, Cheryl, have continued to minister to thousands of youth in our community, changing lives and bringing people from humble backgrounds to leaders in our community.

Mr. Speaker, I ask my colleagues to join me in welcoming him today. We thank him for offering this afternoon's prayer in the United States House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

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

SUPPORT THE LIVE LIKE BELLA CHILDHOOD FOUNDATION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, as we observe Childhood Cancer Awareness Month and shed light on the types of cancer that afflict approximately 16,000 children every year, I would like to recognize the work of the Live Like Bella Childhood Cancer Foundation.

Inspired by Bella Rodriguez-Torres—this sweet young girl—a young girl who courageously fought cancer six times before her death in 2013, this foundation supports the fight against pediatric cancer, while offering much-needed support for families. This wonderful organization, based in my home area of Miami, Florida, was established by Bella's parents, Shannah and Raymond Rodriguez.

I encourage our south Florida community to lend their support to these children and families who are battling cancer by attending Bella's Ball. This lively event, Mr. Speaker, will take place Saturday, September 10, at the JW Marriott Marquis.

Together, we can raise awareness in our community and finally end the number one disease killer of children today: pediatric cancer.

HONORING THE LIFE OF LESLIE WITT REICHENBACH

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

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the life of Leslie Witt Reichenbach, an important and respected member of the Chicago community. For nearly 40 years, she woke up generations of Chicago's WXRT listeners on weekend mornings.

Leslie, often called ''the overnight angel,'' was known for her kind smile and her ability to connect with others. She embodied the heart of our city with her enthusiasm for radio and her strong dedication to her WXRT listeners. Her contributions to the Chicago community changed countless lives and will continue to do so for generations.

Sadly, in July, Leslie passed away after her courageous battle with ovarian cancer. Leslie bravely fought her illness by listening to new albums, attending concerts, and practicing ballet.

Leslie's top priority was always her family. The love and support they provided her was the most important thing in her life. She is survived by her husband, Chuck, and their children, Kay and Kurt.

As this is National Ovarian Cancer Awareness Month, I ask that her memory not be forgotten and that we appropriately fund the critical research necessary.

ANNUAL AUGUST BUS TOUR

(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, each August, I look forward to an annual district bus tour, where I travel across all five counties of the Second Congressional District. During this time, I meet with constituents and hear their opinions about issues important to the families in South Carolina, along with my wife, Roxanne, and dedicated staff.

This year, I was grateful to visit nearly 20 businesses, schools, civic clubs, and chambers of commerce. At each location, I took the opportunity to thank employees for their service and thank employers for their work creating jobs. I also took the opportunity to present Speaker PAUL RYAN's positive policy agenda, ''A Better Way,'' that presents positive proposals for some of the greatest challenges facing our country.

When I was elected to Congress, I pledged to be accessible and accountable, and this bus tour is one of many ways that I fulfill this promise. While I regularly visit with families, schools, and businesses in the Second District, I especially appreciate the nonstop tradition of visiting with the community I am humbled and inspired to represent.

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

FUND ZIKA RESEARCH NOW

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

Ms. CASTOR of Florida. Mr. Speaker, 17 babies in the United States have been born with birth defects tied to the Zika virus. Currently, over 80 pregnant women in my home State of Florida and over 1,600 women in the United States have the Zika virus.

I urge the Speaker and my GOP colleagues who control the agenda here in

the House to act immediately and bring an emergency Zika package to the floor of this House. They can do it quickly. They can do it today. They can do it this week. But, unfortunately, there is no plan to do so. This is unconscionable.

My neighbors back home and all across the country need the tools to prevent this public health crisis from growing. The Centers for Disease Control and the National Institutes of Health need the tools to prevent this public health crisis. To do otherwise would be unconscionable. We need action now.

TRIBUTE TO CORPORAL WILLIAM ''BILL'' COOPER

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

Mr. WOMACK. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of Corporal William ''Bill'' Cooper, a dedicated law enforcement officer in Arkansas.

Bill, a veteran of the U.S. Marine Corps, served the Sebastian County Sheriff's Office since 2001, in addition to 5 years with the Fort Smith Police Department.

On August 10, Mr. Speaker, while responding to a domestic disturbance near Greenwood, Arkansas, Corporal Cooper was shot and killed in the line of duty. His is a great loss to Arkansas law enforcement and a reminder of the bravery of our men and women in blue who put their lives on the line every day to keep our citizens safe.

Sebastian County and the entire Third District of Arkansas mourns the loss of Corporal Cooper. My prayers are with his wife, Ruth, his son, Scott, his sister, Ginger Cox, his three grandchildren, and Corporal Cooper's fellow law enforcement officers. May God bless those he leaves behind as they search for peace and understanding through this terrible tragedy.

DUTIES OF A COMMANDER IN CHIEF

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

Mr. KILDEE. Mr. Speaker, I think we all know that now more than ever it is critical that our next Commander in Chief is ready to walk into the Oval Office and be ready to lead on day one.

Keeping Americans safe is the President's most solemn duty. That is why Americans need a strong and smart national security plan led by a Commander in Chief with experience, the highest respect for our troops, and with a level head.

However, the Republican nominee for President has repeatedly proven he lacks the qualities it takes to lead our Nation and our Armed Forces. He has insulted veterans and Gold Star families while claiming he knows more about how to protect this Nation than our own military leadership. He has openly advocated torture, in contradiction to what our generals suggest.

When presented with a Purple Heart by a wounded veteran, he responded by saying: ''I always wanted to get the Purple Heart. This was much easier.''

Our military represents the absolute best of our country. In July, when we met the Khans, he ridiculed them. We need a Commander in Chief that commands the respect of the American people.

ASTRONAUT JEFF WILLIAMS

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

Mr. SHIMKUS. Mr. Speaker, I want to welcome home Jeff Williams and the crew of Expedition 48, which landed safely last night in Kazakhstan.

Jeff is a Wisconsin native and a West Point classmate of mine from the class of 1980. In fact, when he landed, he put a hat on that had our class crest and motto.

He holds the U.S. record for the most cumulative days in space by a United States astronaut. He has completed five space walks, including two on this last mission.

Jeff is a member of Gloria Dei Lutheran Church in Houston. He is also a noted and published photographer. He says: ''It's a very humbling experience to view the Earth''—and everything it represents—''and to begin to imagine the creative power of our God.''

I would like to end with Psalm 19:1: ''The heavens declare the glory of God; the skies proclaim the work of his hands.''

Welcome home, Jeff. Have NASA update the photo in your biography, which is about 20 years old.

21ST CENTURY HEARTLAND TOUR

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

Mrs. BUSTOS. Mr. Speaker, during the past month, I have been to every corner of my congressional district as part of a 21st Century Heartland Tour. I have spoken with the hardworking men and women who truly make the Heartland the greatest place in America to live, work, and raise a family.

But our region faces serious challenges, and these challenges need to be addressed by Congress. That is why I held a roundtable in Monmouth, Illinois, to discuss rural broadband. In rural America, just over half of our families have access to high-speed Internet, as opposed to 90 percent in the more urban areas.

That is why I was in Stronghurst, Illinois, to talk about rural health care. Although one in four Americans live in rural America, we only have a tenth of the Nation's practicing physicians.

These are just a couple of the issues facing our families in rural America. They can't wait for solutions. I urge my colleagues on both sides of the aisle to come together to support a thriving, modern 21st century heartland.

□ 1215

SUICIDE PREVENTION MONTH

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, as September is National Suicide Prevention Month, I am proud to join my colleague, EARL BLUMENAUER of Oregon, in introducing a resolution to address this silent epidemic which took the lives of near 43,000 Americans last year.

Last month, the CDC reported the suicide rate has increased across nearly all age groups. And over the past decade, while mortality rates decreased for homicide, AIDS, heart disease, stroke, auto accidents, and cancer, the overall suicide rate increased again for the 11th time in 14 years.

Last July, the House passed H.R. 2646, the Helping Families in Mental Health Crisis Act, by a near-unanimous vote of 422–2. This month alone, 826 Americans have died by suicide, and about 7,434 have died since we passed this bill.

We fervently hope the Senate does not delay in passing this bill. Lives hang in the balance. Every 12 minutes a person dies of suicide. Every 13 minutes a family mourns a lost life who will never go home again. The Senate needs to pass this bill before they go home again themselves.

Where there is help, there is hope.

MAKE THE INVESTMENT OUR ECONOMY NEEDS

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

Mr. HIGGINS. Mr. Speaker, the financial research firm of Standard & Poor's reports that for every $1.3 billion invested in our infrastructure, 30,000 American jobs are created; it adds $2 billion in economic growth; and reduces deficit by more than $200 million.

Economists at the Council on Foreign Relations explained that ''the compelling case is that a dollar in on a macro basis in our economy results in more than a dollar out;'' which is to say, Mr. Speaker, that to shortchange infrastructure is to reject and undermine economic growth in this country.

Policies that create growth and reduce the deficit should be embraced by everybody, including conservatives. Indeed, it was the Republican President Eisenhower who initiated the National Highway System, and the Chamber of Commerce is a leading voice in calling for infrastructure spending today.

I urge this body to embrace sound economics and the tradition of bipartisan

support for infrastructure spending, and make the investment that our Nation needs to nation-build, not in Afghanistan, not in Iraq, but right here at home in America.

HONORING THE LIFE AND SERVICE OF DEPUTY CORPORAL BILL COOPER

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

Mr. WESTERMAN. Mr. Speaker, in recent months, our Nation's police have come under attack. Last month, the violence against our police hit home as Sebastian County, Arkansas, Sheriff's Deputy Corporal Bill Cooper was shot and killed responding to a call for help on August 10.

In the days and weeks since his untimely death, thousands of Sebastian County residents paid their respects to Corporal Cooper by remembering his dedication to God, his family, the sheriff's department, and the country he loved.

I don't pretend that my words will fill the void left by his death, but I hope my words can properly honor a man who paid the ultimate price upholding the oath he swore to defend. I thank him for his service, and I thank his family for sharing him with the community.

Psalm 34:18 says: ''The Lord is close to the brokenhearted; He rescues those whose spirits are crushed.''

May God bless and comfort Deputy Cooper's family and friends during this time of grief.

FUNDING TO COMBAT THE ZIKA VIRUS

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to express my disappointment that Congress left in mid-July without adequately funding the Zika crisis.

The number of confirmed Zika cases across the United States and territories quadrupled while Congress was on recess. The number of cases rose from 4,222 in mid-July to 16,822 last week. Zika poses a grave, unprecedented threat to public health.

It is time for Congress to fulfill its constitutional and moral duty to protect the health and welfare of our country. It is an appalling disservice to the American people that we have not yet provided resources to combat this virus that already is having real effects on our families.

We have delayed funds for medical research and help to our local communities. The majority's reluctance is putting the health and lives of the American people at risk, and inaction now is only more costly in the long run.

I sincerely hope we can return to work with a renewed sense of responsibility for health and welfare of our Nation and approve the funds necessary to prevent Zika spreading in the country. We need our communities safe. Pass a clean Zika funding bill.

COMMEMORATING THE LIFE OF POLICE CHIEF JACK STORNE

(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, I rise today to commemorate the life of Police Chief Jack Storne, of Gridley, California, who passed away on August 27.

Serving others is part of what was hardwired into Jack's existence. From being in the Marine Corps from 1963 to 1965, many, many years in law enforcement, and in his church, and also in dedication to his recently passed wife of 47 years, Wilma, his commitment to protecting and caring and serving for others, for his community, sets a gold star standard for public service.

In his 37 years in the police force, Jack worked his way up from reserve officer in Modesto, California, to a patrolman, to the beloved police chief of Gridley and Biggs, where he was widely respected for his community-focused approach in protecting residents and enforcing law.

He implemented many important new ideas and programs in his department, such as the Retired Senior Volunteer Program, the Gang-Resistance Education and Training platform, Police Explorers program, the D.A.R.E. Officer program, the K–9 program, and the unit's first-ever detective position.

Following his retirement, Chief Storne continued to dedicate his time as a chaplain to the Gridley Police Department, as well as a minister at the Live Oak Church of the Brethren, where he was recently ordained.

Chief Jack Storne wasn't so much interested in being known as a great man, but as a good man; and there is a distinction there. Indeed, I think he would be most proud to have said about him: well done, good and faithful servant.

Our thoughts go out to his family, his children and his grandchildren. May they take comfort in knowing the profound impact their father and grandfather had on an entire community, and the legacy he left.

FOR-PROFIT COLLEGES

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

Mrs. DAVIS of California. Mr. Speaker, ITT Tech, like other for-profit colleges before it, has misled students and mismanaged funds.

Mr. Speaker, for-profit schools are often where our most vulnerable students seek brighter futures, students going back to their education after years away, single parents and veterans, and students with limited means. These students frequently receive financial aid, and the school's recklessness can do irreparable damage to their ability to complete their degrees, and ruin their credit ratings.

Over a quarter of all Department of Education student aid funds, a third of all post-9/11 GI benefits, and half of DOD tuition assistance funds go to for-profit colleges.

Shouldn't we make sure these Federal funds are a worthwhile investment?

We must remember that beyond the dollar amounts and industry regulations, there are students' lives at risk, and doing right by them protects their interests and our competitiveness in our global economy.

RECOGNIZING NIC DIDIA, THE ''PATROLMAN OF FRANKLIN STREET''

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

Mr. BUCSHON. Mr. Speaker, I rise today to recognize a source of inspiration for a community in the Eighth District of Indiana.

Known as the patrolman of Franklin Street on the west side of Evansville, Nic Didia, an 18-year-old with muscular dystrophy, is often seen patrolling the area in front of his mother's stores. Nic has always wanted to be a police officer and has become known for his support of local law enforcement and first responders.

His dream recently became a reality as he was welcomed on to the Evansville Police Department as an honorary officer during a ceremony with family, friends, and other members of the community. He now proudly wears badge number 980.

Congratulations, Nic. Your dedication and service to your community serve as an example to us all.

TAKE ACTION ON THE ZIKA CRISIS

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

Ms. MCCOLLUM. Mr. Speaker, I rise today to demand the House take action on the Zika crisis. The Zika virus is being transmitted by mosquitoes right inside the United States now. Parts of Miami are under Zika-related travel warnings. The total number of American cases has climbed to almost 17,000, including 1,600 expecting mothers.

Six months ago, the public health experts told us what they needed to address Zika. House Republicans have ignored those experts' pleas. Now the Centers for Disease Control and State public health agencies are running out of money for Zika response.

The CDC Director tells us that the money to fight this disease will be gone

by the end of September. The NIH Director has warned that congressional inaction is cannibalizing resources for other public health needs.

Families in States like Florida, Louisiana, and Texas are in danger. They cannot wait any longer for this Congress to act.

The House must give our public health experts the resources that they need to help keep the American people safe.

CELEBRATING THE LIFE OF MASTER PATROL OFFICER FRED ARNOLD III

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

Mr. JOLLY. Mr. Speaker, I rise today to celebrate the life and honor the memory of Tampa Police Master Patrol Officer Fred Arnold III. Fred passed away last month while scuba diving in Nevada. He was 48 years old.

For nearly three decades, Officer Arnold served and protected the residents of Tampa, Florida. When he was just 23 years old, while off-duty, he jumped through a window into a burning house to save a mother and her two young children, ages 4 months and 4 years old. All three were unconscious when Arnold pulled them out. For his heroism, he was given an award for valor.

Over the years, Officer Arnold also helped mentor hundreds of teens through the community's Police Explorers program. Those he helped described Arnold as a father figure, someone who was easygoing, always approachable, and had a laugh that was so infectious, it would brighten your day.

As Tampa's mayor said: ''Arnold's service to the city was unparalleled, and he leaves behind a lasting legacy.''

Mr. Speaker, Fred Arnold III was a well-known and well-respected man who served his community with distinction, made a lasting impact, and will be sorely missed by the lives he touched.

May God bless Officer Fred Arnold III, his family, his friends, and his Tampa Police Department colleagues.

EMERGENCY FUNDS TO COMBAT ZIKA VIRUS EPIDEMIC

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

Mr. SCHIFF. Mr. Speaker, I rise today to urge the Republican majority to act immediately on the administration's request for emergency funds to combat the Zika virus epidemic.

It is shameful that we have waited 7 months to act while the threat from Zika grows more and more apparent. This majority is failing the most basic function of government, to protect its people.

In the United States and territories, as many as 14,000 locally acquired cases have already been reported, and at least 1,600 pregnant women have been infected, putting their babies at risk for microcephaly and other devastating birth defects. Every week we fail to act, more children and families will suffer the consequences.

Let's heed the call of public health experts to launch an aggressive campaign against the Zika virus and pass a funding bill immediately.

CONGRATULATING OLYMPIC GOLD MEDALIST RYAN HELD

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

Mr. LAHOOD. Mr. Speaker, I rise today to congratulate Springfield, Illinois, native Ryan Held on his Olympic gold medal for swimming at the 2016 Olympic Games in Rio de Janeiro.

The 2016 Rio Games were Ryan Held's first Olympics, and he represented the United States in the 4×100 meter freestyle relay, along with Nathan Adrian, Caeleb Dressel, and Michael Phelps. Ryan took over for Phelps for the third leg of the freestyle relay. Ryan's fast split time of 47.73 seconds maintained the lead for the U.S. and helped the team swim to gold.

I know I speak for everyone in Springfield when I say that we are very proud of Ryan Held. He represented his community, his State, and his country with the strength, speed, humility, and dignity befitting an Olympic champion.

This past Friday, our hometown Olympian was warmly celebrated by the city of Springfield at Sacred Heart-Griffin, his alma mater, where hundreds from the community came out to congratulate him.

Illinois Governor Bruce Rauner declared September 2, 2016, as Ryan Held Day during a ceremony at Sacred Heart-Griffin High School. I hope this day serves as a reminder to Ryan of our support and pride in him as he prepares for the rest of what will undoubtedly be a decorated swimming career.

FUNDING FOR RESPONSE TO THE ZIKA CRISIS

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

Mr. HIMES. Mr. Speaker, I rise to ask, to beseech, really, that this House take immediate action to fully fund our country's response to the spreading horror of Zika.

Mr. Speaker, there are now thousands of confirmed cases of Zika in the United States. Hundreds of these cases are pregnant women.

Can you imagine the terror they experience wondering whether their child will be born with horrible disabilities?

What must they think as they see our public health experts coming to Congress?

These are the people who helped end the Ebola crisis. They come to Congress and they say: We need these resources.

The call has been made, but it has not been answered because some in this House think that, yes, your concerns are real, but we have to continue the fight about Planned Parenthood. Yes, my pregnant friend, your concerns are real, but we have unfinished business about the Confederate flag.

What must they think?

Mr. Speaker, the call has been issued. This is a national emergency. We need to act not tomorrow, not next week, but today to help these people with the Zika virus.

□ 1230

I'M BACK

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

Mr. POE of Texas. Mr. Speaker, during the week of July Fourth celebrations of our Nation's independence, I was diagnosed with leukemia. After entering the best cancer center in the world, MD Anderson Hospital in Houston, Texas, my hometown, in just 8 weeks, incredible progress has been made.

Thanks to the good Lord, the doctors, and staff at MD Anderson, I am able to be back in Washington, D.C., and on the House floor. I will be here as much as my treatment will allow.

Importantly, I want to thank the Members and people from all over the country for their outpouring of encouragement and prayers. It has been remarkably overwhelming and humbling to me. The caring concern of Members, their staffs, and my staff have shown proves, once again, that there are a lot of good people who work for the United States House of Representatives.

This September during Leukemia Awareness Month, I intend to keep fighting this cancer with all that I have while fighting for Texans in this House. I intend to be independent and free from this cancer. Christopher Reeve once said: ''Once you choose hope, anything's possible.''

Mr. Speaker, I choose hope.

And that is just the way it is.

GUN VIOLENCE

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

Mr. HONDA. Mr. Speaker, this week we return after an epic recess of House Republican inaction on stemming gun violence, and yet gun violence does not recess. Between Memorial Day and this past weekend, 4,100 Americans died from gun-related activities, and nearly 8,700 were wounded.

Mr. Speaker, this week we return to the American people's ever-growing impatience for Congress to finally take

measures that will reduce gun violence and save lives.

Keeping guns out of the hands of suspected terrorists and criminals—what can be more common sense about that? The vast majority of Americans certainly believe such policies are common sense.

Give us a vote, Mr. Speaker. Give Americans a vote.

A BETTER WAY TO FIGHT POVERTY

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to applaud the important work being done in Indiana's Second Congressional District to fight poverty and end hunger. This August I visited the Food Bank of Northern Indiana, which serves six counties and church community services in Elkhart. Both have been doing incredible work fighting poverty for decades.

I also toured the Washington Discovery Academy in Plymouth, where they have a garden to teach kids about nutrition and grow produce for a local food pantry, and the Marshall County Neighborhood Center, whose food pantry serves 400 families each month.

Mr. Speaker, hearing from those on the front lines of the fight against poverty is the best way to learn what works and what doesn't. That idea is central to our House Republicans' A Better Way agenda. Too many people are getting trapped in a cycle of poverty. That is why A Better Way calls for innovative and evidence-based solutions.

By listening to people in our communities and testing new ideas, we can build a bridge out of poverty.

HONORING THE LATE REPRESENTATIVE MARK TAKAI

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

Ms. JUDY CHU of California. Mr. Speaker, as chair of the Congressional Asian Pacific American Caucus, or CAPAC, I rise today to honor our colleague, the Honorable Mark Takai of Hawaii, who passed away in July after a hard-fought battle with pancreatic cancer.

Mark was a true patriot, public servant, and friend who truly had the aloha spirit. His strong commitment to improving the lives of the people of Hawaii and all Americans was integrally woven into the fabric of his distinguished military and public service career.

In Congress, he led notable efforts to reunite Filipino World War II veterans with their families and to assist atomic war veterans suffering from radiation exposure.

It was a privilege to work with Mark, and I will never forget his warmth, kindness, and strong dedication to bettering our community and our country. On behalf of CAPAC, I thank Mark for his lifetime of leadership and service.

Mahalo, Mark.

AMERICANS BELIEVE THE MEDIA IS BIASED

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

Mr. SMITH of Texas. Mr. Speaker, a recent poll by Morning Consult found that only 27 percent of Americans believe the media is fair and unbiased. Americans know that the media is not impartial and that objectivity is not a priority when reporting on current events.

For example, the media has routinely ignored former Secretary of State Hillary Clinton's wrongful use of a private server, her improperly handling classified emails, and her using the Clinton Foundation as a way for donors to receive access to both Clinton and the State Department.

The Associated Press recently reported that at least 85 of 154 donors to the Clinton Foundation were granted a meeting with then-Secretary of State Clinton. The New York Times did not find this newsworthy.

The national media should give the American people the facts, not slant the news or just give them one side.

ZIKA VIRUS

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

Mr. CÁRDENAS. Mr. Speaker, in the United States, the Zika virus is spreading faster and infecting more people every single day. We are staring down the barrel of a new Flint water crisis, yet we fail to act because we are arguing over a price tag while Americans are truly paying the price every day. The March of Dimes estimates that the cost of treating one child with microcephaly may be more than $10 million over that person's lifetime.

Right now, according to the CDC, the Centers for Disease Control, over 14,000 people have been infected with the Zika virus right here in the United States so far, and 20 babies have already been born with birth defects.

Like Flint, the longer we wait, the more this will cost the American public. Congress must act immediately. We must get ahead of this epidemic and slow the threat of the Zika virus across the United States.

Whether you are White, Black, man, woman, a doctor, or a child, the virus does not discriminate. No one is immune.

REMEMBERING THOSE WHO LOST THEIR LIVES ON SEPTEMBER 11, 2001

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

Mr. YODER. Mr. Speaker, I rise today in remembrance of those who lost their lives on September 11, 2001. This Sunday marks the 15th anniversary of that horrific day when nearly 3,000 innocent people were killed. It was a despicable act of terrorism and one that we will never, ever forget.

Mother, fathers, sisters, brothers, sons, and daughters who all went to work that Tuesday had their lives cut short by terrorists who attacked us merely because we believe in the principles of freedom, justice, and liberty for all.

Some of those who perished were the brave first responders who ran into the burning buildings as others ran out. Their heroism showed the world America's true colors—something that no attack can ever take away.

President Bush said that evening in his address to the Nation: ''Terrorist attacks can shake the foundations of our biggest buildings, but they cannot touch the foundation of America. These acts shatter steel, but they cannot dent the steel of America's resolve.''

Mr. Speaker, those words still ring true as we thank those first responders and mourn for all those who were lost that fateful day.

FLINT FUNDING

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

Mr. ELLISON. Mr. Speaker, it is our job here in Congress to support communities in crisis.

It has been a year since we learned about the lead-contaminated water in Flint. It is way past time to act, Mr. Speaker.

We are here to call on our Republican colleagues to do their job and to address the urgent needs of the people of Flint. We have to consider funding a bill that will take care of the needs of the people in Flint.

This crisis happened when Governor Snyder ripped democratic rights away from the people of Flint and tried to run the government like it was a business. The State made decisions in the name of fiscal responsibility, but when it comes to people's health, the government should not be run on the cheap with people's health.

Funding from Congress can help Flint replace corroded pipes, support health and education assistance for kids exposed to lead, and deliver economic development opportunities for the community.

Earlier this year, I traveled to Flint with Representative KILDEE and 25 other of my colleagues to hear directly

from the people. Mr. Speaker, here are a few of the things that they said:

One woman spoke about the loss of dignity she felt while waiting in line just for water, and many others gave us important stories which I will put into the RECORD at a later time.

STORMONT HOUSE AGREEMENT

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

Mr. MCGOVERN. Mr. Speaker, last month the Tom Lantos Human Rights Commission, which I co-chair, hosted a briefing by women from Belfast on the aftermath of the Northern Ireland conflict in which 3,500 people died, 90 percent of them men. Women survived to pick up the pieces.

The 1998 Good Friday agreement that ended the war protected human rights going forward but did not address the past, so the needs of victims of human rights violations committed by both sides are still unmet.

Women in Northern Ireland who have supported survivors have now developed gender principles for dealing with the legacy of the past. The 2014 Stormont House Agreement could help victims and survivors access truth, justice, and reparations.

Mr. Speaker, I urge all those concerned with human rights, peace, and security in Northern Ireland to encourage the British and Irish Governments and the Northern Ireland Assembly to fully implement the legacy parts of the Stormont House Agreement incorporating the gender principles.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. WESTMORELAND) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 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 September 7, 2016 at 9:41 a.m.:

Appointment:

Evidence-Based Policymaking Commission.

National Advisory Committee on Institutional Quality and Integrity.

United States Commission on International Religious Freedom.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5063, STOP SETTLEMENT SLUSH FUNDS ACT OF 2016

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 843 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 843

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. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, 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 the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee 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 committee amendment in the nature of a substitute. 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.

□ 1245

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

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 843, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased today to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016.

The rule provides for 1 hour of debate equally divided and controlled by the chair and the ranking member of the Judiciary Committee and also provides a motion to recommit.

Additionally, the rule makes in order 7 of the 11 amendments submitted, representing ideas from Members on both sides of the aisle.

Yesterday, the Rules Committee received testimony from the chairman of the Judiciary Committee and the ranking member of the Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law. Subcommittee hearings were held on both H.R. 5063 and on the topic of the Department of Justice's mortgage lending settlements with major lending banks. In May of this year, H.R. 5063 was marked up and reported by the Judiciary Committee. The bill passed the Judiciary Committee after the consideration of several amendments. The Stop Settlement Slush Funds Act went through regular order and enjoyed thorough discussion at both the subcommittee and full committee level.

H.R. 5063 is supported by the Institute for Legal Reform, Americans for Limited Government, and Americans for Tax Reform because it increases accountability for how settlement funds are spent and it helps to restore the balance of power between the branches of government.

The Stop Settlement Slush Funds Act was introduced after the nearly 20-month investigation by the House Judiciary Committee found that the Department of Justice was systematically circumventing Congress and directing settlement money to activist groups. This bill will help address that problem.

The power of the purse is one of Congress' greatest tools to rein in the executive branch and exercise oversight. It is no surprise, then, that this administration would want to find a way around that oversight and grow its authority. In fact, in the last 2 years alone, the Department of Justice has funneled non-victim third-party groups as much as $880 million.

The Department of Justice does this by collecting money from parties who have broken the law and then use that money to create a slush fund, rather than sending the money to the victims of the illicit activity. The Department of Justice allows the ''donations''—if that is what they are called—required under the settlements to count as a double credit against defendants' payment obligations. Interestingly, credit for direct relief to consumers is only counted as dollar for dollar, indicating

the importance the Department of Justice places on directing these funds to non-victim third-party groups.

For example, the Department of Justice negotiated settlement agreements to the tune of millions of dollars with major banks for misleading investors over mortgage-backed securities, well within what they are supposed to do. Then the Department of Justice said that banks, or other parties it has settled with, could meet some of their settlement obligations by making donations to certain groups. The money goes to these groups partially under the guise that those groups would provide services to the aggrieved parties. In reality, this practice directs funds away from victims and allows the Department of Justice to steer money to non-victim third-party groups, usually administration friendly, politically motivated organizations.

Additionally, the parties that receive these funds, these non-victim third-party organizations, aren't a part of the case, they don't represent the victims, and aren't subject to congressional oversight for the funds they receive. Even if most of these groups weren't activist groups, this would be a concerning scenario.

The donations to third-party groups allow the Department of Justice to funnel money to friendly parties outside of the appropriations process and outside congressional approval. Many of these third-party groups are unquestionably political and certainly wouldn't be considered nonpartisan by mutual observers. In fact, the mortgage settlement cases, groups like the National Council of La Raza received more than $1 million in Department of Housing and Urban Development grants under the settlements.

I don't know about you, but I think that when DOJ requires a settlement, the funds should go back to the victims involved in the case, including victims back home in northeast Georgia. And if the victims cannot be found or if the problem cannot be directly rectified, then the settlement funds should go on to the Treasury so that Congress can appropriately decide how to use them.

I don't think it is acceptable to shortchange victims to benefit special interests and politically friendly third-party organizations, but that is exactly what the administration has been doing. The administration is trying to usurp the power of the purse through these settlement slush funds and has only gotten more confident that they can get away with it.

Maybe even more troubling, despite repeated requests for more information, the Department of Justice is refusing to provide it. What little information has been provided indicates that groups that stood to gain from the mandatory donations actually lobbied DOJ to include them in settlements.

Mr. Speaker, listen to what that says. Actually, one of the things that we have gained from this is the fact that the groups that stood to gain from these ''mandatory'' donations were lobbying DOJ to get the money—not a party to the case, not a party to the victims, but wanting their cut of the pie.

In at least one case, the Department of Justice restored funding to a program that Congress specifically cut. Congress cut funding in half for a Housing and Urban Development program known as the Housing Counseling Assistance Program. But after grant recipients of this program expressed their displeasure at the cuts, they received a helping hand from who else—the Department of Justice.

The DOJ mortgage settlements ensured that, despite congressional action to the contrary, eliminating funding for these groups would be restored. DOJ didn't just stop at circumventing Congress' funding authority in that case; instead, they directly violated the congressional intent. Again, a congressional oversight overstep misused because the agency decided it knew better than the elected representatives of the people.

It is time to reassert congressional authority over this process so that hardworking folks are protected from more executive overreach and the separation of powers is restored. At a Judiciary hearing in May on this bill, Heritage Foundation scholar Paul Larkin testified that ''Congress identifies precisely who may receive Federal funds.''

That is what we do. I agree with him, but the Department of Justice's settlement process in recent years undercuts that critical function of the separation of powers. That is why we have to act and why the underlying bill is so important.

The Stop Settlement Slush Funds Act prohibits settlement terms that require donations to non-victim third parties. Importantly, the bill clarifies that payments that provide restitution for harm caused are not donations.

Additionally, H.R. 5063 restores the separation of powers by establishing that settlement funds remaining after victims have been compensated are overseen by Congress. Rather than directing money outside the appropriations process, the bill returns the funds to the Treasury to remediate damages after victims have been taken care of.

I urge everyone here today to think about their constituents who one day may be victims looking for restitution. I want to go home and tell those hardworking Georgians that I represent that I am making sure they are put first, not special interests. I hope that others will share that feeling by supporting the rule and the underlying bill.

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

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

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. COLLINS), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, this week, we return from 7 weeks away from the Capitol, the longest summer recess in modern times, and House Republicans continue to delay action on the most pressing issues facing our country, instead focusing on issues that benefit special interests, and issues, quite frankly, that are going nowhere.

I had hoped that after we all spent some time with our constituents over the summer recess, the priorities of this Republican leadership would change to reflect what the American people actually care about, but they haven't. During our 252 days in session—which, by the way, includes 42 pro forma days where no legislative business was accomplished—we have voted on countless bills to repeal the Affordable Care Act, undermine financial protections put in place by Dodd-Frank, and weaken environmental protections. We are back on the floor this week to deregulate Wall Street, take away critical investor protections, and make it easier for those who break the law to get away without paying a financial price.

Today's rule provides for the consideration of a bill that eliminates public interest protections, creates needless litigation and delay, and imposes draconian penalties on Federal officials. It is a misinformed response to a nonexistent problem, and just one more corporate giveaway by this Republican Congress. And, again, remember, it is going nowhere.

This isn't leadership, Mr. Speaker. It is like a recurring nightmare. While spending time on efforts that are nothing more than sound bites from my friends on the other side of the aisle to use on the campaign trail, this Republican Congress has repeatedly ignored the calls of our constituents to act on issues they care about—issues that impact our communities, our neighborhoods, and our families.

House Republicans continue to obstruct meaningful action on the greatest public health crisis impacting our country. Almost 17,000 Americans, including nearly 1,600 pregnant women, are currently suffering from the Zika virus. This month, the Centers for Disease Control and Prevention will run out of resources to fight Zika. In the words of Dr. Thomas Frieden of the CDC, ''We need Congress to act.''

For 7 months, President Obama and Democrats in Congress have urged the Republican leadership to take up and pass the administration's emergency supplemental request. But instead of considering a bipartisan Zika funding bill, the Republican leadership in this House has, once again, caved to the most extreme faction of their conference to produce an inadequate, partisan bill loaded with poison pill offsets.

This is an emergency. We should treat it as such. But Republicans have spent months making excuses about

why we don't need to provide the full funding that our Nation's public health experts say we need. We have had public health expert after public health expert tell us that we need to act, and yet my Republican friends think they know better. They have brought to the floor legislation to undermine the Clean Water Act under the guise of containing the Zika virus. They have even insisted on poison pill riders that continue the Republican assault on women's access to comprehensive health care, instead of bringing legislation that is focused solely on protecting American families from the terrible impacts of Zika.

House Republicans have blocked the full emergency resources needed to combat the Zika virus seven times, and left town for a 53-day recess without committing a dime to address this growing public health crisis. It is shameful.

In addition to shirking our responsibilities on the Zika virus, this Republican leadership has prevented action on other public health emergencies like the opiate crisis and the terrible tragedy in Flint, Michigan, and the epidemic of gun violence plaguing our communities.

Congress passed a bill to address the opiate crisis and it was an important step, but we must do more. We need to pass a strong piece of legislation that actually funds our fight against the opiate crisis and gives State and local partners the resources they need to help so many of our communities that have been hit hard by this epidemic. Passing a bill that has all these nice statements in it and nice goals and not funding it, well, that is just a press release, and that is about the extent of what this Congress has done to deal with this terrible opiate crisis.

For 2 years, 100,000 people in Flint, Michigan, could not access safe water from their own faucets—100,000 people. For 2 years, hardworking Americans were denied the fundamental right of access to potable water. We are not talking about some tiny country halfway around the world. This has been happening right here in the United States of America.

The Families of Flint Act, led by my friend and colleague, Congressman DAN KILDEE, would help the people of Flint, Michigan, recover from this man-made disaster that they are still dealing with; but this Congress is too busy wasting its time to even consider bringing this vitally important, noncontroversial bill up for a vote.

Where is the majority leadership on this? Why are they simply sitting back and allowing countless families in Flint to continue to be unable to turn on their faucets and receive the safe water that they need and, quite frankly, that should be a basic right in this country, the very same safe water that Speaker RYAN and so many of us take for granted?

In fact, it was recently discovered that there were elevated levels of lead in the Cannon House Office Building. Congress has spared no expense in addressing that issue, yet has failed to give the Families of Flint Act a single vote or hearing even in this Chamber.

□ 1300

This Republican Congress has failed Flint by refusing to adequately fund our water infrastructure for years, and we are failing them again by not passing this commonsense legislation.

While we have delayed action on a response to the Zika virus and to the crisis in Flint, Michigan, House Republicans have also refused to act on bipartisan, commonsense legislation to keep guns out of the hands of suspected terrorists and criminals. In fact, House Republicans have voted 24 times to block the no-fly, no-buy measure, which polls indicate is supported by 74 percent of our constituents. They have blocked debate on legislation to expand and strengthen background checks.

If you go to a licensed gun dealer, you have to go through a background check, but if you go to a gun show or if you buy a gun online, you don't have to go through a background check. What sense does that make? Who could be against that? Yet they have voted time and time again to deny us the right to bring that to the floor. They have voted five times against lifting the 19-year-long ban on Federal research on gun violence. What is the Republican Congress so afraid of?

We came back yesterday. I was looking through the press and was trying to figure out if, maybe, the Republican leadership in this House would actually do something about gun violence in order to protect the American people and to make sure that people who have a history of violent crime don't have access to guns or that people who are dangerously, mentally ill don't have access to guns. I thought, maybe, some of their constituents would kind of knock some common sense into their heads while they were on recess.

But we come back, and what do we read? What is the Republican leadership's response to all of this?

They want to bring a resolution to the floor to punish Democrats for having the audacity to raise our voices in protest over the fact that we cannot even get a vote on any of these bills that we think could save lives. They want to punish us; they want to sanction us; they want to condemn us because we said that, in the greatest deliberative body in the world, we ought to be able to deliberate.

Apparently, the Republican leadership is outraged over what they say is a breach of decorum that shut down the Chamber for 25 hours because Democrats had a sit-in here in protest over the fact that we can't bring any legislation up for a debate. They are outraged over that. That is where their outrage is.

My question is: Where is the outrage over the 50 innocent civilians who were killed in Orlando? Where is the outrage over the 14 people who were killed in San Bernardino or over the 9 people who were killed in a church in Charleston, South Carolina? Is there any outrage over that? Where is the outrage over the 27, mostly children, who were killed in Newtown, Connecticut, or over the 12 people who were killed in a movie theater in Aurora, Colorado, or the outrage over the 6 people who were killed in Tucson, Arizona, where our former colleague, Gabby Giffords, was shot, or over the 32 people who were killed at Virginia Tech?

Since my Republican friends have been in recess, over 4,000 Americans have been shot and killed in gun violence in this country—over 4,000. Where is the outrage? The only outrage that my Republican friends seem to have is over the fact that Democrats have had the audacity to raise this question about maybe we should do something, maybe we can do something to protect our constituents.

I say to my colleagues: We don't need a slap on the wrist from the Republican leadership here. We need to reform our laws to ensure that guns are kept out of the wrong hands.

Over 32,000 people in America die from gun violence each year—about 89 people per day. If this isn't a public health emergency, Mr. Speaker, I don't know what is.

But you come back, and this is what we are going to be debating on the House floor? Oh, my God. This is it? I mean the outrage, quite frankly, from the American people against the leadership of this House is over the fact that the Republican leaders have turned this place into a Congress in which trivial issues are debated passionately and important ones not at all. Enough. Let's do the people's business. We are not doing it today, and I hope that my colleagues will reconsider their agenda for the time we are back here and will actually do something meaningful.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Let me just clarify, Mr. Speaker, why we are here. This is a rule for H.R. 5063, the Stop Settlement Slush Funds Act. One clarification as to what was just mentioned is that this bill does not allow any company to get off the hook. They are going through the process, and they are paying their fines. What we are trying to let off the hook here is the Department of Justice, which believes that it is the arbitrator of the world to their own pet projects.

Let's get back to the basics of this bill. If we want to pontificate on the world, fine, then we can pontificate on the world; but let's get back to the rule for today, for this moment, and do not tell stories that don't exist. Congress—both sides—should decide that the Department of Justice should not be having a settlement of mandatory donations to pet groups because they don't get enough funding. How about they

just go get another job instead of living off settlements from others when they are not the victims?

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I just say to my friend from Georgia that I am not pontificating; I am just expressing frustration over the fact that we are not doing anything of any consequence here on the House floor. This legislation that we are dealing with today—in fact, the legislation that we are going to deal with later in the week—is going nowhere. Yet we have a Zika crisis; we have a crisis in Flint, Michigan; and we have a crisis of people who are dying from gun violence in this country. For some reason, the Republicans who run this House can't find the time to spend even 1 day talking about those things.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I thank the gentleman from Georgia, and I thank the gentleman from Massachusetts.

Mr. Speaker, I am glad you had a little reference here: don't allow companies or corporations to avoid their responsibilities. I want to speak to that issue. I think it is very, very, very critical.

Mr. Speaker, let's not beat around the bush. We are on the floor today debating H.R. 5063 under the guise of ''ensuring responsibility.'' I mean, who would be against that? That is like apple pie. However, this bill is nothing more than a political exercise void of real reprimand for these practices, reforms to the system, or redress to actual victims. If that is what it did, I would be here supporting it.

We have known for years of instances where deferred prosecution agreements have gotten out of hand. You don't remember those days? I will bring them back to you.

When I tried to make modest reforms to improve the transparency of these agreements, I was rebuffed by Members on the other side of the aisle. They have short memories. They have selective memories. Where was this outrage when I was screaming about seven deferred prosecution agreements with large medical device companies that were negotiated by New Jersey's former United States Attorney Chris Christie? There is a name.

One of the settlements allowed Bristol-Myers Squibb to avoid prosecution for securities fraud in exchange for a $5 million donation to Mr. Christie's law school alma mater; and I am listening to preaching over here and pontificating about what is going on today about these groups that are lined up to get their money from the Justice Department. I didn't hear one word—not one word. In fact, if the gentleman has a word to interject, I will hold on for 10 seconds and listen.

Mr. COLLINS of Georgia. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman.

Mr. COLLINS of Georgia. Mr. Speaker, the chairman of the Judiciary Committee has brought this issue up already. If the gentleman does not know this, he needs to go back, and he can see it. That is why this is a bipartisan issue. We can be together on this.

Mr. PASCRELL. Reclaiming my time, Mr. Speaker, in all of the settlements, Chris Christie appointed political allies and supporters as monitors to oversee corporate compliance, which the gentleman is talking about, which netted those allies tens of millions of dollars. These allies then served as major donors to a political campaign account.

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. PASCRELL. Now, these arrangements were so problematic that they prompted the Department of Justice—we have selective memory—to issue a new guidance limiting prosecutors' discretion in reaching such agreements, and the Judiciary Committee held an oversight hearing in 2009.

When Democrats tried to highlight the issue of using a public office to funnel large legal fees to cronies who then turned around and bankrolled campaigns, those on the other side said they did not see it for what it was—crony capitalism. They have heard the term before. Rather, they bent over backward to praise Mr. Christie and accused Democrats of grasping for ways to embarrass a ''rising Republican star.'' Now that time has passed and a different administration is in charge, we are now hearing a different story, but very real issues with these practices still remain.

I agree that we need reforms, my friend from Georgia. I agree. I hope that my colleagues will take a look at the deferred prosecution agreements reform legislation that I, Mr. PALLONE, and Mr. COHEN have introduced.

The issue here is not the government forcing companies to use deferred prosecution agreements to potentially divert funds away from helping victims when it comes to corporate malfeasance. The more egregious issue is that firms have avoided prosecution to begin with. The little guy gets it in the neck, and the banks and the corporations are never held accountable. The other side knows. The gentleman, my friend, has opened up a can of worms here—and I mean that sincerely.

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. PASCRELL. We are on a roll here.

Mr. Speaker, the Financial Crisis Inquiry Commission made recommendations to the Department of Justice to criminally prosecute top executives at several large financial institutions, but we have yet to see a major Wall Street executive be criminally charged. That is criminal. You want to know what ''criminal'' is? That is criminal. So we come here today, and I urge my colleagues to oppose this bill.

I don't question the motivations of the sponsor, by the way. That is not my motive. We learned in March that the Financial Crisis Inquiry Commission—I will repeat—recommended that the Department of Justice criminally prosecute. Nothing has been done. I have also written a letter to the chairman of the Judiciary Committee. By the way, this is not partisan. Our own Justice Department hasn't done anything either.

I am being fair about this, but they have to look into this. They can't come before us and tell us they are trying to save the little guy or the victims when they allow this and permit this to go on day in and day out when the banks never were held accountable. No one has ever been brought before a court. Eight years later, and we are here.

Rather than wasting time on this fishing expedition, if the House really wants to ensure punishment is carried out and that the actual victims receive compensation, we need to actually address the root cause of the problem.

Mr. Ranking Member, my friend from Georgia, we have to address the root problem.

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman from New Jersey. I think the interesting thing is that I have listened to him—as he said, he is on a roll—and I think we are probably in more agreement than we are disagreeing here.

I wasn't here to—in fact, you said to ''turn a blind eye.'' This is a problem, and it doesn't matter who is there. If it is a Republican, it is wrong; if it is a Democrat, it is wrong, Mr. Speaker. That is why we are here.

I agree with the outrage. It shouldn't happen, especially when you get into the fact that the Department of Justice is actually taking money and putting money to departments and programs that this Congress had cut funding from. That is not right. I don't care who the administration is; I don't care who the President is.

I agree with the gentleman from New Jersey. He makes a passionate argument. Maybe you just need to come over here and help me out. We are making the right argument here.

So the question now becomes—no matter where it comes from—and the interesting issue here is this shouldn't be taking place, no matter who is over it. The problem is, and what I would love to ask is: Where has the Department of Justice been for the last 7 years on any issue, for the most part? It has been very frustrating to both sides of the aisle. On this one, I actually think we can find more agreement than we can find disagreement.

I appreciate the gentleman from New Jersey's remarks because, frankly, this

is what this does. It doesn't let them off the hook. It just simply goes back to looking at these mandatory donations which, again, party is irrelevant. This is not a role for the Department of Justice.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, can I inquire of the gentleman from Georgia (Mr. COLLINS) how many more speakers he has who want to speak on this bill on his side? I know the demand has been really great.

Mr. COLLINS of Georgia. Mr. Speaker, they have been pulling at my coattails, but I think at this time they are going to hold back.

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

Mr. Speaker, let me put this in perspective for everybody. We can have this conversation here and maybe people can do press releases after we have a vote on it, but I think we all know that this bill is going nowhere, and it is going nowhere fast. So we are essentially wasting our time, we are wasting taxpayer dollars, and we are doing so at a moment when we have some serious challenges and serious crises facing our country.

I mentioned gun violence. My friends don't want to do anything about that; although, according to the press, they want to bring a resolution to slap our wrists. That is their outrage over all the gun violence that we have seen, the massacres that we have seen in this country. I find that stunning, quite frankly. I mean, it takes my breath away that, in the aftermath of all that has gone on, that that is the best they can do. Nonetheless, that is their solution, and it is another waste of time.

We have a crisis in Flint, Michigan, where people still can't turn on their faucets. We are not talking about a country halfway around the world. We are talking about a community here in the United States of America where clean water ought to be a right, and yet we can't seem to schedule the time to do anything to help solve that problem.

We passed a bill that had some good goals in it with regard to the opiate crisis that we are facing, but we haven't passed any funding for it yet. So people can go back home and say, ''Oh, we did something,'' but really they didn't, because a bill that sets out nice goals that doesn't have any funding really is nothing more than a press release. We are not talking about funding for any of those priorities to deal with the opiate crisis.

Then there is the Zika crisis, which is getting worse and worse and worse, and yet we can't find the time this week to do anything about it. I find that appalling.

Mr. Speaker, I am going to urge my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to bring up legislation that fully funds the administration's efforts to mount a robust and long-term response to the growing Zika crisis.

The administration requested funding 7 months ago, and the Republican majority has refused to consider legislation that would adequately address the seriousness of this situation. Due to Republican inaction, the administration has been forced to repurpose nearly $600 million dedicated to other pressing public health needs to stem the growing tide of this disaster. Guess what. That money is about to run out, and there are now nearly 17,000 cases of Zika in the United States and territories. As CDC Director Frieden said, ''The cupboard is bare.'' The time for half measures and political posturing has long since passed. The time to act is now.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. In conclusion, Mr. Speaker, I again appeal to the leadership of this House: Do something. Do something that will help somebody in this country.

I get it. Elections are coming up, and everybody is engaged in political posturing. You know, we were elected to actually try to help people and help solve problems.

I have to tell you, by any objective measure, the leadership of this House has failed. I mean, it has failed on Flint. It has failed on the Zika crisis. It has failed on gun violence. It has failed on confronting this opiate crisis. I can go on and on and on again. I can point to 70-plus times that we voted to repeal the Affordable Care Act. All of these messaging bills that were written in the basement of the Republican Congressional Campaign Committee, I guess you go back home and brag about those things, but at the end of the day, you haven't done anything.

I hope that in these few weeks that we are back before we recess again that maybe some common sense can prevail on the Republican side and we can actually do something, something that will help all of our constituents, especially with this Zika crisis. This is a crisis. If that doesn't compel everybody to do something to provide the funding necessary to combat it, I mean, given what we have seen, then I don't know what will move my Republican colleagues.

Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question, and then vote ''no'' on this rule to consider a bill that, quite frankly, is going nowhere and is a waste of our time.

I yield back the balance of my time.

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

It is fairly amazing to me that we can actually find agreement, that we agree that this should not be happening. The gentleman from Massachusetts made this statement several times, and he said ''this bill is going nowhere.'' I would just ask him, Mr. Speaker, why not? If we want to find agreement and move forward, then, why not?

Why wouldn't a bill brought forward by this Congress that addresses a bipartisan issue of Republican and Democrat abuses to a Department of Justice settlement program, why shouldn't it move forward? Instead of saying it is a waste of time, instead of saying it is something we are just doing to get along and to not address real issues, this is a real issue. Why don't we move it forward? Instead, we will posture. We will vote ''no,'' and we will complain about what we don't want to have. Why not move it forward?

We have heard from my friends across the aisle, the ones who came, two witnesses, that we agree on this. It should not be happening. Instead, this is a big issue. In fact, I believe it is the one issue right now that is percolating not only in our Presidential elections, but in our congressional elections. It is in our Senatorial elections. It is in our State elections.

It is this understanding of the American people that right now government is not working. Government is broken, the government that they grew up going to school with. As school has started back over the last month in Georgia—my home State, Mr. Speaker, and yours—up to New York where it starts tomorrow, they go to social studies and they learn about the Founders and they learn about the Constitution and they learn about three branches of government and how Congress does the bills and the appropriating and how the executive branch carries those instructions out and how the judiciary comports that to the constitutionality of what we do.

I cannot think of a better way than to live within those Founders' framework and to say, ''Why isn't this bill going somewhere?'' instead of Congress sitting back and letting the executive branch do whatever it wants to do, however it wants to do it just because they throw a tantrum because they don't get their way.

The bill does not protect people from getting away from the law. The bill does not keep people from being prosecuted. The bill does not keep punitive damages. Just go through the long list of what they have said, the list of horribles, that this would not do. It does not. It simply says you can't stroke your pet projects with money from ''mandatory donations,'' either side, Republican or Democrat.

So tell me again, Mr. Speaker, why shouldn't this bill go forward? We will have time to debate the rest. Well, why shouldn't this bill go forward? Because it hits at the very frustration of the American people right now because what they see is not what they learned in those classrooms years ago. What they see is an executive branch that

does whatever it wants to do, sometimes under both parties. They see a Congress that doesn't stand up for itself.

As far as I am concerned, this Member will stand up for this institution and for the role that the Founders laid out for us. So H.R. 5063, the Stop Settlement Slush Funds Act, does what it says it will do, and I am proud to cosponsor this bill.

There are many things we get a chance to vote for. We can complain or we can vote. My recommendation is vote to move this forward. Vote ''yes'' on this rule. Vote ''yes'' on the underlying bill. Instead of saying it ain't going anywhere, then grab a hold of the shovel and say let's try and make something work in this country.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 843 OFFERED BY MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. 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 among and controlled by the chair and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5044.

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. COLLINS of Georgia. 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. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 231, nays 177, not voting 23, as follows:

[Roll No. 481]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carson (IN)
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
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
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
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.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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
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
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
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—23

Bishop (UT)
Boustany
Brown (FL)
Calvert
Clawson (FL)
DesJarlais
Duckworth
Gohmert
Graves (LA)
Johnson, Sam
Lieu, Ted
Lipinski
McKinley
Nugent
Palazzo
Price (NC)
Reichert
Ross
Rush
Russell
Sanchez, Loretta
Sinema
Valadao

□ 1346

Mr. MOULTON, Mrs. DINGELL, and Mr. ELLISON changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. GRAVES of Louisiana. Mr. Speaker, on rollcall No. 481, I was detained discussing flood recovery efforts in Louisiana. Had I been present, I would have voted ''yes.''

Mr. VALADAO. Mr. Speaker, on rollcall No. 481 I missed the vote because my meeting with constituents about very important transportation, agriculture, air quality, and grant issues went longer than scheduled. Had I been present, I would have voted ''aye.''

Stated against:

Mr. CARSON of Indiana. Mr. Speaker, during rollcall Vote No. 481 on the previous question, I mistakenly recorded my vote as ''yea'' when I should have voted ''nay.''

□ 1345

(By unanimous consent, Mr. GRAVES of Louisiana was allowed to speak out of order.)

MOMENT OF SILENCE FOR VICTIMS OF LOUISIANA FLOODS

Mr. GRAVES of Louisiana. Mr. Speaker, for the last 2 weeks, many across our Nation have been preparing the children for school. They have been preparing to end their summer vacation.

In our home State of Louisiana, nearly 500,000 of our citizens have been affected by a 1,000-year flood event, causing extraordinary ruin for our families and businesses, everything inundated. Everything that people own—family heirlooms, photo albums, hard disk drives, and generations of work—has been destroyed. We lost 13 of our fellow citizens, at least, with more perhaps to be found.

Today, hundreds of thousands across south Louisiana are sifting through what remains of their belongings, facing imminent and extraordinary financial decisions and life-altering decisions. We stand here in this Chamber today, as their representatives, and ask you to join us in a moment of silence and to keep them in our prayers.

The SPEAKER pro tempore. Members will stand for a moment of silence.

Without objection, 5-minute voting will continue.

There was no objection.

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.

RECORDED VOTE

Mr. MCGOVERN. 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 231, noes 178, not voting 22, as follows:

[Roll No. 482]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
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
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
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.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
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	Watson Coleman	Wilson (FL)
	Welch	Yarmuth

NOT VOTING—22

Barletta	Hurt (VA)	Rooney (FL)
Boustany	Johnson, Sam	Ross
Brown (FL)	Lieu, Ted	Rush
Bucshon	McKinley	Sanchez, Loretta
Calvert	Nugent	Sinema
Clawson (FL)	Palazzo	Waters, Maxine
DesJarlais	Price (NC)	
Duckworth	Reichert	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1355

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. ROONEY of Florida. Mr. Speaker, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. BUCSHON. Mr. Speaker, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall Vote No. 482 On Agreeing to the Resolution Providing for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016. Had I been present, I would have voted ''yes.''

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 131) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run, and ask 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 Pennsylvania?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 131

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On September 30, 2016, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 31st annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the ''event'') may be run through the Capitol Grounds to carry the Special Olympics torch to honor local Special Olympics athletes.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

STOP SETTLEMENT SLUSH FUNDS ACT OF 2016

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5063.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 843 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. 5063.

The Chair appoints the gentleman from Utah (Mr. STEWART) to preside over the Committee of the Whole.

□ 1400

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. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, with Mr. STEWART 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 Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Two years ago, the House Judiciary Committee commenced a pattern or practice investigation into the Justice Department's mortgage lending settlements. We found that the Department of Justice is systematically subverting Congress' spending power by requiring settling parties to donate money to activist groups.

In just the last 2 years, the Department of Justice has directed nearly $1 billion to third parties entirely outside of Congress' spending and oversight authorities. Of that, over half a billion has already been disbursed or is committed to being disbursed. In some cases, these mandatory donation provisions reinstate funding Congress specifically cut.

The spending power is one of Congress' most effective tools in reining in the executive branch. This is true no matter which party is in the White House. A Democrat-led Congress passed the Cooper-Church amendment to end the Vietnam War. More recently, bipartisan funding restrictions blocked lavish salary and conference spending by Federal agencies and grantees. This policy control is lost if the executive gains authority over spending.

Serious people on both sides of the aisle understand this. A former Deputy Assistant Attorney General for the Office of Legal Counsel in the Clinton administration warned in 2009 that the Department of Justice has ''the ability to use settlements to circumvent the appropriations authority of Congress.''

In 2008, a top Republican Department of Justice official restricted mandatory donation provisions because they ''can create actual or perceived conflicts of interest and/or other ethical issues.''

Any objections to this bill would be unfounded. Whether the beneficiaries of these donations are worthy entities is entirely beside the point. The Constitution grants Congress the power to decide how money is spent, not the Department of Justice.

This is not some esoteric point. It goes to the heart of the Constitution's separation of powers and Congress' ability to rein in executive overreach in practice.

Nor does the bill restrict prosecutorial discretion. That discretion pertains to the decision to prosecute. Setting penalties and remedial policy is the proper purview of Congress.

Opponents' central concern is that there may be cases of generalized harm to communities that cannot be addressed by restitution, but this misses the fundamental point. The Department of Justice has authority to obtain redress for victims. Federal law defines victims to be those ''directly and proximately harmed'' by a defendant's acts.

Once those victims have been compensated, deciding what to do with additional funds extracted from defendants becomes a policy question properly decided by elected Representatives in Congress, not agency bureaucrats or prosecutors. It is not that DOJ officials will always be funding bad projects. It is that, outside of compensating actual victims, it is not their decision to make.

Rather than suspend the practice of mandatory donations in response to these bipartisan concerns, the Department of Justice has doubled down. In April 2016, a major DOJ bank settlement required $240 million in financing and/or donations toward affordable housing.

DOJ's June 2016 settlement with Volkswagen requires a $2 billion payment to fund the administration's green energy agenda. This payment cannot be justified as remedial because the settlement states explicitly that a separate $2.7 billion payment is intended to fully mitigate the harm caused.

It is time for Congress to end this abuse. The Stop Settlement Slush Funds Act of 2016 bars mandatory donation terms in DOJ settlements. It is a bipartisan bill. It makes clear that payments to provide restitution for actual harm directly caused, including harm to the environment, are permitted.

Do not be fooled by opponents' scare tactics. They claim that the legislation could prohibit conduct remedies used in settlements covering workplace discrimination, harassment, and consumer privacy. The bill does not preclude such remedies. Nothing bars DOJ from requiring a defendant to implement workplace training and monitoring programs.

The ban on third-party payments merely ensures that the defendant remains responsible for performing these remedies itself, and is not required to outsource such set sums for the work to third parties who might be friendly with a given administration.

This bill addresses an institutional issue. That is one reason similar language passed the House last year by voice vote. I thank all of the bill's cosponsors, and I urge the bill's passage.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, the Stop Settlement Slush Funds Act of 2016, H.R. 5063, would remove an important civil enforcement tool available to agencies to hold corporations accountable for the general harm caused by unlawful conduct.

H.R. 5063 would have potentially disastrous, unintended consequences on the remediation of generalized harms in civil enforcement actions like the one that the chairman just noted at the very beginning of his speech. He talked about mortgage lending settlements that the Department of Justice had obtained after filing suit in court against Wall Street bankers who took billions of dollars in equity, home equity, from Americans throughout the country by way of predatory lending instruments, which blew up in their faces; caused the Wall Street meltdown. Wall Street got bailed out.

The American people who had these mortgages that then were underwater lost their homes, so the Department of Justice sued, and this is what this legislation seeks to get at.

My friends on the other side of the aisle don't want the common people of this country to have the protection of government. They want a government that is hands off; let the private sector, let the free market work its will. No rules. Whatever will be will be. The bottom line is the rich get richer and the poor get poorer; and this legislation would work to enforce that economic philosophy that is held so dear by my friends on the other side of the aisle.

So these mortgage lending settlements, the DOJ sued the big banks. The big banks came to the table and decided to settle. As a result of the settlement, there were directives that were agreed to by the Wall Street banks, that they would give money to certified HUD counseling agencies.

Those agencies have done a good job of helping people who have not lost their homes continue to stay in their homes, to get their mortgages refinanced, to get their situation in order, to give them the ability to hold on to their homes after they had lost their jobs and were unable to pay the mortgage for a number of months. These housing counseling agencies were able to be effective at keeping people in their homes, but my friends on the other side of the aisle, they don't want to have any part of that because it is costing their friends on Wall Street money.

This same settlement that the chairman excoriated in his presentation just a minute ago, it gave money to State-based legal aid firms that were about helping people to avoid foreclosure, helping the very people that these banks stole from and hurt. So this is what they want to stop, and they cloak it in the—they say that Congress should be the one to appropriate money, and that is true.

There is nothing about Article I, the legislative branch, Congress, that is a part of the lawsuit that the Justice Department, an Article II body, would file in a Federal court, an Article III court, that results in a settlement. There is no legislative implication in that whatsoever. There is no appropriations from the legislature.

What it is is a court-enforced transfer of the very wealth that was stolen from the people, back to the people, by way of these agencies, which my colleague refers to as activist, third-party entities. Well, these are third-party entities that are acting on behalf of the very people who have been harmed.

What this legislation seeks to do is to take away the ability of the Justice Department to obtain a settlement to help people who have been harmed, and then would force the money to come into the hands of the legislative branch so that the legislative branch could then appropriate it. And we know that this legislative branch controlled by the other side of the aisle is not interested in helping people who lost their homes due to Wall Street fraud.

So that is what this legislation is all about, and it comes at a time when we have people who are afflicted with the Zika virus. We can't even pass legislation in this Chamber that would get at that public health emergency, which is right here on our doorstep where it is in the House now.

This is an emergency. We have almost 2,000 babies born having been afflicted with the Zika virus. It's going to take $10 million for the remainder of their lives, average, to take care of them. That is $2 billion right there.

The President has come to us, months ago, requesting $1.9 billion—less than the $2 billion—to fund operations to get at this Zika virus, to prevent it from taking hold, and we can't even pass it in this Congress because we are too busy passing bills to help Wall Street.

That is not what the American people want. That is not what the American people need. I ask my colleagues to vote against this legislation.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman from Georgia and say that no one gets off the hook; not Wall Street, not anybody in this legislation.

All we are saying is that if money goes, as a fine, it should either be paid into the general Treasury, as required by the law, or to actual victims of the wrongdoing by the parties. And if it is paid into the general Treasury, the Constitution requires that it be paid, that it be appropriated by this Congress, not by bureaucrats and prosecutors at the Department of Justice.

At this time, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee and a great leader on this issue.

□ 1415

Mr. HENSARLING. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, our Constitution is under assault, so I rise today in support of H.R. 5063, the Stop Settlement Slush Funds Act. A nearly 2-year-long investigation jointly conducted by the Financial Services Committee, which I have the privilege of chairing, and the Judiciary Committee, chaired by Mr. GOODLATTE, the sponsor of this legislation, has shockingly revealed that the so-called Justice Department is not only pushing, but even requiring some defendants in settlements to send the fines not to victims, not to the U.S. Treasury, but, instead, to political allies of the Obama administration.

As one commentator wrote: ''Imagine if the President of the United States forced America's biggest banks to funnel hundreds of millions—and potentially billions—of dollars to the corporations and lobbyists who supported his agenda.''

Mr. Chairman, there is nothing to imagine. It is real. It is happening. Mr. Chairman, our committees' investigation uncovered that the Obama Justice Department has done exactly this. They have used mandatory—mandatory—donations to direct as much as $880 million to political organizations that just so happen to be allies of the Obama administration.

Now, I might expect to see such a corrupt practice in a place like Russia,

but in the United States of America? How can this possibly be legal?

These payments occur entirely outside of the transparent and accountable congressional appropriations and oversight process—a clear violation of Congress' Article I power of the purse, according to Article I, section 9 of our Constitution. By allowing for direct payments to nonvictim, third-party political organizations, the Justice Department is trampling upon the Constitution, threatening due process, threatening separation of powers, and threatening checks and balances. Mr. Chairman, there is simply no justice to be found in the Obama Justice Department.

I also note the sheer hypocrisy of what the Obama administration is doing while self-righteously claiming to be ''tough on the big banks'' and all for ''protecting consumers,'' the Obama Justice Department's special deals for big banks actually give the big banks double credit or more toward their penalties for each ''donation'' made to political allies. This means these big banks could erase, potentially, hundreds of millions of dollars in Federal penalties this way, not to mention avoid giving the money to actual victims.

Using cash to reward your political allies instead of helping victims who have been genuinely wronged is the epitome of what is unfair and wrong about this administration. Mr. Chairman, I urge all Members—all Members—to protect the Constitution and to vote for H.R. 5063, the Stop Settlement Slush Funds Act.

Mr. JOHNSON of Georgia. Mr. Chairman, the last speaker spoke about how the banks, Wall Street banks, are able to get a break from the executive branch when they pay out these settlements, but those are matters of legislative action that has been passed by this Congress which coddles the banks and puts them in a position where they just simply can't lose. When it comes to these fines, as they call it, these are not fines. These are settlement amounts that are going to help the victims. They are not going to play politics anywhere. These are funds that are directed to entities which help the victims of the Wall Street excesses. So I want to make that clear.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in strong opposition to the so-called Stop Settlement Slush Funds Act.

The Republican majority likes to put creative names on their legislation, but what they call slush funds are really voluntary settlements between the government and corporate wrongdoers. These settlements sometimes include payments to third parties to address the generalized harms caused by corporate bad actors. But this bill would prohibit any payments to a third party unless the funds would be used to help only the people directly harmed by the defendants, not those who may have been harmed on a broader level by their actions. This is unnecessarily narrow and restrictive when trying to address the harm inflicted by corporate wrongdoers.

Furthermore, the bill would restrict the flexibility of the government to resolve claims and make it harder to assist broad categories of people who are hurt by corporate malfeasance. For example, in the wake of the mortgage foreclosure crisis, the Department of Justice sued several big banks responsible for egregious misconduct that threw millions of people out of their homes and put millions more in peril, while the banks reaped massive profits. The banks agreed to resolve their claims by paying record-setting fines to the government in recognition of the tremendous damage they had caused. Under well-established legal authority, some of these settlements also included payments to certain community organizations responsible for assisting homeowners and the communities devastated by the foreclosure crisis caused by the banks.

These payments have had a dramatic effect. In New York State, thanks to the consumer relief funds from these settlements, more than 60,000 people have received housing counseling and legal services free of charge over the last 4 years. Almost one-third of these homeowners have consequently received a mortgage modification or have one pending.

Other funds have gone to support community development institutions like land banks, which are nonprofit organizations formed by local and county governments. These land banks help cities address vacant and abandoned properties known as zombie homes, zombie homes that were created by the foreclosure crisis caused by the malfeasance of the big banks. Land banks acquire these properties, secure them, and rehabilitate them for resale as affordable housing, thereby increasing the tax rolls, reducing crime, and preserving property values for neighboring homeowners and undoing some of the damage done by the malfeasance of the banks. In just the last 3 years, land banks in New York have acquired more than 1,300 vacant and abandoned properties.

Mr. Chairman, homeowners and cities are still struggling with the aftermath of the foreclosure crisis, and the third-party donations included in legal settlements have proven vital in helping those directly affected and those secondarily harmed by the banks' actions. These payments were mutually agreed-upon terms in a legal settlement, but Republicans call them slush funds. They went to nationally recognized community organizations or locally important community organizations doing important work to help homeowners in crisis, in crisis because of the actions by the malefactor banks.

The majority sneers and calls these organizations activist groups. The majority was so outraged by these payments that they launched a burdensome investigation that yielded not a single shred of evidence of any wrongdoing by anyone. I don't know what the majority calls that, but I call it a waste of time.

Mr. Chairman, this legislation is a waste of time, too, and I urge my colleagues to vote ''no.''

Mr. GOODLATTE. Mr. Chairman, I yield myself 1 minute to respond to the gentleman from Georgia (Mr. JOHNSON), who would not yield but who continues to claim that this legislation helps these major financial institutions while he defends the Justice Department, which enters into agreements with these financial institutions that owe hundreds of millions of dollars—in many instances, billions of dollars—to the Treasury in fines as a result of these settlements, but say if you give money to our preferred third-party group that wasn't even injured as a part of this process, if you give the money to them instead of to the government, instead of to the taxpayers, instead of to the general Treasury, we will give you $2 off for every $1 you give them, $2 off the fine for every $1 you give them, $2 million off the fine for every $1 million you give them.

It adds up pretty quickly, but the taxpayers are the ones taking a bath here. Guess who benefits. Those big banks that he says we are protecting? No. The Justice Department is protecting them, and this is why we need this legislation. It is the Congress that appropriates funds, not the bureaucrats and prosecutors in the Department of Justice.

Mr. Chairman, it is my pleasure to yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Regulatory Reform, Commercial and Antitrust Law Subcommittee.

Mr. MARINO. Mr. Chairman, I thank the chairman for the time and his leadership throughout the committee's investigation and as we have moved this important piece of legislation to the floor.

The Stop Settlement Slush Funds Act focuses on accountability and governance. As we have heard here, this bill is the product of a nearly 2-year-long House Judiciary Committee investigation into the Department of Justice's settlement practices. During that time, the Department of Justice has funneled nearly $1 billion of this settlement money to third-party groups that benefit this administration. But under Federal law—under Federal law—all money obtained through Department of Justice settlements must be deposited directly to the Treasury.

Our concerns are not with the services provided by the groups receiving the money. They provide worthy services to individuals in need across the country. Nor are our concerns along party lines. Good governance and accountability apply to Republican and Democratic administrations alike.

This piece of legislation focuses on concerted and repeated actions that have subverted the will of Congress, disrespected our separation of powers, and failed to assist the individuals directly harmed by the behavior warranting the settlements. The Judiciary Committee's investigation has revealed that entities with access to high-ranking Department of Justice officials received the funds.

The Stop Settlement Slush Funds Act will end this practice without limiting the Department of Justice's ability to reach settlements that directly provide restitution to those harmed. It does not block the ability to provide restitution for victims. Instead, it ensures that money belonging to the U.S. Treasury and, therefore, to the American people is not siphoned off for the pet projects of political appointees.

Mr. Chairman, I urge my colleagues to support good governance, accountability, and the powers granted to Congress and vote ''yes.''

Mr. JOHNSON of Georgia. Mr. Chairman, I just can't believe what I heard the gentleman from Virginia say about the big banks being coddled by the Justice Department, being given a break. So he is complaining that the big banks are being given a break, but then the purpose of this legislation is to take the big banks off of the hook. It is ironic.

Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the distinguished ranking member of the subcommittee. I acknowledge the chairman of the full committee and, as well, the ranking member of the full committee.

I am going to announce some breaking news. The Judiciary Committee gets along. We do a lot of good work together. I am looking forward to moving legislation dealing with a number of good policy suggestions and legislative initiatives involving the criminal justice system. I hope we can continue to work together.

But I would raise concern as to this legislation, and I raise it in the context of all that this Congress has to do. I would also raise it in the context that the administration has indicated on this bill, H.R. 5063, the misnamed Stop Settlement Slush Funds—totally misnamed—a veto threat. We don't know whether anyone in the United States Senate, the other body, has any interest in this legislation at all.

So in the meantime, there are any number of issues that should be addressed. My State of Texas is suffering under the threat of the Zika virus. The State of Florida is already in the eye of the storm, Puerto Rico, all of the Gulf States, maybe as far reaching as New York. That work needs to be done. The children of Flint are still asking us to respond to their concerns. The people of Baton Rouge, Louisiana, are still asking us to respond to the devastation that they are facing. Yet we deal with legislation that has totally misconstrued what has been done by the Department of Justice.

It is important to note that it is not unconstitutional. There is no breach of the Constitution by way of what is going on here.

First of all, it is not billions of dollars. It is minute in the course of helping individuals—$50 million—less than 1.1 percent of a total settlement of $23.5 billion.

We know that the Congressional Research Service must be nonpartisan. All of us use the Congressional Research Service. I would venture to say that it is one of the most nonpartisan, independent entities that we have. He has indicated twice that the settlements are lawful. I said, Mr. Chairman, lawful. That is my concern with this misnamed legislation. This legislation hurts the vulnerable and victims.

□ 1430

This legislation is not dealing with the crux of the issue. These are settlements engaging in agencies. These are not appropriated dollars. These are judgments within the context of the court. What is happening is that, out of the settlement, the agency is attempting to help people to help victims.

Let me give you an example as it relates to HUD counseling. Just a few days ago, we saw mention of the ongoing concerns involving foreclosures. Many people may think that that is a thing of the past, but it is not. It is clearly something that is important to many people.

Working with HUD counseling organizations, they are providing resources to help individuals get out of the pit of a foreclosure. It is well known that if individuals get counseling, they are nearly three times more likely to obtain a money-saving mortgage modification.

If an individual family all over this Nation was to get that, they would be more likely to receive a payment reduction of approximately $61 a month greater, on average, than noncounseled homeowners. They would be nearly twice as likely to get their mortgage back on track without a modification. Maybe, Mr. Chairman, a family of four, six, eight, or nine might not get kicked out of their house because of HUD counseling resources that have been given through a settlement, not forced through a settlement, not oppressed and overbearing, but through a settlement, through a legal justified settlement.

What would our friends want us to do? To ignore these people.

Counseling would bring about, if necessary, an ability to complete short sales faster than homeowners who don't work with housing counselors and about 60 percent less likely to redefault after curing a serious delinquency.

That is the kind of agency that is being called some kind of slush fund. This is totally skewed into the needs of our citizens, and it is opposed by individuals who work with our citizens—clean water action, individuals who work dealing with consumers, the National Council of La Raza, employment lawyers, the National Fair Housing Alliance, and the National Urban League. These are organizations that can document that they help people in their worst needs.

Who is helping to assist in the Baton Rouge floods after FEMA? It will probably be a lot of nonprofits dealing with housing counseling.

The Acting CHAIR (Mr. SIMPSON). The time of the gentlewoman has expired.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. So what I argue today is that we are within the confines of the law. It is a minute portion. It is not the billions of dollars that have been represented. It is certainly not a slush fund.

Mr. Chairman, I include in the RECORD an article from the Houston Chronicle, dated Sunday, September 4, 2016. It involves shooting victims. These are the survivors of the Aurora, Colorado, shooting. And guess what. The theater prevailed. They didn't have to pay a dime. They didn't have to have any check as to whether or not their doors could have been more secure. They could have had security, but it said the shooting survivors owe $700,000 to the theater.

Do you want to hear who one of the victims was? Let me just share with you a victim who just couldn't bring herself to accept. I feel sorry. Her suffering had been profound. Her child was killed in the shooting. She was left paralyzed, and the baby she was carrying had been lost. Do you know what she got? Zero, zero, zero. I just wish the Justice Department could have shared a resource with her or a group or the class action lawsuit that was thrown out of court causing them to have to pay $700,000 to the theater.

This bill does not deal with those in need. Vote against this bill.

(The following article appeared on September 4, 2016 in the Houston Chronicle:)

[From the Los Angeles Times]

SHOOTING SURVIVORS OWE $700K TO THEATER

(By Nigel Duara)

DENVER.—They had survived brain damage, paralysis and the deaths of their children. For four years, they met in secret as a group. Now, they were finally prepared to settle with the Aurora, Colo., movie theater that became the site of one of the deadliest massacres in U.S. history.

On a conference call, the federal judge overseeing the case told the plaintiffs' attorneys that he was prepared to rule in the theater chain's favor. He urged the plaintiffs to settle with Cinemark, owner of the Century Aurora 16 multiplex where the July 20, 2012, shooting occurred. They had 24 hours.

But before that deadline, the settlement would collapse and 15 survivors of the massacre would be ordered to pay the theater chain more than $700,000.

The settlement conference, corroborated by the Los Angeles Times with four parties

present at the conference, was hastily convened after a separate set of survivors suffered defeat in state court, where a jury decided that Cinemark could not have foreseen the events of that night in 2012, when James Holmes killed 12 people and injured 70 others in a 10-minute rampage at a screening of ''The Dark Knight Rises.''

In the federal case, survivors agreed to split $150,000 among 41 plaintiffs. The deal came with an implied threat: If the survivors rejected the deal, moved forward with their case and lost, under Colorado law, they would be responsible for the astronomical court fees accumulated by Cinemark.

Then one plaintiff rejected the deal. Her suffering had been profound: Her child was killed in the shooting, she was left paralyzed and the baby she was carrying had been lost.

None of the plaintiffs would receive a dime.

Although a source close to the theater chain said that there is no intention to actually seek recovery of the court costs, the theater chain has not issued any statement about its intentions.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume to respond to the gentlewoman from Texas (Ms. JACKSON LEE), who is a valued member of the Judiciary Committee, and we do work on bipartisan issues. I will say that this issue is bipartisan as well, and she should take note of the fact that it is also bicameral. The United States Senate is, indeed, interested in this issue. The bill that we are considering in the House has also been introduced in the Senate by Senator LANKFORD from Oklahoma.

Also very, very importantly, it is important to understand that when the Congress appropriates funds, it is the duty of the executive branch to carry out the appropriations made by the Congress, not to go out and change those decisions.

The gentlewoman talks about housing counseling. Well, the Congress appropriates funds for housing counseling, has and will continue to do so, I am sure. When we cut back on some of those funds—it is still a lot of funds. When we cut back on some, I guess there were some people, some bureaucrats in the Justice Department who felt that that was not the right thing to do. Or maybe it was the organizations that receive these funds that couldn't get them from the Congress, so instead they went over to the Justice Department and said: Well, when you get settlements from these big banks, make sure that you give some of those funds to us.

Well, that actually subverts the direct intent of the Congress in terms of how much money to spend. The funds are owed to the Treasury of the United States and to the people who are directly the victims of wrongdoing. They should definitely be compensated. If they are compensated as a part of a settlement that any Justice Department prosecutor enters into, they should benefit from that.

People who are not victims need to go through the appropriations process, come to the Congress for funding. If the Congress doesn't give them the funding they want, they shouldn't have other places to go in the Federal Government to get that money by simply going around the Congress and going to the Justice Department, having them take money that is supposed to go into the Treasury and then be appropriated by the Congress, and say: No, no, we will beef you back up in terms of the amount of money for housing counseling and put that money, instead, to you directly here without it going through the appropriations process in the people's House.

That is what we are trying to fix here. It is a very, very important thing that we fix and a very important principle that we protect in our Constitution.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Even though the Senate may take up this ill-fated measure, the President has promised to veto it. So what we are doing here today is another messaging bill that distracts the American people perhaps from the more important issues of the day, such as the spreading of this public health crisis, the Zika virus, which is afflicting almost 17,000 Americans infected by mosquitos carrying the Zika virus—17,000 people—200 babies born, 1,600 infected women.

This is a crisis that is going to cost the American people from a public health perspective. It is going to cost the lives of the unborn whose mothers are afflicted with this virus, giving birth to them, and they have the virus and suffer from microcephaly, a shrunken head and brain which renders them severely developmentally impacted as they make it through life and add a severe burden to the taxpayers. Instead of dealing with this issue, we took a 7-week vacation and refused to come back to work to deal with the Zika virus.

At the same time as we have got the Zika virus, a public health issue afflicting the Nation, we are also seeing more and more and more people dying from opioid abuse in this country. This Congress has been insufficient in dealing with this, applying the resources to deal with that issue.

We have got the issue of Flint, Michigan, where lead was found in the water. This Congress has done absolutely nothing to address the financial implications of that and what we can do to help remediate it and to keep it from happening.

Now we get East Chicago, Indiana, with people living atop a lead dump, basically, thousands of people impacted, and this Congress will do nothing.

That is not to mention anything about the other public health problem that afflicts the Nation, and that is the ongoing gun violence issue, which this Congress will do nothing about other than to hold a hearing on this coming Friday to censure those of us who had the gall to sit in the well of this House Chamber to demand that this body take some action. What did the body do back then? It adjourned for 7 weeks.

This is a spectacle that the American people are looking at. You can't help but to see it. You can't help but to understand it. The American people are being adversely impacted by the policies of my friends on the other side of the aisle. They have caught a bad case of the Trump syndrome, the Trump syndrome which causes people to forget about the truth, forget about reality, start seeing things the way that they want to see them, and they don't care what impact it has on the American people. All they want to do is be able to retain their positions, although they say that they hate government, they want to be here so that they can shrink government, make it smaller, leave everything to the private sector, and leave the American people fending for themselves.

We have had that happening for much too long. That is what the American people are so angry about on both sides of the aisle. That is why the mainstream portion of the other side of the aisle has completely lost control of their apparatus. We have the Trump syndrome that has taken hold, and this body is sick because it is being led by folks who have fallen victim to the Trump syndrome. Enough is enough. The American people are sick and tired of it.

With respect to Congress appropriating funds, this Congress still has to pass a budget. But you are talking about dealing with what is called a slush fund, the Stop Settlement Slush Funds Act of 2016. They say that Congress should be the one to allocate resources; it shouldn't come out of a settlement. Well, the fact is that there are no public dollars coming to fruition in a settlement between a big bank and the Justice Department. Those are all privately held funds that are being disgorged from the wrongdoer and placed back in the service of the very people that were harmed by the wrongdoing of the big banks. There is no legislative appropriation there because there is no public money. It is private money, but it is being redirected to those from whom it was wrongfully taken. That is what makes this legislation so hurtful to the process.

I would ask my colleagues to, again, be in opposition to it.

Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS), my chairman—or my ranking member. I say ''chairman'' in a very hopeful way.

Mr. CONYERS. Mr. Chairman, the gentleman from Georgia is much appreciated in the clarity of his analysis and his commitment for us to use, if we can, the right terminology when we are approaching these subjects, because this bill would prohibit the enforcement or negotiation of any settlement agreement requiring donations to remediate harms that are not directly and proximately caused by a party's unlawful conduct.

My opposition to this measure, to begin with, is that the bill will prohibit the use of various types of settlement agreements that have been successfully used to remedy various harms caused by reckless corporate actors. For example, these settlement agreements have been utilized to facilitate an effective response to predatory and fraudulent mortgage lending activities that nearly caused the economic collapse of our Nation.

□ 1445

In fact, settlement agreements with two of these culpable financial institutions—Bank of America and Citigroup—required a donation of less than 1 percent of the overall settlement amount to help affected consumers.

H.R. 5063 is a dangerous measure that would undermine the ability of civil enforcement agencies to hold wrongdoers accountable and to provide complete relief to victims.

A broad coalition of public interest organizations, including the Americans for Financial Reform, Public Citizen, the National Fair Housing Alliance, and the National Urban League, notes that this bill is a gift to lawbreakers that comes at the expense of families and communities that are impacted by injuries that cannot be addressed by direct restitution. The National Council of La Raza, which is the largest national Hispanic civil rights and advocacy organization in our country, similarly notes that H.R. 5063 is a far-reaching and misguided solution to a nonexistent problem.

I urge my colleagues to look at this bill clearly and to oppose this flawed legislation.

I thank the leader of this measure on the floor today, the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

First, I say to my friend, the gentleman from Michigan (Mr. CONYERS), of course, the National Council of La Raza would not like this legislation because the National Council of La Raza is the largest beneficiary of what the Justice Department is doing. They are getting the money. They are one of the largest recipients. So I am not at all surprised to hear that they wouldn't like us to stop this cozy relationship in which they go to the Justice Department and say, ''Hey, we need more money,'' and the Justice Department says, ''Okay. In the next settlement we do, we will send some of that money over to you.'' This is an abuse. It is clearly a slush fund, and it needs to be stopped.

I prefer to focus on institutional concerns with mandatory donations rather than on the nature of the recipients. However, there is no ignoring the troubling May 19, 2016, testimony to the Financial Services Committee that the donation beneficiaries were ''Democrat special interests.'' These include the Neighborhood Assistance Corporation of America, whose director calls himself a ''bank terrorist.'' Documents show that the groups that benefited from mandatory donation provisions actively lobbied the DOJ to include them.

The bill's opponents have proffered a series of specious arguments. The principal ones I refuted earlier. The others I will address now.

We are told that required donations represent just a fraction of the overall settlement amounts. That is true, but irrelevant. In absolute terms, there is a tremendous amount of money—nearly $1 billion—flowing to activist groups at the unilateral discretion of the executive just in these financial service industry settlements and another $2 billion more for the Volkswagon settlement. In any event, the $1 billion is over twice the annual Congressional appropriation for the Legal Services Corporation and is a huge windfall to the recipient organizations. An analysis of 80 beneficiaries of the Bank of America settlement revealed that, on average, the DOJ required donations accounted for more than 10 percent of their 2015 budgets. Such largesse should not be conferred unilaterally.

Critics contend that there is insufficient evidence that the DOJ structured the settlements to direct funds to activist groups. This is disingenuous. The opposition knows that the DOJ refuses to let the committee make the most troubling documents it found public.

Opponents also argued that mandatory donations are plainly lawful; but the House Financial Services Committee heard from three experts that mandatory donations are an unconstitutional subversion of Congress' spending power. That view is echoed by former President Clinton's own head of the Department of Justice's Office of Legal Counsel. Yet, even if these payments were not unlawful, they are definitely bad policy, which is precisely why legislation should prohibit them.

Another unfounded objection is that it is unrealistic for Congress to legislate redress every time a violation occurs that causes generalized harm.

In the banking settlements, the housing groups that received donations were in categories that were already specifically receiving grants from Congress. This shows that the infrastructure to direct funding to community projects is already in place.

The Department of Justice could also recommend to Congress, for example, as part of the President's budget, projects to fund that address generalized harm.

Finally, as the renowned liberal legal scholar and former D.C. circuit judge, Abner Mikva, has explained, on this point, efficiency is outweighed by the principles of representative government. The Founders knew the spending power was ''the most far-reaching and effectual,'' and they wanted to ''ensure Congress would act as the first branch of government.'' Accordingly, they understood Congress ''would less efficiently and less coherently devise fiscal policy than would a single 'treasurer' or 'fiscal czar.' Yet they chose, for good reason, to suffer this cost and bear its risks.''

This bipartisan legislation is a critical opportunity to marry oversight with action and to effectuate the Founders' vision of Congress' spending power as key to reining in the executive branch. This is a commonsense bill, the objections to which are unfounded; so I urge all of my colleagues to support this bill.

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

Mr. BLUMENAUER. Mr. Chair, today, I will vote against H.R. 5063, a bill that would prohibit the federal government from entering into settlement agreements that include payments directed to appropriate third parties. This bill, if enacted, would defang federal civil enforcement agencies as they seek to address and provide restitution for illegal actions that threaten a community's health and safety and the environment, and to prevent the recurrence of those illegal actions.

The harms caused by, for instance, violations of environmental laws, predatory lending by financial institutions, and workplace exposure to toxic chemicals, harm individuals and our communities. These harms can be difficult to adequately compensate. Settlements that only require payments to those directly harmed by the wrongdoing addressed in the enforcement action fails to adequately capture the full cost of unlawful conduct.

For decades, the United States government has entered into settlement agreements with defendants to pay for the direct harms they have caused. In many instances, these settlements also include payments to organizations that advance programs assisting with the recovery of a community harmed by the wrongdoing addressed in the enforcement action. The ability of the federal government to direct payments from these settlements to third parties is often the best way to hold wrongdoers accountable for the indirect harm done to the public at large.

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.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute, recommended by the Committee on the Judiciary, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 5063

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Settlement Slush Funds Act of 2016''.

SEC. 2. LIMITATION ON DONATIONS MADE PURSUANT TO SETTLEMENT AGREEMENTS TO WHICH THE UNITED STATES IS A PARTY.

(a) LIMITATION ON REQUIRED DONATIONS.—An official or agent of the Government may not enter into or enforce any settlement agreement on behalf of the United States, directing or providing for a payment to any person or entity other than the United States, other than a payment that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment, or constitutes payment for services rendered in connection with the case.

(b) PENALTY.—Any official or agent of the Government who violates subsection (a), shall be subject to the same penalties that would apply in the case of a violation of section 3302 of title 31, United States Code.

(c) EFFECTIVE DATE.—Subsections (a) and (b) apply only in the case of a settlement agreement concluded on or after the date of enactment of this Act.

(d) DEFINITION.—The term ''settlement agreement'' means a settlement agreement resolving a civil action or potential civil action.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–724. 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.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–724.

Mr. CONYERS. 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 3, line 11, insert after ''settlement agreement'' the following: ''(other than an excepted settlement agreement)''.

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term ''excepted settlement agreement'' means a settlement agreement that resolves a civil action or potential civil action in relation to discrimination based on race, religion, national origin, or any other protected category.

(2) The term ''settlement agreement''

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, my amendment would exempt from the legislation settlement agreements that provide payments to third parties as general relief for violations of title VII of the Civil Rights Act of 1964.

Title VII prohibits discrimination in employment on the basis of race, color, sex, religion, or national origin. Plaintiffs in employment discrimination cases typically seek payment and other relief for economic losses that result from unlawful employer conduct. These cases often involve multiple victims who are subjected to the same widespread discriminatory employment practice or policy that violate the Civil Rights Act. They also tend to affect the interests of persons who are not parties to the civil action or who are otherwise unlikely to receive compensation for unlawful conduct.

Given the often systemic nature of discriminatory conduct, settlement agreements should be able to provide relief for non-identifiable victims through such means as requiring payments to address generalized harm or to prevent future discriminatory acts. Examples include workplace monitoring and training programs. Nevertheless, H.R. 5063 would prohibit these types of payment remedies unless they provide restitution for actual harm directly and proximately caused by the party making the payment.

At last month's hearing on the bill, Professor David Uhlmann of the University of Michigan Law School testified that this requirement would potentially preclude all third-party payments and settlement agreements other than restitution to identifiable victims. The majority's own witness, our former colleague, Daniel Lungren, who previously served as California State Attorney General, concurred. He observed that the bill prohibits the United States Government from entering into a settlement agreement that requires a defendant to donate to an organization or individual who is not a party to the litigation.

I am concerned that the bill's broad and ill-defined prohibition would effectively deter civil enforcement agencies from providing general relief in discrimination cases, would discourage courts from enforcing these settlements, and would invite costly and needless litigation concerning these provisions. Accordingly, my amendment would accept payments to remediate generalized harms in settlement agreements in this important category of civil rights cases.

I am indebted to and thank my colleagues: the gentleman from Georgia, who is leading this opposition to the measure—the ranking member of the Committee on Regulatory Reform, Commercial and Antitrust Law—as well as the gentleman from New York, Congressman MEEKS, for co-sponsoring this amendment. I urge its support.

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

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the amendment would exempt certain discrimination settlements from the bill's ban on third-party payments, but nothing in the underlying bill prevents a victim of discrimination from obtaining relief. The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who were wrongly and proximately harmed by the defendant's wrongdoing; nor does the bill preclude wider conduct remedies used in discrimination cases. Nothing in the bill bars the Department of Justice, for example, from requiring a defendant to implement workplace training and monitoring programs. The ban on third-party payments merely ensures that the defendant remains responsible for performing these tasks itself and is not forced to outsource set sums for the work to third parties that might be friendly with a given administration.

I also say to the gentleman from Michigan that former Congressman Dan Lungren of California, a distinguished former colleague of ours on the House Judiciary Committee, was instrumental in helping us move this legislation forward and is a supporter of the legislation, notwithstanding the comments of the gentleman's that might confuse people as to what his position was. He strongly supports this legislation.

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

□ 1500

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOODLATTE. 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 Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–724.

Mr. CICILLINE. 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 11, insert after ''settlement agreement'' the following: ''(other than an excepted settlement agreement)''.

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term ''excepted settlement agreement'' means a settlement agreement that pertains to the protection of the privacy of Americans.

(2) The term ''settlement agreement''

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, my amendment would exempt settlement agreements that strengthen the personal privacy of Americans from the

blanket prohibition in this legislation. More specifically, it would preserve the ability of civil enforcement agencies to compel large corporations to adopt programs to protect consumer data.

Under this bill, these agencies would be prohibited from reaching settlement agreements that provide payments to nongovernmental parties. It would only exempt payments to provide restitution for actual harm directly and proximately caused by the party making the payment. As a result, H.R. 5063 would potentially prohibit payments for required monitoring and other payments for generalized harm due to privacy breaches.

As Professor David Uhlmann of the University of Michigan Law School pointed out during the subcommittee hearing for this bill, it could ''preclude all third-party payments in settlement agreements, other than restitution to identifiable victims.''

This is particularly problematic in the consumer privacy context where the harms may be diffuse or systemic. In such instances, the most appropriate remedy may involve prescribing steps that effectively prevent future misconduct rather than ones that focus exclusively on addressing previous faults. For instance, the Federal Trade Commission has used its authority under Section 5(a) of the FTC Act to resolve complaints involving unfair or deceptive practices.

As part of settlement agreements for these complaints, the FTC typically requires the offending party to adopt a series of preventative privacy measures. These requirements usually include employee training and monitoring requirements, third-party auditing, regular testing of privacy control and procedures, and other reasonable steps to maintain data security practices consistent with the underlying settlement.

These steps are not frivolous, and the payments involved are not opaque contributions to any so-called slush funds. To the contrary, these programs are carefully tailored to protect consumer privacy. Such agreements are an important and substantive component of the toolbox that enforcement agencies have at their disposals. But under the terms of H.R. 5063, these programs would be likely prohibited since they do not provide restitution to an identifiable victim or a party to the litigation.

The majority claims that their bill would allow for monitoring, but that is unclear in the language and, at best, would have to be litigated by the courts. Moreover, any monitoring allowed by this language would be done by the very defendant paying restitution in these cases, which defies best practices, especially in privacy cases.

In cases of data breaches, in which it is frequently impossible to identify all victims of a leak, it is common to put funds into victim relief funds or consumer privacy funds, which would be prohibited by this legislation as well.

My amendment would simply ensure that these agreements, which protect the privacy of American consumers, are not endangered by this bill's vague and broad prohibition on payments in settlement agreements.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I oppose this amendment. The amendment would exempt settlement agreements pertaining to the protection of Americans' privacy, but nothing in the underlying bill prevents victims of a privacy invasion from obtaining relief.

The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who are directly and proximately harmed by the defendant's wrongdoing, nor does the bill preclude wider conduct remedies used in privacy cases.

Nothing in the bill bars DOJ from requiring a defendant to implement measures to strengthen privacy. The ban on third-party payments merely ensures that the defendant remains responsible for performing these privacy-strengthening tasks and is not forced to outsource set sums for the work to third parties who might be friendly with a given administration.

Accordingly, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, with increased opportunities for private organizations to obtain, maintain, and disseminate sensitive private information of citizens, it is critical that we not prevent or delay enforcement of consumer protection laws designed to protect Americans' privacy rights.

As Professor David Uhlmann of Michigan Law noted during the hearing on H.R. 5063, this measure ''fails to adequately address the fact that generalized harm arises in civil cases,'' including cases brought under consumer protection laws under section 5 of the Federal Trade Commission Act.

H.R. 5063 only exempts payments to parties other than the government to provide restitution for actual harm ''directly and proximately caused by the party making the payment.'' Congress has expressly granted authority to the Federal Trade Commission, however, to resolve complaints against corporations for unfair or deceptive acts or practices under section 5 of the FTC Act.

As part of resolving potential civil liability of corporations for unlawful conduct, FTC settlement agreements typically require parties to address generalized harms of unlawful conduct by adopting a privacy program, employee training and monitoring requirements, third-party auditing, regular testing of privacy controls and procedures, and other reasonable steps to maintain security practices consistent with the underlying settlement.

The protection of Americans' privacy is not a Democratic or a Republican issue. Indeed, it is one of the few that those across the political spectrum have long embraced, including my friends on the other side of the aisle. Yet, notwithstanding these shared concerns, this bill could impose burdensome requirements on settlement agreements that are intended to protect privacy.

I voice my support for the amendment.

The Acting CHAIR. The time of the gentleman from Rhode Island has expired.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOODLATTE. 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 Rhode Island will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–724.

Ms. JACKSON LEE. 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 11, insert after ''settlement agreement'' the following: ''(other than an excepted settlement agreement)''.

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term ''excepted settlement agreement'' means a settlement agreement that pertains to providing restitution for a State.

(2) The term ''settlement agreement''

The Acting CHAIR. Pursuant to House Resolution 843, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I want to, again, reiterate that words do matter. The naming of this bill, unfortunately, skews and distorts a legitimate right that agencies in litigation have.

In particular, I want to take note of the fact, again—I think it is always important to set the record straight—that the settlement donations have been 1.1 percent of $23.5 billion, that a government-independent entity has indicated

that these settlements are lawful. The sledgehammer effect that has been taken in order to ensure that we stop victims, innocent persons from getting some relief is unbelievable.

So the Jackson Lee amendment No. 3 would address the problematic concern with H.R. 5063, which would only exempt payments to third parties to provide restitution for actual harm directly and proximately caused by the party making the payment.

The Jackson Lee amendment No. 3 would carve out an additional exemption to enable States to act as third-party actors with the ability to remedy generalized harm for mass injuries where the actual party responsible for directly or proximately causing the harm is there.

For example, the Jackson Lee amendment No. 3 would allow for States, such as Texas and other Gulf Coast States, to address the environmental harms resulting in settlement agreements to impacted parties such as those harmed by a variety of man-made disasters.

I urge adoption of this particular amendment because, again, it would provide an opportunity for States to remediate generalized harm of unlawful conduct beyond harms to identifiable victims.

I believe, in particular, the bill here that we have would ban the following entirely legitimate, appropriate uses of SEP funds that are currently permitted by EPA: pollution prevention projects that improve plant procedures and technologies and/or operation and maintenance practices that will prevent additional pollution at its source.

I ask my colleagues to support the amendment.

Mr. Chair, the Jackson Lee Amendment No. 3 exempts from H.R. 5063 settlement agreements that pertain to providing restitution for a State.

Mr. Chair, H.R. 5063, as currently drafted, is flawed and misguided.

This bill seeks to exempt only those payments to parties other than the government to provide restitution for actual harm ''directly and proximately caused by the party making the payment.''

Mr. Chair, I urge adoption of the Jackson Lee Amendment No. 3 which seeks to address the additional case exception for those instances where funds are directed to states to remediate the generalized harm of unlawful conduct beyond harms to identifiable victims.

One clear example of where such an exemption is needed is concerning the Deepwater Horizon Settlement agreements directing payments to states as third parties for general remediation of harms.

Under current law, the Environmental Protection Agency (EPA) may include Supplemental Environmental Projects (SEPs) in settlement agreements to offset the harms of unlawful conduct by requiring parties to undertake an environmentally beneficial project or activity that is not required by law, but that a defendant agrees to undertake as part of the settlement of an enforcement action.

In 2012, the EPA and Justice Department resolved the civil liability of MOEX Offshore through a settlement agreement resulting from the Deepwater Horizon oil spill, that included funds to several Gulf states, including Texas, where Texas was not party to the complaint, but received $3.25 million for SEPs and other responsive actions.

Professor Joel Mintz of Nova Southeastern University College of Law, a former chief attorney with the EPA, noted in his written statement on H.R. 5063, that the proposed bill would prohibit these agreements.

That is, many of the important benefits now provided by EPA's SEPs program would be excluded by H.R. 5063.

The bill's definition, according to Professor Mintz, excludes ''any payment by a party to provide restitution for or otherwise remedy the actual harm (including to the environment), directly and proximately caused by the alleged conduct of the party that is the basis for the settlement agreement.''

As such, this exception is too narrowly drawn to allow for numerous beneficial uses of SEP monies.

Thus, for example, the bill would appear to ban the following entirely legitimate, appropriate uses of SEP funds that are currently permitted by EPA:

Pollution prevention projects that improve plant procedures and technologies, and/or operation and maintenance practices, that will prevent additional pollution at its source;

Environmental restoration projects including activities that protect local ecosystems from actual or potential harm resulting from the violation;

Facility assessments and audits, including investigations of local environmental quality, environmental compliance audits, and investigations into opportunities to reduce the use, production and generation of toxic materials;

Programs that promote environmental compliance by promoting training or technical support to other members of the regulated community; and

Projects that provide technical assistance or equipment to a responsible state or local emergency response entity for purposes of emergency planning or preparedness.

Each of these types of programs provide important protections of human health and the environment in communities that have been harmed by environmental violations.

However, because they are unlikely to be construed as redressing ''actual (environmental) harm, directly and proximately caused'' by the alleged violator, the bill before this committee would prohibit every one of them.

The Jackson Lee Amendment No. 3 would eliminate this harmful prohibition by implementing a common sense exception for these very types of cases.

Accordingly, I urge my colleagues to support the Jackson Lee Amendment No. 3.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment would exempt settlements providing restitution to a State, but that is unnecessary. Nothing in the underlying bill prevents States that have been wronged from obtaining restitution. The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who are directly and proximately harmed by the defendant's wrongdoing, which would include States.

If there is no State that is a true victim, the defendant is not let off the hook. It still must pay. But in the absence of direct victims, the money goes to the U.S. Treasury. That is appropriate because if the State is not a direct victim, accountable Representatives in Congress, not agency bureaucrats, should decide whether the State should receive money recovered by the Federal Government.

Accordingly, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, quite the contrary to my dear friend, this bill is unclear. It is not clear. So victims are impacted positively by environmental restoration projects, including activities to protect local ecosystems, facility assessments and audits, including investigations of local environmental quality, programs that promote environmental compliance, projects that provide technical assistance or equipment.

Each of these types of programs provide important protections of human health and the environment in communities that have been harmed by environmental violations and others.

It is not clear whether or not these kinds of projects or programs that the State may be able to utilize are, in fact, able to be utilized in this legislation. That is why I offer amendment No. 3.

Again, I will raise the terrible headline of victims having to pay $700,000. Let's not make victims pay by this underlying bill, H.R. 5063. Let's support the Jackson Lee amendment that takes into consideration the victims who need to be compensated and provide a pathway for restoration.

I urge my colleagues to support the Jackson Lee amendment No. 3.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time to say, again, that direct victims, like the one that the gentlewoman has cited, in a terrible case are not in any way affected by this legislation because they can be compensated.

It is the reappropriating of funds, if you will, to people who are not in any way harmed by the underlying lawsuit that is our complaint because those dollars should be coming to the U.S. Treasury to be appropriated by the people's elected Representatives here in the House of Representatives.

For that reason, I oppose this legislation, and I urge my colleagues to join me in opposing this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–724.

Ms. JACKSON LEE. Mr. Chairman, I have amendment No. 4 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(other than an excepted settlement agreement)''.

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term ''excepted settlement agreement'' means a settlement agreement that resolves a civil action or potential civil action in relation to sexual harassment, violence, or discrimination in the workplace.

(2) The term ''settlement agreement''

The Acting CHAIR. Pursuant to House Resolution 843, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, again, as I have indicated, there are victims that are not in the purview or even in the eyesight of this legislation that will be harmed by this legislation.

The Jackson Lee amendment No. 4 would address the problematic concern with H.R. 5063, which would only provide an exemption for payments to parties, other than the government, to provide restitution for actual harm directly and proximately caused by the party making the payment. The Jackson Lee amendment would provide an exemption for cases where funds are necessary to remedy generalized harm, other than for restitution, to specific or immediately identifiable victims.

In particular, Jackson Lee amendment No. 4 would allow the Federal Government to engage with third parties that help carry out settlement agreements—again, settlement agreements—dollars that are under the purview of the settlement and that are minute in distribution, indicated 1.1 percent, in furtherance of resolution of the civil action or potential civil action in specific relation to sexual harassment, violence, or discrimination in the workplace.

□ 1515

Jackson Lee amendment No. 4 would carve out this additional exception to protect such actions and the ability to provide the mediators or other third parties to intervene on behalf of civil action litigants.

It is clear that we have had a number of civil rights violations in this country. We are not yet through with overcoming discrimination in many aspects of life, particularly in workplace discrimination.

For instance, in the settlement of an EEOC sexual harassment case of female laundry workers, a consent decree resolving the case provides that in addition to paying $582,000, Suffolk Laundry will adopt new procedures to prevent sexual harassment and will train its managers and staff on identifying and preventing sexual harassment and retaliation. The policies and staff training will be available in Spanish. EEOC will monitor Suffolk Laundry's compliance with these obligations and title VII of the Civil Rights Act of 1964 for a period of 4 years.

Because of this consent decree, these women will receive due compensation for the abuse they suffered; and there is confidence, with the consent decree in place and the conditions of that consent decree, that no more employees will be victimized in the future.

In another example of an EEOC sex discrimination lawsuit—and so there will be those that will help implement this settlement—the Cintas Corporation settled to pay $1.5 million. The corporation entered into a further agreement: to hire an outside expert to reevaluate the criteria used to screen, interview, and select employees and the interview guides used in employee hiring; to provide training to the individuals involved in the selection of employees, whereby such training would cover record retention and an explanation of what constitutes an unlawful employment practice under title VII; to continue to provide diversity, harassment, and antidiscrimination training annually to employees; to post a notice informing employees that Federal law prohibits discrimination; and to report to EEOC over an approximate 28-month period information and materials on training programs, recruiting logs, descriptions, and explanations for any changes.

I would argue the point that this helps to promote the antidiscrimination necessary to correct the pathway that some have found their way in. The Jackson Lee amendment No. 4 would create an appropriate exemption to the absolute block and prohibition that the underlying legislation provides.

Mr. Chair, the Jackson Lee Amendment No. 4 exempts from H.R. 5063 settlement agreements that resolves a civil action or potential civil action in relation to sexual harassment, violence, or discrimination in the workplace.

Mr. Chair, H.R. 5063 as currently drafted is flawed and misguided.

This bill seeks to exempt only those payments to parties other than the government to provide restitution for actual harm ''directly and proximately caused by the party making the payment.''

A few months ago we saw that the Justice Department filed a federal civil rights lawsuit against the state of North Carolina and other parties declaring North Carolina House Bill 2's restroom restriction unlawfully discriminatory.

Attorney General Loretta Lynch stated that this complaint was about ''a great deal more than just bathrooms.''

She explained:

''This is about the dignity and respect we accord our fellow citizens and the laws that we, as a people and as a country, have enacted to protect them—indeed, to protect all of us. And it's about the founding ideals that have led this country—haltingly but inexorably—in the direction of fairness, inclusion and equality for all Americans.''

Enforcing these rights is as important today as they were during the enactment of the Civil Rights Act over fifty years ago.

H.R. 5063 would prohibit remediation of generalized harm in civil rights cases, restricting relief for non-parties to the litigation and non-identifiable victims of discrimination.

Professor David Uhlmann observed during last month's hearing on this bill ''fails to adequately address the fact that generalized harm arises in civil cases,'' including cases involving ''harm to our communities . . . that cannot be addressed by restitution.''

In these cases, Professor Uhlmann concluded, third-party payments are appropriate.

Yet, the Majority witness, Daniel Lungren, specifically testified on behalf of the Chamber that the bill should prohibit ''the U.S. government from entering into a settlement agreement requiring a defendant to donate to an organization or individual not a party to the litigation.''

The Jackson Lee Amendment No. 4 would remedy this flaw by creating an exception to cases where settlement funds are directed to the remediation of generalized harm other than restitution to identifiable victims.

For instance, in the settlement of an EEOC sexual harassment case of female laundry workers and a consent decree resolving the case provides that:

In addition to paying $582,000, Suffolk Laundry will adopt new procedures to prevent sexual harassment and will train its managers and staff on identifying and preventing sexual harassment and retaliation.

The policies and staff training will be available in Spanish.

EEOC will monitor Suffolk Laundry's compliance with these obligations and Title VII of the Civil Rights Act of 1964 for a period of four years.

Because of this consent decree, these women will receive due compensation for the abuse they suffered and, there is confidence, with the consent decree in place and the conditions of that consent decree, that no more employees will be victimized in the future.

In another example of an EEOC sex discrimination lawsuit where Cintas Corporation settled to pay $1.5 million, the corporation entered into a further agreement:

To hire an outside expert to revalidate the criteria used to I screen, interview and select employees and the interview guides used in employee hiring.

To provide training to the individuals involved in the selection of employees, whereby such training would cover record retention and an explanation of what constitutes an unlawful employment practice under Title VII.

To continue to provide diversity, harassment and antidiscrimination training annually to employees.

To post a notice informing employees that federal law prohibits discrimination, and to report to EEOC over an approximate 28-month period information and materials on training programs; recruiting logs; descriptions and explanations for any changes made to the employee hiring process; its expert revalidation findings; unprivileged materials and reports from any audits made of a facility's employee hiring or recruitment methods or practices, should an audit be done; record retention and reporting on applicant data.

According to EEOC General Counsel, David Lopez, the injunctive relief obtained provides confidence and a strong foundation for eliminating barriers in recruiting and hiring women and will prevent the reoccurrence of this type of situation.

The Jackson Lee Amendment No. 4 would have a direct impact on these very types of cases by providing an exception to cases where funds are directed to the remediation of generalized harm, as highlighted in the above agreements that falls within the category of other than direct restitution to the identifiable victims.

Accordingly, I urge adoption of the Jackson Lee Amendment No. 4.

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

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment would exempt settlements resolving workplace sexual harassment, violence, or discrimination; but nothing in the underlying bill prevents victims of workplace harassment, violence, or discrimination from obtaining relief.

The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who were directly and proximately harmed by the defendant's wrongdoing. Nor does the bill preclude wider conduct remedies used in discrimination cases.

Nothing in the bill debars the Department of Justice from requiring a defendant to implement workplace training and monitoring programs. The ban on third-party payments merely ensures that the defendant remains responsible for performing these tasks itself and is not forced to outsource set sums for the work of two third parties who might be friendly with a given administration.

Accordingly, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I think the chairman of the Committee on the Judiciary just answered, this is a political bill. If an independent entity in the settlement wants to retain an entity to help train, to help provide information, to speak Spanish, why is that prohibited?

My amendment says there should be an affirmative affirmation through an exemption that this is not disallowed because specifically what they are trying to go to is blocking the particular settlement and the parties from making an informed decision as to who would best implement the settlement; and if that required funding to do so to an entity that may happen to be a civil rights group, an NAACP, an Urban League, La Raza, then it seems that my friends on the other side of the aisle want to make sure that those organizations' storied histories in civil rights does not get a chance to help improve and to eliminate sexual harassment, workplace harassment, workplace discrimination, sexual violence, none of these things.

I can't, for the life of me, understand why the Jackson Lee amendment No. 4 would not be an acceptable affirmation that it is all right for these corporations to engage with other entities that can do the job better than them.

Let's work together to eliminate discrimination in America once and for all, and let's work together so that we don't read any more headlines like the Aurora, Colorado, headline victims, where they were told to pay $700,000 back to the theater. I am appalled, and I think none of us would agree with that.

I ask my colleagues to support the Jackson Lee amendment No. 4. It is right for justice and equality.

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

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time.

The fact of the matter is that the principle here of making sure that when the Department of Justice goes and extracts settlement payments from defendants in lawsuits brought against them is spent to directly compensate the victims is what this legislation is all about. We want to see them compensated.

We also want to make sure that if they are not harmed by this, it doesn't matter who they are. It could be a Republican administration and their favored groups may be a whole different list of organizations that might be sitting there at the door hoping to be able to get some money from the Federal trough by simply applying to a Federal prosecutor or a Federal bureaucrat instead of going through the process that the United States Constitution requires, and that is that Article I of the Constitution says the Congress shall appropriate funds. If the funds are not to go to people directly harmed, they should come to the General Treasury; and the Congress itself, the people's elected representatives in the people's House, should appropriate the funds as they believe is most appropriate.

Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. 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 Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–724.

Mr. GOSAR. 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:

Add at the end of the bill the following:

(e) SPECIAL RULE FOR ATTORNEY FEES IN ENVIRONMENTAL CASES.—In the case of a settlement agreement which is permissible under subsection (a), and which directs or provides for payment for services rendered in connection with a case relating to the environment, the settlement agreement may not provide for payment of attorney fees in excess of $125 per hour.

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will prevent the abuse of Justice Department settlements to line the pockets of environmental lawyers.

The Gosar amendment caps settlement payments for attorneys' fees provided in relation to environmental cases at $125 per hour. The Equal Access to Justice Act, EAJA, already contains a fee cap of $125 per hour for attorney fees. Unfortunately, EAJA also contains a loophole that allows specialized attorneys to violate that cap without explicitly defining who meets this standard. The result has been the rampant abuse of this loophole by environmental groups who routinely argue that their lawyers are specialized and can therefore violate the cap. Furthermore, the Endangered Species Act does not contain this cap.

As a report by the Congressional Working Group on the Endangered Species Act explains: ''The effect is large, deep-pocketed environmental groups with annual revenues well over $100 million are reaping taxpayer reimbursements from a law intended for the 'little guy.'

''These groups—and their lawyers—are making millions of taxpayer dollars by suing the Federal Government, being deemed the 'prevailing party' by Federal courts, and being awarded fees either through settlement with DOJ or by courts.

''According to the documents provided by DOJ, some attorneys representing nongovernmental entities have been reimbursed at rates as much as $500 per hour, and at least two lawyers have each received over $2 million in attorneys' fees from filing ESA cases.''

Perhaps most egregious, many of these lawsuits are not even litigated. These attorneys are raking in these ridiculously high fees by filing and settling. This has massively incentivized the ''sue and settle'' tactics that have become all too common in these types of cases.

Again, U.S. Code section 504, subsection (b)(1) already caps attorney fees at $125 per hour. My amendment simply closes the loophole that environmental groups use to violate this cap and charge inordinate attorney fees at taxpayer expense.

Similar legislation has been introduced in the past, including the Endangered Species Litigation Reasonableness Act, introduced by Representative HUIZENGA. As Representative HUIZENGA accurately stated in April of 2015: ''The goal of the Endangered Species Act is to enhance wildlife preservation, not line the pockets of trial attorneys with taxpayer dollars. Every taxpayer dollar spent on litigation is a dollar that could have been spent protecting the environment.''

This amendment is endorsed by the Americans for Limited Government, the American Conservative Union, Family Farm Alliance, the Motorcycle Industry Council, National Rural Electric Cooperative Association, the Recreational Off-Highway Vehicle Association, the Specialty Vehicle Institute of America, Taxpayers Protection Alliance, the U.S. Chamber of Commerce, and the Arizona Farm Bureau.

I commend the chairman and the committee for their efforts on this legislation and for recognizing that the settlement process is in desperate need of reform.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment would limit the ability of the prevailing party to receive reasonable attorneys' fees for services rendered in connection with a settlement agreement.

Where citizens, through a private enforcement action, hold the government or a private party accountable, Congress has authorized payments for reasonable attorneys' fees.

Bringing meritorious claims to hold corporate wrongdoing accountable is often time consuming and expensive. In many cases, Congress has already authorized reasonable attorneys' fees specifically to encourage these types of lawsuits to ensure a level playing field and an accessible justice system.

This amendment would limit these fees to outdated rates—$125 an hour; that is ridiculous—and that will discourage citizens from bringing these important lawsuits. Accordingly, I encourage my colleagues to oppose this amendment.

I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Committee on the Judiciary.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding.

The Stop Settlement Slush Funds Act of 2016 is intended to bolster Congress' Article I institutional authority over all types of cases, not to carve out special rules for particular categories of cases. Attorneys' fee issues are not the focus of the bill and would be better addressed by separate legislation.

I commend the gentleman from Arizona for his concern about the abuse that he has cited, but this amendment could also have significant, unintended adverse consequences. First and foremost, it could hinder the ability of small businesses challenging government overreach to obtain representation. This could occur, for example, in Fifth Amendment takings cases, many of which involve the environment.

Indeed, fee recoveries under the Equal Access to Justice Act, although often abused by environmental NGOs, as was cited by the gentleman from Arizona, were originally intended to go to small businesses and other small entities to help them sue against overreaching government action. The problem he cites needs to be addressed, but not here. Accordingly, I urge my colleagues to oppose the amendment.

Mr. GOSAR. Mr. Chairman, first of all, I would like to agree with the chairman on his analysis of the Equal Access to Justice Act. It has been abused. As I mentioned before, environmental groups with well over $100 million in annual revenues are using the law intended to protect the little guy to siphon money from the American taxpayers. That is why my amendment is so important. By closing this loophole, we can uphold the intent of the law and ensure its continued efficacy.

Furthermore, line 15 of the Stop Settlement Slush Funds Act contains a carve-out for environmental litigation. My amendment is, therefore, both germane and critical to preventing attorneys in these environmental lawsuits from using the currently existing loophole to charge upwards of $500 per hour for their service.

As my colleague Representative HUIZENGA has perviously pointed out, every dollar spent on litigation is a dollar that cannot go to protecting or restoring the environment.

I also want to make clear that my amendment does nothing to prohibit groups from engaging in litigation or to prohibit repayments for their legal fees. The $125 cap already exists in current law. My amendment simply closes the loophole that environmental groups have used to exceed that cap.

Once again, I would like to thank my colleagues for their efforts on this important issue. I encourage the passage of the Gosar amendment.

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

□ 1530

Mr. JOHNSON of Georgia. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chair, 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 Arizona will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. TOM PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–724.

Mr. TOM PRICE of Georgia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

(e) REPORTS ON SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the head of each Federal agency shall submit electronically to the Congressional Budget Office a report on each settlement agreement entered into by that agency during that fiscal year that directs or provides for a payment to a person or entity other than the United States that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment, or constitutes payment for services rendered in connection with the case, including the parties to each settlement agreement, the source of the settlement funds, and where and how such funds were and will be distributed.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

(3) SUNSET.—This subsection shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Georgia (Mr. TOM PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. TOM PRICE of Georgia. Mr. Chairman, let me first commend Chairman GOODLATTE for his work on the underlying bill. I want to thank him and the staff of the Judiciary Committee for their support and assistance on crafting this and the following amendment. I also want to thank the chairman, staff, and members of the Rules Committee for their help as well.

This amendment, Mr. Chairman, requires the head of each Federal agency to provide an annual electronic report to the Congressional Budget Office of any settlement agreements entered into by an official or agency during the previous year, consistent with the limitations of the underlying bill, H.R. 5063.

This annual submission to CBO is critical to ensure the transparency of these settlements and to provide Congress an opportunity to obtain the information on these from the agencies. Further, with this information, CBO can begin building a database of these settlements, which is essential for Congress to track and to monitor the size and number of these agreements made by the Federal Government.

I should point out that it also includes language to ensure that no additional funds are appropriated for this

administrative reporting requirement to make certain that the amendment has no budgetary impact. I want to also state, finally, that this amendment includes a 7-year sunset provision to comply with the House's CutGo provision.

I want to once again thank the chairman of the Judiciary Committee.

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

Mr. GOODLATTE. Mr. Chairman, I claim time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I support this amendment. It would require Federal agencies to submit reports electronically to the Congressional Budget Office on settlement agreements into which they enter. The amendment's electronic reporting requirement would help alert Congress to problem settlements, is efficient, and would aggregate information in one place, which would aid oversight. Accordingly, I urge my colleagues to support this valuable amendment.

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

Mr. TOM PRICE of Georgia. Mr. Chairman, I want to thank the chairman once again. I urge adoption of the 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 Georgia (Mr. TOM PRICE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. TOM PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–724.

Mr. TOM PRICE of Georgia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

(e) ANNUAL AUDIT REQUIREMENT.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the Inspector General of each Federal agency shall submit a report to the Committees on the Judiciary, on the Budget and on Appropriations of the House of Representatives and the Senate, on any settlement agreement entered into in violation of this section by that agency.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Georgia (Mr. TOM PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. TOM PRICE of Georgia. Mr. Chairman, this is the sister or cousin amendment to the one just adopted by the House, and it requires the inspector general of each Federal agency to provide an annual report to the House and Senate Committees on the Judiciary, Appropriations, and the Budget concerning any settlement agreements that may violate section 2(a) of H.R. 5063.

The previous amendment identified all those settlements made consistent with H.R. 5063, and this is a report that would be required that would identify those settlements outside the agreements under H.R. 5063.

This information is vital to help ensure that the Federal agencies are not usurping Congress' power of the purse by continuing past practices and to confirm Federal agencies are fulfilling the requirements of the underlying bill. It also includes, once again, language to ensure that no additional funds are appropriated for the administrative reporting requirement and makes sure that it is budget-neutral.

I urge the adoption of the amendment.

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

Mr. GOODLATTE. Mr. Chairman, I claim time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I support this amendment. It is another good amendment by the chairman of the Budget Committee, who has not only a great appreciation for the issues involved here, but has been very constructive and helpful in supporting this underlying legislation.

This amendment would require agency inspectors general to report to Congress annually any settlement agreements that violate the provisions of this bill. This audit requirement would aid enforcement, both by deterring agency noncompliance and by ensuring noncompliance is reported back to Congress, so it can be addressed.

Accordingly, I thank Chairman PRICE for his thoughtful amendment and for working with me on it. The amendment improves the bill, and I urge my colleagues to support it.

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

Mr. TOM PRICE of Georgia. Mr. Chairman, once again, I thank the Chairman for his support and for his assistance in this, and I urge adoption of the 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 Georgia (Mr. TOM PRICE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–724 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. CONYERS of Michigan.

Amendment No. 2 by Mr. CICILLINE of Rhode Island.

Amendment No. 4 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. GOSAR of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 234, not voting 19, as follows:

[Roll No. 483]

AYES—178

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
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
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)

Scott, David
Serrano
Sewell (AL)
Sherman
Sires
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

NOES—234

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Love
Lucas
Luetkemeyer
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
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
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
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—19

Boustany
Brown (FL)
Calvert
Clawson (FL)
DesJarlais
Duckworth
Johnson, Sam
Lieu, Ted
Loudermilk
Nugent
Palazzo
Reichert
Rokita
Ross
Rush
Sanchez, Loretta
Sinema
Stivers
Westmoreland

□ 1558

Messrs. RATCLIFFE, WOODALL, FITZPATRICK, and ASHFORD changed their vote from ''aye'' to ''no.''

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 236, not voting 20, as follows:

[Roll No. 484]

AYES—175

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
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
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
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

NOES—236

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Luetkemeyer
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)
Nadler
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
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
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—20

Bishop (MI)
Boustany
Brown (FL)
Calvert
Clawson (FL)
Cole
DesJarlais
Duckworth
Guthrie
Johnson, Sam
Lieu, Ted
Nugent
Palazzo
Reichert
Ross
Rush
Sanchez, Loretta
Scott, David
Sinema
Wittman

□ 1603

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. WITTMAN. Mr. Chair, on rollcall No. 484, I was unavoidably detained. Had I been present, I would have voted "no."

Mr. GUTHRIE. Mr. Chair, on rollcall No. 484, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 235, not voting 18, as follows:

[Roll No. 485]

AYES—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
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
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
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

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Luetkemeyer
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
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Boustany
Brooks (AL)
Brown (FL)
Calvert
Clawson (FL)
DesJarlais
Duckworth
Hurt (VA)
Johnson, Sam
Lieu, Ted
Nugent
Palazzo
Rangel
Reichert
Ross
Rush
Sanchez, Loretta
Sinema

□ 1608

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HURT of Virginia. Mr. Chair, I was not present for rollcall vote No. 485 On Agreeing to the Jackson Lee of Texas Amendment No. 4 to H.R. 5063, the Stop Settlement Slush Funds Act of 2016. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. CALVERT. Mr. Chair, on rollcall votes 481, 482, 483, 484, and 485, I was unable to vote as I was detained in my congressional district to attend the funeral of a dear friend. Had I been present, I would have voted "yes" on rollcall votes 481, and 482. Had I been present, I would have voted "no" on rollcall votes 483, 484, and 485.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 155, noes 262, not voting 14, as follows:

[Roll No. 486]

AYES—155

Abraham
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Cook
Cramer
Crawford
Culberson
Davidson
DeSantis
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Franks (AZ)
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Guthrie
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hudson
Huelskamp
Hultgren
Hunter
Jenkins (WV)
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Olson
Palmer
Paulsen
Pearce
Perry
Pitts
Pompeo
Price, Tom
Ratcliffe
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Rothfus
Rouzer
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster

Simpson	Wagner	Williams
Smith (MO)	Walberg	Wittman
Smith (NE)	Walden	Woodall
Smith (TX)	Walker	Yoder
Smith (WA)	Walorski	Yoho
Stefanik	Weber (TX)	Young (AK)
Stewart	Webster (FL)	Young (IA)
Stutzman	Wenstrup	Young (IN)
Thompson (PA)	Westerman	Zeldin
Tipton	Westmoreland	Zinke

NOES—262

Adams	Gabbard	Miller (MI)
Aderholt	Gallego	Moolenaar
Aguilar	Garamendi	Moore
Amash	Goodlatte	Moulton
Ashford	Graham	Murphy (FL)
Bass	Grayson	Nadler
Beatty	Green, Al	Napolitano
Becerra	Green, Gene	Neal
Bera	Griffith	Nolan
Beyer	Grijalva	Norcross
Bilirakis	Grothman	Nunes
Bishop (GA)	Guinta	O'Rourke
Bishop (MI)	Gutiérrez	Pallone
Blumenauer	Hahn	Pascrell
Bonamici	Hanna	Payne
Bost	Hardy	Pelosi
Boyle, Brendan F.	Harper	Perlmutter
	Hastings	Peters
Brady (PA)	Heck (NV)	Peterson
Brooks (IN)	Heck (WA)	Pingree
Brownley (CA)	Higgins	Pittenger
Buchanan	Hill	Pocan
Bustos	Himes	Poe (TX)
Butterfield	Hinojosa	Poliquin
Capps	Holding	Polis
Capuano	Honda	Posey
Cárdenas	Hoyer	Price (NC)
Carney	Huffman	Quigley
Carson (IN)	Huizenga (MI)	Rangel
Cartwright	Hurd (TX)	Reed
Castor (FL)	Hurt (VA)	Renacci
Castro (TX)	Israel	Ribble
Chu, Judy	Issa	Rice (NY)
Cicilline	Jackson Lee	Richmond
Clark (MA)	Jeffries	Rigell
Clarke (NY)	Jenkins (KS)	Roby
Clay	Johnson (GA)	Rogers (AL)
Cleaver	Johnson (OH)	Rogers (KY)
Clyburn	Johnson, E. B.	Rooney (FL)
Cohen	Jolly	Ros-Lehtinen
Cole	Joyce	Roskam
Conaway	Kaptur	Roybal-Allard
Connolly	Katko	Royce
Conyers	Keating	Ruiz
Cooper	Kelly (IL)	Ruppersberger
Costa	Kennedy	Russell
Costello (PA)	Kildee	Ryan (OH)
Courtney	Kilmer	Sánchez, Linda T.
Crenshaw	Kind	
Crowley	Kinzinger (IL)	Sarbanes
Cuellar	Kirkpatrick	Schakowsky
Cummings	Kline	Schiff
Curbelo (FL)	Kuster	Schrader
Davis (CA)	Lance	Scott (VA)
Davis, Danny	Langevin	Scott, David
Davis, Rodney	Larsen (WA)	Serrano
DeFazio	Larson (CT)	Sewell (AL)
DeGette	Lawrence	Sherman
Delaney	Lee	Shimkus
DeLauro	Levin	Sires
DelBene	Lewis	Slaughter
Denham	Lipinski	Smith (NJ)
Dent	LoBiondo	Speier
DeSaulnier	Loebsack	Stivers
Deutch	Lofgren	Swalwell (CA)
Diaz-Balart	Lowenthal	Takano
Dingell	Lowey	Thompson (CA)
Doggett	Lujan Grisham (NM)	Thompson (MS)
Dold		Thornberry
Doyle, Michael F.	Luján, Ben Ray (NM)	Tiberi
		Titus
Edwards	Lynch	Tonko
Ellison	MacArthur	Torres
Ellmers (NC)	Maloney, Carolyn	Trott
Engel		Tsongas
Eshoo	Maloney, Sean	Turner
Esty	Massie	Upton
Farr	Matsui	Valadao
Fincher	McCollum	Van Hollen
Fitzpatrick	McDermott	Vargas
Forbes	McGovern	Veasey
Fortenberry	McKinley	Vela
Foster	McNerney	Velázquez
Foxx	Meehan	Visclosky
Frankel (FL)	Meeks	Walters, Mimi
Frelinghuysen	Meng	Walz
Fudge	Mica	

Wasserman Schultz	Watson Coleman	Wilson (SC)
	Welch	Womack
Waters, Maxine	Wilson (FL)	Yarmuth

NOT VOTING—14

Boustany	Johnson, Sam	Ross
Brown (FL)	Lieu, Ted	Rush
Clawson (FL)	Nugent	Sanchez, Loretta
DesJarlais	Palazzo	Sinema
Duckworth	Reichert	

□ 1612

Mr. ROTHFUS 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 committee amendment in the nature of a 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. WOMACK) having assumed the chair, Mr. SIMPSON, 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. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, and, pursuant to House Resolution 843, 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 the committee 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.

MOTION TO RECOMMIT

Ms. MENG. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. MENG. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Meng moves to recommit the bill H.R. 5063 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(except as provided in subsection (e))''.

Add at the end of the bill the following:

(e) EXCEPTION FOR A SETTLEMENT AGREEMENT THAT SAVES LIVES AND REDUCES HEALTHCARE COSTS.—The provisions of this Act do not apply in the case of a settlement agreement that reduces the cost of life-saving medical devices through the enforcement of the antitrust laws.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York is recognized for 5 minutes.

Ms. MENG. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

The purpose of my motion is simple. It says that the restrictions in the underlying bill do not apply to settlement agreements that ultimately result in lower prices for lifesaving medical devices.

Mr. Speaker, Americans are hurting across this country. Far too often, there have been companies that have sought to profit off of the most vulnerable among us through monopoly-like action and power.

When that happens, Mr. Speaker, particularly when it comes to medical devices, it is the Federal Government's role to ensure that consumers are protected, to ensure that all Americans have access to devices they need, particularly when it is a matter of life and death.

In my opinion, we have to look no further than the actions of the maker of EpiPens, the device every parent of a child with severe allergies is aware of. When a child goes into shock, this is the device that will save his or her life.

Unfortunately, EpiPen's maker, Mylan, has chosen to systematically inflate its profits over the past several years without reinvesting those profits for further business activities such as research and development. Instead, we have seen CEO pay raised astronomically, and quarterly profits skyrocket, all off the backs of vulnerable Americans.

This is wrong. It is so wrong that we have taken notice of these actions, and Congress is investigating whether or not violations of antitrust law have occurred with respect to Mylan. If we find that it has, and DOJ or another government agency agrees, let's not hamstring the settlement that may ultimately be reached with Mylan.

Clearly, we are not the jurors in this case, and we are not structuring the terms of any eventual, possible deal. But let's not preclude the agencies seeking to protect us from reaching a deal that may solve problems for Americans in need, a deal that may actually reduce the cost of lifesaving medical devices.

Mr. Speaker, I urge support for this motion.

I yield back the balance of my time.

Mr. MARINO. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

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

Nothing in this bill interferes with antitrust settlement. Nothing. The bill goes to Congress' constitutional power. That is why every Member of Congress should oppose this motion to recommit.

I say this because it targets legislation designed exclusively to strengthen

Congress. Serious people on both sides of the aisle understand the importance of Congress' spending power.

A major theme of the Speaker's A Better Way Initiative is that the spending power is one of Congress' most effective tools in reining in executive overreach. Liberal legal scholar Abner Mikva agrees:

To ensure that Congress would act as the first branch of government, the constitutional Framers gave the legislature virtually exclusive power to control the Nation's purse strings. They knew that the power of the purse was the most far-reaching and effectual of all governmental powers.

This motion stems from a misunderstanding of the governing principle of this bill, which is simply this: DOJ's authority to settle cases requires the ability to obtain redress for actual victims—actual victims. However, once direct victims have been compensated, deciding what to do with additional funds extracted from defendants becomes a policy question properly decided by elected representatives in Congress, not agency bureaucrats or prosecutors.

The Framers assigned this job to Congress. It is in everyone's interest to preserve the careful balance of our Framers' wisely struck constitutional issues. If you believe in checks and balances, oppose the motion and support this bill. If you believe that effective congressional oversight of the executive branch is important, oppose this motion and support this bill. If you believe that Congress' ability to rein in executive overreach will be important in future administrations, oppose this motion and support this bill.

I urge my colleagues to defend Congress' institutional interest by opposing this motion.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Ms. MENG. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 234, not voting 16, as follows:

[Roll No. 487]

AYES—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
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
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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
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
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
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

NOES—234

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
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
Luetkemeyer
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
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Boustany
Brown (FL)
Clawson (FL)
DesJarlais
Duckworth
Franks (AZ)
Johnson, Sam
Lieu, Ted
Nugent
Palazzo
Reichert
Rokita
Ross
Rush
Sanchez, Loretta
Sinema

□ 1627

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FRANKS of Arizona. Mr. Speaker, on rollcall No. 487, had I been present, I would have voted "no."

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. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 174, not voting 16, as follows:

[Roll No. 488]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher

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
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
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
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
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
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—174

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
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
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
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
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
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—16

Beyer
Boustany
Brown (FL)
Clawson (FL)
DesJarlais
Duckworth
Johnson, Sam
LaMalfa
Lieu, Ted
Nugent
Palazzo
Reichert
Ross
Rush
Sanchez, Loretta
Sinema

□ 1635

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of September 9, 2016, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (S. 2040) to deter terrorism, provide justice for victims, and for other purposes.

The SPEAKER pro tempore (Mr. COLLINS of New York). Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF CONFEREE ON S. 2012, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2016

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferee on S. 2012 to fill the vacancy caused by the resignation of Representative Whitfield of Kentucky:

Mr. KINZINGER of Illinois.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

EXPRESSING SUPPORT FOR THE TERRITORIAL INTEGRITY OF GEORGIA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 660) expressing the sense of the House of Representatives to support the territorial integrity of Georgia.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 660

Whereas since 1993, the sovereignty and territorial integrity of Georgia have been reaffirmed by the international community in all United Nations Security Council resolutions on Georgia;

Whereas the Government of Georgia has pursued a peaceful resolution of the conflict with Russia over Georgia's territories of Abkhazia and the Tskhinvali region/South Ossetia;

Whereas principle IV of the Helsinki Final Act of 1975 states that, ''The participating States will respect the territorial integrity of each of the participating States. Accordingly, they will refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State, and in particular from any such action constituting a threat or use of force . . . and participating States will likewise refrain from making each other's territory the object of military occupation.'';

Whereas the Charter of the United Nations states that, ''All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state.'';

Whereas the recognition by the Government of the Russian Federation of Abkhazia and Tskhinvali region/South Ossetia on August 26, 2008, was in violation of the sovereignty and territorial integrity of Georgia and contradicting principles of Helsinki Final Act of 1975, the Charter of the United Nations as well as the August 12, 2008, Ceasefire Agreement;

Whereas the United States-Georgia Charter on Strategic Partnership, signed on January 9, 2009, underscores that ''support for each other's sovereignty, independence, territorial integrity and inviolability of borders constitutes the foundation of our bilateral relations.'';

Whereas according to the Government of Georgia's ''State Strategy on Occupied Territories'', the Government of Georgia has committed itself to a policy of peaceful engagement, the protection of economic and human rights, freedom of movement, and the preservation of cultural heritage, language, and identity for the people of Abkhazia and the Tskhinvali region/South Ossetia;

Whereas the August 2008 war between the Russian Federation and Georgia resulted in civilian and military casualties, the violation of the sovereignty and territorial integrity of Georgia, and large numbers of internally displaced persons;

Whereas the annual United Nations General Assembly Resolution on the ''Status of Internally Displaced Persons and Refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia'', recognizes the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, as well as their property rights, remains unfulfilled;

Whereas the Russian Federation is building barbed wire fences and installing, so-

called ''border signs'' and other artificial barriers along the occupation line and depriving the people residing within the occupied regions and in the adjacent areas of their fundamental rights and freedoms, including, but not limited to the freedom of movement, family life, education in their native language, and other civil and economic rights;

Whereas the August 12, 2008, Ceasefire Agreement, agreed to by the Governments of the Russian Federation and Georgia—

(1) provides that all troops of the Russian Federation shall be withdrawn to pre-war positions;

(2) provides that free access shall be granted to organizations providing humanitarian assistance in regions affected by the violence in August 2008; and

(3) launched the Geneva International Discussions between Georgia and the Russian Federation;

Whereas, on November 23, 2010, Georgian President Saakashvili declared before the European Parliament that ''Georgia will never use force to restore its territorial integrity and sovereignty.'';

Whereas, on March 7, 2013, the bipartisan Resolution of the Parliament of Georgia on Basic Directions of Georgia's Foreign Policy confirmed ''Georgia's commitment for the non-use of force, pledged by the President of Georgia in his address to the international community from the European Parliament in Strasburg on November 23, 2010.'';

Whereas, on June 27, 2014, in the Association Agreement between Georgia and the European Union, Georgia reaffirmed its commitment ''to restore its territorial integrity in pursuit of a peaceful and lasting conflict resolution, of pursuing the full implementation of'' the August 12, 2008, ceasefire agreement;

Whereas despite the unilateral legally binding commitment to the non-use of force pledged by the Georgian Government, the Russian Federation still refuses to reciprocate with its own legally binding non-use of force pledge;

Whereas the European Union Monitoring Mission (EUMM) is still denied access to the occupied regions of Abkhazia and the Tskhinvali region/South Ossetia, despite the fact that its mandate covers the whole territory of Georgia within its internationally recognized borders;

Whereas the Russian Federation continues to enhance its military bases illegally stationed in occupied regions of Abkhazia and the Tskhinvali region/South Ossetia without the consent of the Government of Georgia or a mandate from the United Nations or other multilateral organizations;

Whereas the Russian Federation continues the process of aggression carried out against Georgia since the early 1990s and occupation of Georgia's territories following the August 2008 Russia-Georgia War;

Whereas the Russian Federation's policy vis-à-vis Georgia and the alarming developments in the region illustrate that Moscow does not accept the independent choice of sovereign states and strives for the restoration of zones of influence in the region, including through the use of force, occupation, factual annexation, and other aggressive acts; and

Whereas the United States applied the doctrine of non-recognition in 1940 to the countries of Estonia, Latvia, and Lithuania, and every Presidential administration of the United States honored this doctrine until independence was restored to those countries in 1991: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the policy, popularly known as the ''Stimson Doctrine'', of the United States to not recognize territorial changes effected by force, and affirms that this policy should continue to guide the foreign policy of the United States;

(2) condemns the military intervention and occupation of Georgia by the Russian Federation and its continuous illegal activities along the occupation line in Abkhazia and Tskhinvali region/South Ossetia;

(3) calls upon the Russian Federation to withdraw its recognition of Georgia's territories of Abkhazia and the Tskhinvali region/South Ossetia as independent countries, to refrain from acts and policies that undermine the sovereignty and territorial integrity of Georgia, and to take steps to fulfill all the terms and conditions of the August 12, 2008, Ceasefire Agreement between Georgia and the Russian Federation;

(4) stresses the necessity of progress on core issues within the Geneva International Discussions, including a legally binding pledge from Russia on the non-use of force, the establishment of international security arrangements in the occupied regions of Georgia, and the safe and dignified return of internally displaced persons and refugees to the places of their origin;

(5) urges the United States Government to declare unequivocally that the United States will not recognize the de jure or de facto sovereignty of the Russian Federation over any part of Georgia, its airspace, or its territorial waters, including Abkhazia and the Tskhinvali region/South Ossetia under any circumstances;

(6) urges the United States Administration to deepen cooperation with Georgia in all areas of the United States-Georgia Charter on Strategic Partnership, including Georgia's advancement towards Euro-Atlantic integration;

(7) urges the United States Administration to place emphasis on enhancing Georgia's security through joint military trainings and providing self-defensive capabilities in order to enhance Georgia's independent statehood and national sovereignty; and

(8) affirms that a free, united, democratic, and sovereign Georgia is in the long-term interest of the United States as it promotes peace and stability in the region.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material for the RECORD.

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

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. POE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade, and he is the author of this measure.

Mr. POE of Texas. I thank the chairman of the committee and the ranking member for their support on this legislation.

Mr. Speaker, I was in Georgia in 2008 when the Russians invaded that sovereign country and took one-fifth of their nation away from them. I saw the Russian tanks on the hill, and, unfortunately, many years later, those Russian tanks are still on the hills of Georgia.

Russia is a cancer in the area. It is trying to infiltrate countries in the region, trying to spread its propaganda and conquering ideas to the former Soviet Republics. Russian troops maintain a stranglehold on the occupied territories of Georgia. Russians have forced ethnic Georgians to leave and have forbidden everyone who still lives there from speaking the Georgian language or from traveling to Georgia. The illegal Russian occupation of Georgia is not a simple matter of territory—it is an attack on ideas; it is an assault on the very freedoms and liberties that are God given.

Georgia is a small and young democracy despite the rough neighborhood that it lives in—surrounded by corrupt dictators, including Russia. In fact, over the past 25 years, Georgia has become the freest nation in the region. It has championed good governance, economic reform, and democracy while combating corruption and ensuring press freedom. This is no small achievement. I have met with the first Georgian Government and the second Georgian Government and have met with many of their officials. Mostly, I have met with the people of Georgia, and they are freedom-loving individuals.

Georgia sets up a strong contrast to the authoritarian Putin up north. Putin does not like having a beacon of freedom shining brightly from the south with his imperial aggression kingdom looking down on them. This is exactly why Putin decided to invade Georgia 8 years ago. Georgia represents the democratic potential in the region. Putin would like nothing more than to cause unrest and turmoil in Georgia, like he has done in other nations, including in Ukraine.

Georgia is a strong ally of the United States. Georgia has more troops in Afghanistan who are fighting alongside our troops than any non-NATO ally, and it has made hard reforms in order to join NATO and the European Union.

This resolution expresses our solidarity with Georgia. I am proud to be a co-chair, along with the gentleman from Virginia (Mr. CONNOLLY), of the Georgia Caucus. This resolution condemns Russia's illegal occupation of Georgian territory, and it sends a clear message to Putin that the United States will never recognize his control over any part of Georgia.

Our friends in Georgia and the region must know that the United States will not waver in its longstanding support for its allies in the face of the Napoleon of Siberia. We must be clear about our commitment to our friends. Instead of retreating from the world stage, the United States must deepen its relationships with our allies. Georgia is a valuable ally threatened by the cold Russian winds of authoritarianism. John F. Kennedy, our President 50 years ago,

said that we would support any friend who believes in freedom.

It is time we step up and support the nation of Georgia. I urge my colleagues to support this important resolution and send a signal to our enemies and our friends all over the world that the United States means it when it says it will support its allies.

And that is just the way it is.

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

I rise in support of this measure.

I am glad that Mr. POE said, ''That is just the way it is,'' because I agree. It is just the way it is. I agree with everything he says, and I want to thank him and Mr. CONNOLLY for their work on this very timely resolution.

Mr. Speaker, it is clear that Russian President Vladimir Putin is doing everything in his power to steamroll the efforts of the U.S. and our allies over many decades to build a Europe that is whole, free, and at peace; and we shouldn't forget that the illegal occupation of Crimea and parts of eastern Ukraine isn't the first time he has trampled on his neighbors' territorial integrity.

Last month, we marked 8 years since Russian troops moved into Georgia, where they remain to this day. Now, I believe keeping Georgia out of NATO in 2008 was a terrible mistake, and, indeed, then-President Medvedev cited the alliance's failure to put out the welcome mat for Georgia as a signal that Russia needed to push across the border.

□ 1645

Yet, even with its sovereignty fractured for eight years, Georgia will soon write another chapter in its history of freedom and democracy by holding parliamentary elections.

We went to a celebration—and, I believe Mr. POE was there—celebrating the 25th anniversary of freedom from communism by Georgia. Your heart really has to go out to the Georgian people and what they have been able to accomplish under very, very adverse circumstances.

Georgia was a part of the Soviet Union for so many years. It was clear that they didn't wish to be, but they were forced to be. Then when the Soviet Union collapsed, Georgia, of course, was an independent country and declared so, but that wasn't good enough for Mr. Putin.

So the resolution we are considering today reaffirms the commitment of the United States to our partners in Georgia. We believe that Georgia's territorial integrity should be restored, just as with Ukraine. We do not recognize Russia's occupation of parts of that country as legitimate, and we never will. I think we have to state that again. The Russian occupation of parts of Georgia is illegal, and Georgia should remain whole and free, and the Russians ought to get out.

We view Georgia's democracy and vibrant society as a beacon in an increasingly challenging part of the world, and we continue to believe that the door should be open to Georgia to work with us. I continue to believe that the door should remain open to Georgia for both NATO and the EU membership.

I am glad to support this resolution.

I reserve the balance of my time.

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

Mr. Speaker, since it regained its independence back in 1991 with the collapse of the Soviet Empire at the time, Georgia has repeatedly proven that it is indeed a strong partner of the United States.

Russian President Vladimir Putin is trying to sever our connection in order to reestablish Russia's domination over Georgia. That is part of the problem here. Ever since he came to power in 2000, President Putin has pursued an aggressive policy toward Georgia that has included economic coercion, armed conflict, and occupation of the regions of Abkhazia and South Ossetia. This is similar to his ongoing campaign, frankly, against Ukraine where Russia has annexed Crimea outright.

President Putin has these territorial ambitions in Georgia as well and is promoting separatist forces in Abkhazia and in South Ossetia with the ultimate goal of annexing those regions outright or in all but name. In fact, Russia has already formally recognized these two regions as independent countries.

As part of that effort, Russia is using its enormous propaganda machine to convince the Georgian people that the U.S. and the west have abandoned them and that they have no option but to submit to Moscow and to submit to its imperial ambitions.

This strategy will soon be put to the test. It is going to be put to the test in Georgia's parliamentary elections on October 8 because Moscow is hoping that its campaign of disinformation will convince the Georgian people that they are alone and helpless and that they must give up close ties with the west or they will face greater hardship. Our broadcasts through Radio Free Europe/Radio Liberty should be an important counter to this harmful propaganda.

By voting overwhelmingly for this resolution, the House will send a powerful message that will be heard, not only throughout Georgia, but in the Kremlin as well, and that message is the United States will not accept Russia's efforts to undermine Georgia's sovereignty and their territorial integrity and that we will always remain a strong partner of this embattled democracy and of the brave Georgian people.

I reserve the balance of my time.

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

Mr. ROYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank Chairman ROYCE so much for his indulgence in terms of time.

I had the pleasure of going to Georgia over the recess with Congressman DUNCAN, and we had an incredible experience in that we saw firsthand the very thing that you are talking about with regard to the Russian occupation of nearly 20 percent of the landmass of Georgia. It is having a real-world impact in terms of a threat to that part of the region, a threat in terms of investment, and a threat in terms of further economic development to that country.

What has been, I think, impressive are the market reforms that have taken place there, the way that the economy has burgeoned as a consequence of those market reforms, but, again, the way in which the Russian threat threatens all of that in terms of the growing democratic movement, the growing economy, and the change in people's lives.

So I just want to praise the gentleman from California and thank him for bringing this resolution to the floor because I think it does make a difference in terms of a signal to that part of the world wherein people that we met with and saw firsthand are seeing the consequence of the Russian occupation.

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

It is clear that Vladimir Putin has no regard for his neighbor's sovereignty, and I think we should be doing more to push back against Russia's aggression.

We also need to take every chance we get to make clear that his past bad behavior is not acceptable. Russia's illegal occupation, as we have said of Georgia, has gone on for too long. He has occupied other places as well: Moldova, Crimea, and Ukraine, which is part of Crimea. If we just let him do this, there will be no end in sight. The United States has to really be strong about this.

I am glad we are sending this message today that we stand with the people of Georgia. We want to see their country made whole again, and we will never accept Russia's illegal claims.

I am glad to support this measure. I urge my colleagues to do the same. Again, this is a bipartisan resolution because we all oppose aggression, and Abkhazia and South Ossetia should not be occupied. It should go back and be part of the rest of the country in a free and independent Georgia.

I urge my colleagues to support this measure.

I yield back the balance of my time.

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

I would just close by acknowledging again and thanking Judge POE, Chairman POE, a valued member of the Foreign Affairs Committee and author of this measure, for this resolution and for his focus to see that we collectively send a clear and powerful message to the people of Georgia and to President Vladimir Putin that the U.S. is and will remain a steadfast friend of this embattled democracy.

I would also add that Judge POE's resolution comes at a crucial time because the Kremlin is trying to convince the Georgian people that we have abandoned them and that they have no choice but to submit to Moscow.

I think by passing this resolution we will send our own message. We will send a powerful message of support to the people of Georgia and ensure that, when the Georgians cast their vote in next month's parliamentary elections, they will do so confident that the American people will stand by them.

I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of this resolution (H. Res. 660) to support the territorial integrity of Georgia.

I want to thank my good friends and colleagues Mr. POE and Mr. CONNOLLY for introducing this excellent resolution, which condemns Russia's ongoing illegal activities along the occupation line in Abkhazia and South Ossetia.

Mr. Speaker, Russia's invasion and occupation of Georgian territory violates the Helsinki Final Act, as well as the core principles of several multilateral agreements, the Budapest Memorandum, and the United Nations Charter. The United States has not recognized Russia's illegal attempt to separate Abkhazia and South Ossetia from Georgia as legitimate in any way—and this resolution sends a powerful message that in this policy the administration has the full support of Congress.

I was in Georgia in August, 2008, arriving about two weeks after the Russian invasion. The human suffering generated by the invasion was immense, with over 192,000 people displaced and several hundred killed. Several of my constituents found themselves trapped behind Russian lines in South Ossetia—we were able to get them out with help from our very capable ambassador, John Tefft, now serving as our ambassador to Russia, and the assistance of another country's diplomatic mission.

The Russian occupation of Georgian territory is a festering sore that has not healed in the eight years that have elapsed since the invasion.

Mr. Speaker, the resolution notes: ''the Russian Federation is building barbed wire fences and installing, so-called 'border signs' and other artificial barriers along the occupation line and depriving the people residing within the occupied regions and in the adjacent areas of their fundamental rights and freedoms.''

Mr. Speaker, I saw this new Iron Curtain with my own eyes in July. I was in Georgia, leading the U.S. Delegation to the OSCE Parliamentary Assembly, and made a visit to what our embassy calls the occupation line with some of my congressional colleagues. We looked over Russia's fortified line from an observation platform—and what we saw reminded me of the old Soviet Union. The Russian troops came to the checkpoint and made people wait upwards of 12 hours to cross over with foodstuffs and reach people on the other side. A Russian guard used a camera to film me and the other members who were standing on the platform. Tensions were thick.

Mr. Speaker, this resolution comes at a timely moment, as Georgia prepares for its parliamentary elections in October. It reminds Georgians as they prepare to go to the polls that the U.S. supports them in their efforts to develop a sovereign, independent, and prosperous country.

I thank my good friend Mr. POE for introducing this resolution in support of Georgia and urge my colleagues to support it.

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 660, expressing support for the territorial integrity of Georgia.

I want to thank the Chairman and Ranking Member for shepherding this measure through the House Foreign Affairs Committee.

I introduced this resolution with my colleague and fellow co-chair of the Congressional Caucus on Georgia, Judge TED POE.

It serves as a clear and unequivocal statement in support of the sovereign territory of Georgia and it reiterates the longstanding policy of the United States to not recognize territorial changes effected by force, as dictated by the Stimson Doctrine—established in 1932 by then Secretary of State Henry L. Stimson.

In Georgia and elsewhere in the region, Russia has committed gross violations of these principles by fomenting unrest and aiding separatist movements in the countries along its periphery.

Foundational multilateral agreements reached for the purpose of maintaining a peaceful and stable international order, such as the Helsinki Final Act of 1975 and the Charter of the United Nations, have been willfully disregarded by Russia at Putin's behest.

This resolution condemns strongly the forcible and illegal occupation of the Abkhazia and South Ossetia regions in Georgia, and calls on Russia to withdraw its troops from the territories.

Russian forces continue to harass civilian communities along the administrative boundary line and impede the right of return of internally displaced persons.

This resolution is about restoring the territorial integrity of a sovereign state and upholding the commitments and promise of the U.S.-Georgia Charter on Strategic Partnership—a framework founded on support for each other's sovereignty, the strengthening of Georgian democracy, and the Euro-Atlantic integration of Georgia.

Support for this resolution would be consistent with the recent Warsaw Summit Communique issued by the NATO Heads of State and Government on July 9, 2016 in which NATO reaffirmed its support for the territorial integrity, independence, and sovereignty of Georgia.

I would ask that my colleagues support this important and timely resolution.

The SPEAKER pro tempore (Mr. YODER). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res 660.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING THE IMPORTANCE OF THE UNITED STATES-REPUBLIC OF KOREA-JAPAN TRILATERAL RELATIONSHIP

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 634) recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 634

Whereas, on January 6, 2016, North Korea conducted its fourth nuclear test and on February 6, 2016, North Korea conducted an Intercontinental Ballistic Missile technology test, both constituting direct and egregious violations of United Nations Security Council resolutions;

Whereas each of the governments of the United States, the Republic of Korea (ROK), and Japan have condemned the tests, underscoring the importance of a strong and united international response;

Whereas the ROK President Park Geun-hye and Japan Prime Minister Shinzo Abe have agreed to work with the United States both to institute strong measures in reaction to North Korean provocations, and to prevent North Korea from becoming a nuclear weapons state;

Whereas the United States, ROK, and Japan have signed a framework to enhance information sharing called the ''Trilateral Information Sharing Arrangement Concerning the Nuclear and Missile Threats Posed by North Korea'';

Whereas Seoul, the capital of the Republic of Korea (ROK), is 35 miles from the Demilitarized Zone, and Japan is 650 miles from North Korea, both within reach of North Korea's weapons;

Whereas North Korea already has an estimated stockpile of nuclear material that could be converted into 13-21 nuclear weapons, with clear intentions to continue building its nuclear arsenal;

Whereas North Korea consistently conducts destabilizing domestic military drills, including firing short range missiles into the territorial waters of its neighbors;

Whereas Admiral William Gortney, Commander of the United States Northern Command has assessed on October 5, 2015, that the North Koreans ''have the capability to reach the [U.S.] homeland with a nuclear weapon from a rocket'' and U.S. Forces Korea Commander General Curtis M. Scaparrotti said on October 24, 2014, that North Koreans ''have the capability to have miniaturized the device [a nuclear warhead] at this point, and they have the technology to potentially deliver what they say they have.'';

Whereas the United States' deployment of the Terminal High Altitude Area Defense (THAAD) system would greatly improve the ROK's missile defense capabilities and the ability of the United States-ROK-Japan cooperative efforts to deter North Korea's threats and provocations;

Whereas from June 20, 2016, through June 28, 2016, the United States Navy, the Japanese Maritime Self Defense Force, and the Republic of Korea Navy conducted their third biennial Pacific Dragon exercise, a trilateral event focusing on ballistic missile defense;

Whereas the Report of the United Nations Commission of Inquiry on human rights in

North Korea highlights that North Korea's own citizens are starved of life's basic necessities and basic human rights;

Whereas the United Nations Office of the High Commissioner for Human Rights has established a field-based structure for assessing continued North Korean human rights violations in Seoul, with the strong support of the Governments of the United States, ROK, and Japanese governments; and

Whereas a strong United States-Republic of Korea-Japan trilateral relationship is a stabilizing force for peace and security in the region, with capabilities to combat future provocations from North Korea: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns North Korea's nuclear tests, missile launches, and continued provocations;

(2) reaffirms the importance of the United States-Republic of Korea (ROK)-Japan trilateral relationship to counter North Korea's destabilizing activities and nuclear proliferation, and to bolster regional security;

(3) supports joint military exercises and other efforts to strengthen cooperation, improve defense capabilities, and oppose regional threats like North Korea;

(4) encourages the deployment and United States-ROK-Japan coordination of regional advanced ballistic missile defense systems against North Korea's nuclear and missile threats and provocations;

(5) calls for the expansion of information and intelligence sharing and sustained diplomatic cooperation between the United States, ROK, and Japan; and

(6) underscores the importance of the trilateral relationship in tracking North Korea human rights violations and holding it accountable for its abuses against its citizens and the citizens of other countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this resolution.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 634, recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights.

With North Korea's continued bellicose rhetoric and their belligerent actions, it is critical that we stand with our Korean and Japanese allies to ensure the stability of the Asia Pacific. And this resolution expresses strong support for not only increased trilateral cooperation, but for the deployment of the missile defense system, THAAD, which will be deployed late next year.

Importantly, this bill states that a strong United States-Republic of Korea-Japan trilateral relationship is a stabilizing force for peace and security in the region with capabilities to combat future provocations from North Korea. Today, with an ever more belligerent North Korea, this partnership has never been more crucial.

As we know, only weeks ago, the Kim regime test-fired a submarine-launched ballistic missile. Although the missile traveled only 310 miles in the direction of Japan, clearly Pyongyang is one step closer to being able to target any site in the Pacific. Our governments rightly stood side by side condemning this act.

Mr. Speaker, our defense cooperation with South Korea and Japan is strong, but we must remain vigilant. While there are a seemingly inexhaustible number of threats around the world, I believe Navy Admiral Harry Harris, commander of PACOM, was fundamentally correct when he identified North Korea, for now, and Kim Jong-un as the greatest immediate threat to Asia, the Pacific, and the United States.

I urge my colleagues to support our close alliances with South Korea and Japan and pass this important resolution.

I reserve the balance of my time.

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

I rise in support of this measure. Let me start by thanking the gentleman from Arizona (Mr. SALMON), the chair of the Subcommittee on Asia and the Pacific, for offering this resolution.

Mr. Speaker, this week the Kim regime in North Korea has again shown the world that it has no intention of abandoning its destabilizing and provocative pattern of behavior. The recent missile launches are a reminder that we must keep up the pressure on that rogue country.

I am glad President Obama and President Park of South Korea met this week about these latest tests, and I am glad they agreed that the new U.N. sanctions against Pyongyang should be fully implemented.

That meeting was a reminder that one of our best tools for dealing with North Korea is the United States-Japan-South Korea trilateral relationship. These ties allow our countries to coordinate more closely on security issues, to share intelligence more quickly and effectively, and to pack a bigger punch as we work to hold the Kim regime in North Korea accountable for its atrocious record and dangerous record and terrible record on human rights.

I visited North Korea twice, Mr. Speaker, and I can tell you the people of that country deserve much, much better. In my view, we should be looking for ways to work even more closely with South Korea and Japan; and we need to keep up the pressure on China and Russia to do more to address the challenge of North Korea. China can put pressure on North Korea. China is the only one that can control what North Korea does, and yet all we get is lip service. It is not acceptable.

So I am glad to support this measure. It sends a message that Congress understands the value of this trilateral relationship as a cornerstone of regional stability.

I thank Chairman ROYCE, and I thank Mr. SALMON for his hard work and leadership.

I reserve the balance of my time.

□ 1700

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. SALMON). He is chairman of the Foreign Affairs Subcommittee on Asia and the Pacific. He is also author of this measure, but I wanted to thank him particularly for his deep engagement in Asia on this and so many other issues as well.

Mr. SALMON. Mr. Speaker, today I rise in support of House Resolution 634, recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights.

I thank Chairman ROYCE and Ranking Member ENGEL for their support of this legislation as well as all of my colleagues on both sides of the aisle for this bipartisan effort.

As we have all seen, North Korea continues its provocations, which we saw again as recently as 2 days ago, when Kim Jong-Un's regime launched three more missiles during the final day of the G20 summit. Not only did this fly in the face of multiple U.N. resolutions, but was a calculated challenge to the international order.

The administration's strategy of strategic patience with North Korea clearly has not worked. What is also clear is that we must work proactively with our allies to counter North Korean threats and nuclear proliferation.

The Republic of Korea-Japan relationship has improved dramatically in recent years as each partner has recognized the shared interests and values of the other, demonstrated by the deep and longstanding alliances each of them has with the United States. Our three nations working together as one against North Korea's threats will foster improved regional security and secure fundamental human rights for the North Korean people.

I have no doubt that North Korea will continue its provocations, and we must stand firm with our allies to counter its aggression. This resolution puts forth congressional intent to bolster the trilateral relationship and offers further support for regional ballistic missile defense systems.

Our alliances with Korea and Japan are the cornerstones of peace and security in northeast Asia. We enjoy robust security with both countries, from the forward deployment of assets, to joint military exercises, to information and intelligence sharing. In fact, Korea recently elected to deploy, as Mr. ROYCE just referred to, the U.S. Terminal High Altitude Area Defense system,

known as THAAD, which will support existing U.S. and Japanese assets in the region in our mission to deter North Korean aggression. In light of North Korea's ongoing nuclear tests and missile launches, it is imperative that the United States work even more closely with these allies to counter this persistent threat.

I introduced this resolution to reaffirm the importance of the trilateral relationship in this tense and unstable time. It supports regional allied responses to North Korean threats and human rights abuses, and calls for expansion of information sharing and other diplomatic relationships between our three countries.

This is a very important measure for the security of our homeland; that of our allies, Korea and Japan; and the international community at large. I encourage all Members to support this legislation.

Mr. ENGEL. Mr. Speaker, I will close now if there are no speakers on the other side. If there is a speaker, then I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH). He is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the distinguished chairman for yielding and for his leadership on this issue and Ranking Member ENGEL, and especially thank Chairman SALMON for authoring this important piece of legislation.

North Korea, as we know, poses an existential threat to its neighbors and requires constant vigilance and close cooperation of regional allies. The alliance between the United States, South Korea, and Japan is vital to curtail North Korea's ever-worsening saber rattling and to ensure regional security and human rights.

A strong relationship between the region's leading democracies is also critically important to provide a balance to China's increasingly uncertain diplomacy. China subsidizes North Korea's bad behavior, enables the torture of asylum seekers by repatriating those who escape to China in direct contravention of the Refugee Convention, which they have signed and ratified, and provides Kim Jong-Un needed currency by employing thousands of trafficked workers.

Though the U.N. Commission of Inquiry on North Korea recommended the U.N. impose targeted sanctions on the North Korean leaders responsible for massive crimes against humanity, China blocked effective U.N. actions. That is why the U.S., South Korea, and Japan must work together to identify and list those North Koreans responsible for egregious human rights abuses.

Pyongyang's enablers, abusers, and nuclear customers must be identified, and those responsible individuals for gross human rights violations ought to be held to account individually.

There is growing evidence that sanctions are having some effect. We know that high-level diplomats and military leaders are defecting, recognizing that they will be held accountable if they continue to support Kim Jong-Un's barbaric regime.

The trilateral relationship is also critically important to ensure regional security. North Korea's nuclear quest and the multiple recent tests of missile technology demonstrate again that China cannot or will not control its protege. Despite China's objections, there is need for deployment of the Terminal High Altitude Area Defense system and to conduct joint military exercises to strengthen coordination and cooperation posed by the threat of the North Korean military.

I support the resolution strongly and hope the House votes unanimously for it.

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

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. STEWART), a member of the Committee on Appropriations and the Permanent Select Committee on Intelligence.

Mr. STEWART. Mr. Speaker, I would like to thank the chairman and Mr. SALMON for letting me speak in support of this resolution. I have worked very closely over the last several years with the Embassy of Japan. I was honored, for example, to host the Deputy Ambassador last month in Utah. My parents lived for 3 years as a military family in Japan, and I remember growing up, our house was filled with Japanese art and beautiful bonsai trees. I also feel a personal connection with South Korea, where one of my sons served as a missionary for 2 years. Both Japan and South Korea are not only critical allies of the United States, but they are critical to security and to peace throughout Asia.

As a member of the House Permanent Select Committee on Intelligence, I am reminded every day that we live in a dangerous world. On top of the list of dangerous challenges is North Korea, which is a brutal, thuggish, repressive regime that unquestionably challenges international security and stability. For example, as has been mentioned here a number of times now, we learned just within the last few weeks that three new ballistic missiles had been launched toward Japan. Unfortunately, this isn't new. Reports of similar missile launches from North Korea seem to be almost routine, and that is why this resolution is so important. Not only does it condemn North Korea's nuclear test and missile launches, it also reaffirms the importance of a strong relationship, once again, between Japan, South Korea, and the United States.

A strong relationship between our three countries is more important now than it ever has been before, as we coordinate more advanced regional ballistic missile defense systems and work to counter North Korea's destabilizing activities.

Shifting gears just a little bit, I would also like to take a moment to mention an American student, David Sneddon, who disappeared in 2004 without explanation while hiking in southwest China. He was fluent in Korean, and some respective experts have suggested that he may have been abducted by North Korea to train their intelligence operatives in English and Western culture. Recently—in fact, just last week—a news outlet in Japan reported that a North Korea defector had seen David and that he was alive, that he was teaching English in North Korea.

I have sponsored a House resolution that asks the State Department to investigate the theory that David may have been abducted by the North Korean regime, and I urge the House to vote on this important resolution. That is why this resolution that we are speaking about today is so important. It is one of the foundations that is necessary in order for us to move forward on these others. So I urge my colleagues to support House Resolution 634, as a strong United States, Japan, and South Korea relationship is critical to stopping North Korea expansion and operating as a criminal enterprise.

I thank the chairman again for letting me speak on behalf of this resolution.

Mr. ENGEL. Mr. Speaker, in closing, let me say that greater stability and security across the Asia Pacific needs to be a top priority for the United States. Our interests in the alliances in that part of the world are only growing more and more important with each passing day.

So when we see a threat like North Korea, we need to work with our partners in the region to respond. That is why our trilateral ties with South Korea and Japan are so important. This is an alliance that has underpinned and will continue to underpin security in Asia for years to come, and we are doing the right thing by voicing our strong support for it. I support this measure, and I ask all my colleagues to support it.

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

Mr. ROYCE. Mr. Speaker, in closing, I would just point out that as Kim Jong-Un continues to ratchet up his aggressive actions, we need to stand shoulder to shoulder with our Korean and Japanese allies, and part of this also means being more proactive in implementing the North Korea sanctions law that was passed earlier this year.

It is unacceptable that no Chinese companies have yet been sanctioned under the new law by the administration. We are working on that, but today this resolution before us sends a very strong signal that our trilateral partnership will remain a standard for security in the Asia Pacific. I urge all Members' support.

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

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 634, expressing support for the U.S.-Republic of Korea-Japan trilateral relationship.

The United States-Republic of Korea-Japan trilateral relationship is strategically vital to countering the provocations emanating from North Korea, and this resolution provides guidance for what should be our shared priorities in addressing the threat posed by the paranoid regime in Pyongyang.

As a co-chair of the Congressional Caucus on Korea, I remain deeply concerned with the volatility and ever-present potential of conflict on the Korean Peninsula.

It is a specter that looms over 75 million Koreans and, for their sake and that of the region, the U.S., the Republic of Korea, Japan, China, and other regional stakeholders must demonstrate commitment to addressing this threat.

The Korean Peninsula is one of the most dangerous flashpoints on the globe. There have been recent developments in the North Korea saga that are profoundly troubling and deserve an immediate response from Congress.

North Korea's fourth nuclear weapons test and ongoing ballistic missile tests confirm that the regime in Pyongyang is committed to defying international norms and destabilizing the Asia-Pacific region.

This resolution, sanctions passed by Congress, the United Nations Security Council Resolution 2270, the R.O.K.'s decision to close Kaesong Industrial Complex, and the recent agreement to deploy the THAAD missile defense system to the Peninsula constitute a concerted effort to target North Korea's illicit trade networks and protect a vital U.S. ally from the illicit nuclear program that has made North Korea a world pariah.

The North Korean threat endangers the security and stability of close and valued defense treaty allies, the R.O.K. and Japan.

The U.S. has met this challenge with security assurances, military resources, deepened economic ties, and an effort to marshal the opposition of the international community against a nuclear armed North Korea.

We must continue to demonstrate the resolve to achieve a nuclear-weapon-free Korean Peninsula.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 634, as amended.

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

A motion to reconsider was laid on the table.

EDUCATION FOR ALL ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4481) to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4481

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 ''Education for All Act of 2016''.

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

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) education lays the foundation for increased civic participation, democratic governance, sustained economic growth, and healthier, more stable societies;

(2) it is in the national interest of the United States to promote access to sustainable, quality universal basic education in developing countries;

(3) United States resources and leadership should be utilized in a manner that best ensures a successful international effort to provide children in developing countries with a quality basic education in order to achieve the goal of quality universal basic education; and

(4) promoting gender parity in basic education from childhood through adolescence serves United States diplomatic, economic, and security interests worldwide.

SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.

Section 105 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c) is amended by adding at the end the following:

''(c) ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.—

''(1) POLICY.—In carrying out this section, it shall be the policy of the United States to work with partner countries, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents, to promote sustainable, quality basic education through programs and activities that, consistent with Article 26 of the Universal Declaration of Human Rights—

''(A) align with and respond to the needs, capacities, and commitment of developing countries to strengthen educational systems, expand access to safe learning environments, ensure continuity of education, measurably improve teacher skills and learning outcomes, and support the engagement of parents in the education of their children, so that all children, including marginalized children and other vulnerable groups, may have access to and benefit from quality basic education; and

''(B) promote education as a foundation for sustained economic growth and development within a holistic assistance strategy that places partner countries on a trajectory toward graduation from assistance provided under this section and contributes to improved—

''(i) early childhood development;

''(ii) life skills and workforce development;

''(iii) economic opportunity;

''(iv) gender parity;

''(v) food and nutrition security;

''(vi) water, sanitation, and hygiene;

''(vii) health and disease prevention and treatment;

''(viii) disaster preparedness;

''(ix) conflict and violence reduction, mitigation, and prevention; and

''(x) democracy and governance; and

''(C) monitor and evaluate the effectiveness and quality of basic education programs.

''(2) PRINCIPLES.—In carrying out the policy referred to in paragraph (1), the United States shall be guided by the following principles of aid effectiveness:

''(A) ALIGNMENT.—Assistance provided under this section to support programs and activities under this subsection shall be aligned with and advance United States diplomatic, development, and national security interests.

''(B) COUNTRY OWNERSHIP.—To the greatest extent practicable, assistance provided under this section to support programs and activities under this subsection should be aligned with and support the national education plans and country development strategies of partner countries, including activities that are appropriate for and meet the needs of local and indigenous cultures.

''(C) COORDINATION.—

''(i) IN GENERAL.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and leverage the unique capabilities and resources of local and national governments in partner countries, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents.

''(ii) MULTILATERAL PROGRAMS AND INITIATIVES.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and support proven multilateral education programs and financing mechanisms, which may include the Global Partnership for Education, that demonstrate commitment to efficiency, effectiveness, transparency, and accountability.

''(D) EFFICIENCY.—The President shall seek to improve the efficiency and effectiveness of assistance provided under this section to support programs and activities under this subsection by coordinating the related efforts of relevant Executive branch agencies and officials, including efforts to increase gender parity and to provide a continuity of basic education activities in humanitarian responses and other emergency settings.

''(E) EFFECTIVENESS.—Programs and activities supported under this subsection shall be designed to achieve specific, measurable goals and objectives and shall include appropriate targets, metrics and indicators that can be applied with reasonable consistency across such programs and activities to measure progress and outcomes.

''(F) TRANSPARENCY AND ACCOUNTABILITY.—Programs and activities supported under this subsection shall be subject to rigorous monitoring and evaluation, which may include impact evaluations, the results of which shall be made publically available in a fully searchable, electronic format.

''(3) PRIORITY AND OTHER REQUIREMENTS.—The President shall ensure that assistance provided under this section to support programs and activities under this subsection is aligned with the diplomatic, economic, and national security interests of the United

States and that priority is given to developing countries in which—

''(A) there is the greatest need and opportunity to expand access to basic education and to improve learning outcomes, including for marginalized and vulnerable groups, particularly women and girls, or populations affected by conflict or crisis; and

''(B) such assistance can produce a substantial, measurable impact on children and educational systems.

''(4) DEFINITIONS.—In this subsection:

''(A) BASIC EDUCATION.—The term 'basic education' includes—

''(i) all program and policy efforts aimed at improving early childhood, preprimary education, primary education, and secondary education, which can be delivered in formal and nonformal education settings, and in programs promoting learning for out-of-school youth and adults;

''(ii) capacity building for teachers, administrators, counselors, and youth workers;

''(iii) literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce; and

''(iv) workforce development, vocational training, and digital literacy that is informed by real market needs and opportunities.

''(B) PARTNER COUNTRY.—The term 'partner country' means a developing country that participates in or benefits from basic education programs under this subsection pursuant to the prioritization criteria described in paragraph (3), including level of need, opportunity for impact, and the availability of resources.

''(C) RELEVANT EXECUTIVE BRANCH AGENCIES AND OFFICIALS.—The term 'relevant Executive branch agencies and officials' means—

''(i) the Department of State, the United States Agency for International Development, the Department of the Treasury, the Department of Labor, the Department of Education, the Department of Health and Human Services, the Department of Agriculture, and the Department of Defense;

''(ii) the Chief Executive Officer of the Millennium Challenge Corporation, the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, the National Security Advisor, the Director of the Peace Corps, and the National Economic Advisor; and

''(iii) any other department, agency, or official of the United States Government that participates in activities to promote quality basic education pursuant to the authorities of such department, agency, or official or pursuant to this Act.

''(D) NATIONAL EDUCATION PLAN.—The term 'national education plan' means a comprehensive national education plan developed by partner country governments in consultation with other stakeholders as a means for wide-scale improvement of the country's education system, including explicit, credible strategies informed by effective practices and standards to achieve quality universal basic education.

''(E) HIV/AIDS.—The term 'HIV/AIDS' has the meaning given that term in section 104A(h).

''(F) MARGINALIZED CHILDREN AND VULNERABLE GROUPS.—The term 'marginalized children and vulnerable groups' includes girls, children affected by or emerging from armed conflict or humanitarian crises, children with disabilities, children in remote or rural areas (including those who lack access to safe water and sanitation), religious or ethnic minorities, indigenous peoples, orphans and children affected by HIV/AIDS, child laborers, married adolescents, and victims of trafficking.

''(G) GENDER PARITY IN BASIC EDUCATION.—The term 'gender parity in basic education' means that girls and boys have equal access to quality basic education.

''(H) NONFORMAL EDUCATION.—The term 'nonformal education'—

''(i) means organized educational activities outside the established formal system, whether operating separately or as an important feature of a broader activity, that are intended to serve identifiable learning clienteles and learning objectives; and

''(ii) includes youth programs and community training offered by community groups and organizations.

''(I) SUSTAINABILITY.—The term 'sustainability' means, with respect to any basic education program that receives funding pursuant to this section, the ability of a service delivery system, community, partner, or beneficiary to maintain, over time, such basic education program.''.

SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES STRATEGY TO PROMOTE BASIC EDUCATION.

(a) STRATEGY REQUIRED.—Not later than October 1, 2016, October 1, 2021, and October 1, 2026, the President shall submit to the appropriate congressional committees a comprehensive United States strategy to promote quality basic education in partner countries by—

(1) seeking to equitably expand access to basic education for all children, particularly marginalized children and vulnerable groups; and

(2) measurably improving the quality of basic education and learning outcomes.

(b) REQUIREMENT TO CONSULT.—In developing the strategy required by subsection (a), the President shall consult with—

(1) the appropriate congressional committees;

(2) relevant Executive branch agencies and officials;

(3) partner country governments; and

(4) local and international nongovernmental organizations, including faith-based organizations and organizations representing students, teachers, and parents, and other development partners engaged in basic education assistance programs in developing countries.

(c) PUBLIC COMMENT.—The President shall provide an opportunity for public comment on the strategy required by subsection (a).

(d) INITIAL STRATEGY.—For the purposes of this section, the strategy entitled ''USAID education strategy'', as in effect on the day before the date of the enactment of this Act, shall be deemed to fulfill the initial requirements of subsection (a) for 2016.

(e) ELEMENTS.—The strategy required by subsection (a) shall be developed and implemented consistent with the principles set forth in subsection (c) of section 105 of the Foreign Assistance Act of 1961 (as added by section 3 of this Act) and shall seek to—

(1) build the capacity of relevant actors in partner countries, including in government and in civil society, to develop and implement national education plans that are aligned with and advance country development strategies;

(2) identify and replicate successful interventions that improve access to and quality of education;

(3) project general levels of resources needed to achieve stated program objectives;

(4) leverage United States capabilities, including through technical assistance, training and research; and

(5) improve coordination and reduce duplication among relevant Executive branch agencies and officials, other donors, multilateral institutions, nongovernmental organizations, and governments in partner countries.

(f) ACTIVITIES SUPPORTED.—Assistance provided under section 105 of the Foreign Assistance Act of 1961 (as amended by section 3 of this Act) should advance the strategy required by subsection (a), including through efforts to—

(1) ensure an adequate supply and continued support for trained, effective teachers;

(2) design and deliver relevant curricula, uphold quality standards, and supply appropriate teaching and learning materials;

(3) build the capacity of basic education systems in partner countries by improving management practices and supporting their ability to collect relevant data and monitor, evaluate, and report on the status and quality of education services, financing, and student-learning outcomes;

(4) help mobilize domestic resources to eliminate or offset fees for educational services, including fees for tuition, uniforms, and materials;

(5) support education on human rights and conflict-resolution while ensuring that schools are not incubators for violent extremism;

(6) work with communities to help girls overcome relevant barriers to their receiving a safe, quality basic education, including by improving girls' safety in education settings, helping girls to obtain the skills needed to find safe and legal employment upon conclusion of their education, and countering harmful practices such as child, early, and forced marriage and gender-based violence;

(7) ensure access to education for the most marginalized children and vulnerable groups, including through the provision of appropriate infrastructure, flexible learning opportunities, accelerated and second-chance classes, and opportunities that support leadership development;

(8) make schools safe and secure learning environments without threat of physical, psychological, and sexual violence, including by supporting safe passage to and from schools and constructing separate latrines for boys and girls; and

(9) support a communities-of-learning approach that utilizes schools as centers of learning and development for an entire community, to leverage and maximize the impact of other development efforts, and reduce duplication and waste.

(g) ADDITIONAL ACTIVITIES SUPPORTED FOR COUNTRIES AFFECTED BY CONFLICT AND CRISES.—In addition to the activities supported under subsection (f), assistance provided under section 105 of the Foreign Assistance Act of 1961 (as amended by section 3 of this Act) to foreign countries or those parts of the territories of foreign countries that are affected by or emerging from armed conflict, humanitarian crises, or other emergency situations may be used to support efforts to—

(1) ensure a continuity of basic education for all children through appropriate formal and nonformal education programs and services;

(2) ensure that basic education assistance of the United States to countries in emergency settings shall be informed by the Minimum Standards of the Inter-Agency Network for Education in Emergencies (''INEE Minimum Standards'');

(3) coordinate basic education programs with complementary services to protect children from physical harm, psychological and social distress, recruitment into armed groups, family separation, and abuses related to their displacement;

(4) support, train, and provide professional development for educators working in emergency settings;

(5) help build national capacity to coordinate and manage basic education during emergency response and through recovery;

(6) promote the reintegration of teachers and students affected by conflict, whether refugees or internally displaced, into educational systems; and

(7) ensure the safety of children in school, including through support for—

(A) the provision of safe learning environments with appropriate facilities, especially for girls;

(B) safe passage to and from school, including landmine awareness, the designation of schools as conflict-free zones, the adoption and support of community-owned protective measures to reduce the incidence of attacks on educational facilities and personnel by local actors, armed groups, and armed forces;

(C) out-of-school and flexible-hour education programs in areas where security conditions are prohibitive;

(D) safety plans in case of emergency with clearly defined roles for school personnel; and

(E) appropriate infrastructure, including emergency communication systems and access to mobile telecommunications with local police and security personnel.

SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.

(a) SENIOR COORDINATOR OF UNITED STATES INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There is established within the United States Agency for International Development a Senior Coordinator of United States International Basic Education Assistance (referred to in this Act as the ''Senior Coordinator''), who shall be appointed by the President.

(b) DUTIES.—

(1) IN GENERAL.—The Senior Coordinator shall have primary responsibility for the oversight and coordination of all resources and activities of the United States Government relating to the promotion of international basic education programs and activities.

(2) SPECIFIC DUTIES.—The Senior Coordinator shall—

(A) facilitate program and policy coordination of international basic education programs and activities among relevant Executive branch agencies and officials, partner governments, multilateral institutions, the private sector, and nongovernmental and civil society organizations;

(B) develop and revise the strategy required under section 4;

(C) monitor, evaluate, and report on activities undertaken pursuant to the strategy required under section 4; and

(D) establish due diligence criteria for all recipients of funds provided by the United States to carry out activities under this Act and the amendments made by this Act.

(c) OFFSET.—To offset any costs incurred by the United States Agency for International Development to carry out the establishment and appointment of a Senior Coordinator of United States International Basic Education Assistance in accordance with subsection (a), the President shall eliminate such positions within the United States Agency for International Development, unless otherwise authorized or required by law, as the President determines to be necessary to fully offset such costs.

SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.

The President shall seek to ensure that programs carried out under the strategy required under section 4 shall—

(1) apply rigorous monitoring and evaluation methodologies to focus on learning and accountability;

(2) include methodological guidance in the implementation plan and support systemic data collection using internationally comparable indicators, norms, and methodologies, to the extent practicable and appropriate;

(3) disaggregate all data collected and reported by age, gender, marital status, disability, and location, to the extent practicable and appropriate;

(4) be planned and budgeted to include funding for both short- and long-term monitoring and evaluation to enable assessment of the sustainability and scalability of assistance programs; and

(5) support the increased use and public availability of education data for improved decision making, program effectiveness, and monitoring of global progress.

SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.

(a) ANNUAL REPORT ON THE IMPLEMENTATION OF STRATEGY.—Not later than March 31 of each year through 2031, the President shall submit to the appropriate congressional committees a report on the implementation of the strategy developed pursuant to section 4 and make the report available to the public.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include—

(1) a description of the efforts made by relevant Executive branch agencies and officials to implement the strategy developed pursuant to section 4 with a particular focus on the activities carried out;

(2) a description of the extent to which each partner country selected to receive assistance for basic education meets the priority criteria specified in subsection (c) of section 105 of the Foreign Assistance Act (as added by section 3 of this Act); and

(3) a description of the progress achieved over the reporting period toward meeting the goals, objectives, benchmarks, and timeframes specified in the strategy developed pursuant to section 4 at the program level, as developed pursuant to monitoring and evaluation specified in section 6.

SEC. 8. DEFINITIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(b) OTHER DEFINITIONS.—In this Act, the terms ''basic education'', ''partner country'', ''relevant Executive branch agencies and officials'', ''national education plan'', ''marginalized children and vulnerable groups'', and ''gender parity in basic education'' have the meanings given such terms in subsection (c) of section 105 of the Foreign Assistance Act of 1961 (as added by section 3 of this Act).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, at the outset, let me thank our colleague, NITA LOWEY, the author of this measure. I very much appreciate her and her team's good work on this bill. Also, Jessica Kelch, a staff member here on the Committee on Foreign Affairs, I appreciate her efforts as well in making sure that this came to the floor.

We all recognize the importance of education for economic growth. We know the impact that it has on social mobility. We know that the overall stability around the globe is partly dependent upon this, and as Congresswoman NITA LOWEY would tell you, education raises the productivity of people. It empowers men, it empowers women to better care for themselves, better care for their families, and increases their civic participation. Even one extra year of schooling has been found to significantly increase a worker's earnings and their lifespan.

But despite widespread agreement about the benefits of education, the fact remains that an alarming number of children worldwide are out of school. At present, over 120 million children around the globe have never attended or have dropped out of school. More than one-third of these children come from countries suffering from war and suffering from conflict. With many recent conflicts lasting well over a decade, it is easy to see how, tragically, we now have entire generations of children who are failing to receive even the most basic education.

□ 1715

Certainly, this is a humanitarian crisis. But there are clear implications for global stability and our national security as well.

What opportunities are available to children who remain out of school or leave school unable to read, write, or perform basic arithmetic? Sadly, we know these children face a greatly increased risk of abuse at the hands of traffickers, early marriage or forced marriage, and recruitment by criminal or terrorist organizations.

Nowhere is this harsh reality more clear than in Syria, where an estimated 4 million Syrian children are currently out of school. Inside Syria, these children are being shaped by violence and a lack of alternatives that place them at a high risk of exploitation and of radicalization. As refugees, they are placing tremendous pressure on the education systems of countries like Lebanon, Jordan, Turkey.

That is why I rise today in support of H.R. 4481, the Education for All Act. This bill increases direction and accountability for U.S. efforts to impose access to basic education in developing and in conflict-torn countries.

It requires the President to establish a strategy for, and report to Congress on, how the administration will work with other countries and donors on how to build that capacity and how to reduce duplication, how to measure progress, and how to replicate success

in its basic education programming, especially for children affected by conflict and crisis. It also requires increased attention to some of the specific barriers to education that women and girls face.

Lastly, the bill establishes a senior coordinator within the U.S. Agency for International Development to ensure accountability and oversight across all U.S. agencies that are involved in this work.

So, again, I want to thank Representative LOWEY for her continued bipartisan leadership on this issue, as well as my committee's ranking member, Mr. ENGEL, and the chair of our Africa, Global Health, Global Human Rights, and International Organizations Subcommittee, Mr. SMITH, for their work on this legislation.

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

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

Mr. Speaker, I rise in support of this legislation.

Let me again thank our chairman, ED ROYCE, for his leadership; and I want to acknowledge my good friend and neighbor from New York, NITA LOWEY, who authored this bill and has long been a champion for expanding access to education not just here in the United States, but around the world.

Mr. Speaker, a recent report from the United Nations tells us that, around the world, more than 260 million young people are not in school. That is 260 million, a staggering amount. Millions more are only able to gain a substandard education.

We cannot overstate the importance of getting young people off to a good start by getting them into the classroom. Every year of primary school increases an individual's earning potential by 5 to 15 percent. More educated populations are healthier and more productive, so it is a win all the way around.

Promoting access to education isn't about helping young people reaching their potential. It is also about enhancing security and stability. For every year a young man spends in school, the likelihood of him becoming involved in violence and extremism drops by 20 percent. In places like Afghanistan and South Sudan, where roughly half of the children are not in school, we know that violent extremists and others are only too happy to provide a rotten alternative for these vulnerable young people. That is why access to basic education needs to be a foreign policy priority.

This legislation calls for a 5-year strategy for expanding opportunities for kids to go to school all over the world, especially where children are most vulnerable. It would put a new point person in charge of making sure that our efforts across government are coordinated and effective. It would place a special emphasis on monitoring and evaluation so we know we are getting the best bang for our buck when it comes to our investments in basic education.

This is a good bill that will actually help to put children in classrooms around the world, giving them a better shot at a full and successful life.

I, again, thank my friend NITA LOWEY, and I thank the chairman.

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

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

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), my friend and a wonderful colleague.

Mrs. LOWEY. Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL for their support and their enthusiasm for this bill.

Mr. Speaker, I rise in full support of H.R. 4481, the Education for All Act, which I introduced earlier this year with our colleague DAVID REICHERT.

Today, millions of American children are settling into new classrooms and getting back in the swing of their school routines. Despite the challenges many students and schools face, it is hard for us to imagine this time of year not being occupied with the excitement of new school supplies, teachers, and school sporting events. Unfortunately, the ability to access education at all remains a luxury in too many areas around the world. In fact, in 2014, 263 million children, adolescents, and youth were not in school. Our own U.S. Agency for International Development has reported:

> The world is in the midst of a global learning crisis.

As of 2014, an estimated 25 million children were never expected to enroll in school, and 758 million adults could not read or write a simple sentence. Women and girls represent two-thirds of these staggering figures. Even daring to attend school requires taking life-threatening risk for girls in many regions.

Malala Yousafzai was shot by the Taliban in Pakistan at the age of 15 for attending school and advocating for other girls to do so. Hundreds of girls have been kidnapped by Boko Haram for seeking a basic education and still remain hostage. That is why this legislation is so critical.

The promotion of international basic education must be among our chief development priorities. Not only is it in the national security interests of the United States, it is simply the right thing to do.

The bill before us today prioritizes USAID's work with foreign governments, NGOs, and multilateral organizations to help nations develop and implement quality programs, address key barriers to school attendance, and increase completion rates for the poorest and most vulnerable children worldwide.

With a comprehensive strategy, the U.S. can lead the world in expanding access to millions of children who aren't in school and improving the quality of education for millions who are.

Measurable learning outcomes and updates to this strategy every 5 years, with feedback from local and international education and development partners, will ensure we build upon our successes to make progress toward universal education.

Additionally, the legislation strengthens Congress' role and enhances oversight of these efforts by creating a Senior Coordinator of United States International Basic Education Assistance tasked with improving coordination, monitoring the education strategy, and reporting to Congress on implementation. These efforts will not only teach students the three Rs, they will ultimately help protect vulnerable children from poverty, disease, hunger, and, ultimately, extremism.

I have long said there is no greater force multiplier than education. An education is the fundamental tool with which girls and boys are empowered to increase their economic potential, improve their health outcomes, provide for their families, address cultural biases, and participate in their communities.

Children who receive a quality education also contribute to more prosperous economies and healthier, peaceful, and democratic societies. That is why the 9/11 Commission concluded that ensuring educational opportunity is essential to defeating global terrorism.

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

Mr. ENGLE. I yield the gentlewoman an additional 2 minutes.

Mrs. LOWEY. First introduced in 2004, the bill we consider today represents many years of hard work to elevate the importance of global education, bipartisan compromise, and the support of over 30 nonprofit and advocacy organizations, including RESULTS, the Basic Education Coalition, the Global Campaign for Education, the Global Poverty Project, the Malala Fund, and many other vital partners.

So, in closing, I want to thank, again, Chairman ROYCE, Ranking Member ENGEL, and their hardworking staffs for their diligent efforts to bring the Education for All Act before the House today.

I urge immediate passage.

Mr. ROYCE. Mr. Speaker, I reserve the balance of my time to close.

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

In closing, let me say that, if children around the world cannot get a basic education, it will obviously be that much harder for them to get ahead later on in life, to contribute to their economies and communities, to help build stability and prosperity, and to deprive violent extremists of potential recruits.

I think that is an important point. At a time that we are fighting extremism, children who are uneducated are much more vulnerable to be swayed by the allure of violent extremists.

That is why we have made expanding access to education a part of our foreign policy. With this legislation, we are building on existing efforts and making sure administrations—this one and ones to come—will focus on this priority for many, many years to come.

So, again, I want to thank Chairman ROYCE for always working with me hand in hand on important measures like this in a bipartisan fashion. I want to thank Congresswoman LOWEY for her hard work. She has been championing this for many, many years. I support this bill enthusiastically and urge all Members to do the same.

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

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

Mr. Speaker, I, again, want to thank NITA LOWEY and ELIOT ENGEL.

Today, more than 65 million men, women, and children around the globe have been displaced by conflict. This is the highest level of displacement on record—even more than during World War II.

It is critical that we continue to work with other countries and partners to help address the massive education deficit that so many children now face and that our efforts be as efficient and effective as possible. The Education for All Act outlines clear priorities for this work, with an emphasis on sustainability and alignment with U.S. diplomatic development and national security interests.

I urge Members to support this measure.

Again, I thank my colleagues for working on a bipartisan basis on the provisions here.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 4481, as amended.

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

A motion to reconsider was laid on the table.

DIGITAL GLOBAL ACCESS POLICY ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5537) to promote internet access in developing countries and update foreign policy toward the internet, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5537

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Digital Global Access Policy Act of 2016'' or the ''Digital GAP Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to encourage the efforts of developing countries to improve mobile and fixed access to the internet in order to spur economic growth and job creation, improve health, education, and financial services, reduce poverty and gender inequality, mitigate disasters, promote democracy and good governance, strengthen cybersecurity, and update the Department of State's structure to address cyberspace policy.

SEC. 3. FINDINGS.

Congress finds the following:

(1) Since 2005, the number of internet users has more than tripled from 1,000,000,000 to 3,200,000,000.

(2) 4.2 billion people, 60 percent of the world's population, remain offline and the growth rate of internet access is slowing. An estimated 75 percent of the offline population lives in just 20 countries and is largely rural, female, elderly, illiterate, and low-income.

(3) Studies suggest that across the developing world, women are nearly 50 percent less likely to access the internet than men living within the same communities, and that this digital gender divide carries with it a great economic cost. According to a study, ''Women and the Web'', bringing an additional 600,000,000 women online would contribute $13,000,000,000–$18,000,000,000 to annual GDP across 144 developing countries.

(4) Without increased internet access, the developing world risks falling behind.

(5) Internet access in developing countries is hampered by a lack of infrastructure and a poor regulatory environment for investment.

(6) Build-once policies and approaches are policies or practices that minimize the number and scale of excavation and construction activities when installing telecommunications infrastructure in rights-of-way, thereby lowering the installation costs for high-speed internet networks and serve as a development best practice.

SEC. 4. STATEMENT OF POLICY.

Congress declares that it is the policy of the United States to partner, consult, and coordinate with the governments of foreign countries, international organizations, regional economic communities, businesses, civil society, and other stakeholders in a concerted effort to—

(1) promote first-time internet access to mobile or broadband internet for at least 1.5 billion people in developing countries by 2020 in both urban and rural areas;

(2) promote internet deployment and related coordination, capacity building, and build-once policies and approaches in developing countries, including actions to encourage—

(A) a build-once approach by standardizing the inclusion of broadband conduit pipes which house fiber optic communications cable that support broadband or wireless facilities for broadband service as part of rights-of-way projects, including sewers, power transmission facilities, rail, pipelines, bridges, tunnels, and roads, that are funded, co-funded, or partially financed by the United States or any international organization that includes the United States as a member, in consultation with telecommunications providers, unless a cost-benefit analysis determines that the cost of such approach outweighs the benefits;

(B) national and local government agencies of developing countries and donor governments and organizations to coordinate road building, pipe laying, and major infrastructure with the private sector so that, for example, fiber optic cable could be laid below roads at the time such roads are built; and

(C) international organizations to increase their financial support, including grants and loans, and technical assistance to expand information and communications access and internet connectivity;

(3) promote policy changes that encourage first-time affordable access to the internet in developing countries, including actions to encourage—

(A) integration of universal and gender-equitable internet access goals, to be informed by the collection of related gender disaggregated data, and internet tools into national development plans and United States Government country-level strategies;

(B) reforms of competition laws and spectrum allocation processes that may impede the ability of companies to provide internet services; and

(C) efforts to improve procurement processes to help attract and incentivize investment in internet infrastructure;

(4) promote the removal of tax and regulatory barriers to internet access;

(5) promote the use of the internet to increase economic growth and trade, including—

(A) policies and strategies to remove restrictions to e-commerce, cross-border information flows, and competitive marketplaces; and

(B) entrepreneurship and distance learning enabled by access to technology;

(6) promote the use of the internet to bolster democracy, government accountability, transparency, and human rights, including—

(A) policies, initiatives, and investments, including the development of national internet plans, that are consistent with United States human rights goals, including freedom of expression, religion, and association;

(B) policies and initiatives aimed at promoting the multistakeholder model of internet governance; and

(C) policies and support programs, research, and technologies that safeguard human rights and fundamental freedoms online, and enable political organizing and activism, free speech, and religious expression that are in compliance with international human rights standards;

(7) promote internet access and inclusion into internet policymaking for women, people with disabilities, minorities, low-income and marginalized groups, and underserved populations; and

(8) promote cybersecurity and data protection, including international use of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity that are industry-led, globally recognized cybersecurity standards and best practices.

SEC. 5. DEPARTMENT OF STATE ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should redesignate an existing Assistant Secretary position to be the Assistant Secretary for Cyberspace to lead the Department of State's diplomatic cyberspace policy generally, including for cybersecurity, internet access, internet freedom, and to promote an open, secure, and reliable information and communications technology infrastructure.

(b) ACTIVITIES.—In recognition of the added value of technical knowledge and expertise in the policymaking and diplomatic channels, the Secretary of State should—

(1) update existing training programs relevant to policy discussions; and

(2) promote the recruitment of candidates with technical expertise into the Civil Service and the Foreign Service.

(c) OFFSET.—To offset any costs incurred by the Department of State to carry out the designation of an Assistant Secretary for Cyberspace in accordance with subsection

(a), the Secretary of State shall eliminate such positions within the Department of State, unless otherwise authorized or required by law, as the Secretary determines to be necessary to fully offset such costs.

(d) RULE OF CONSTRUCTION.—The redesignation of the Assistant Secretary position described in subsection (a) may not be construed as increasing the number of Assistant Secretary positions at the Department of State above the current level of 24 as authorized in section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)).

SEC. 6. USAID.

It is the sense of Congress that the Administrator of the United States Agency for International Development should—

(1) integrate efforts to expand internet access, develop appropriate technologies, and enhance digital literacy into the education, development, and economic growth programs of the agency, where appropriate;

(2) expand the utilization of information and communications technologies in humanitarian aid and disaster relief responses and United States operations involving stabilization and security to improve donor coordination, reduce duplication and waste, capture and share lessons learned, and augment disaster preparedness and risk mitigation strategies; and

(3) establish and promote guidelines for the protection of personal information of individuals served by humanitarian, disaster, and development programs directly through the United States Government, through contracts funded by the United States Government and by international organizations.

SEC. 7. PEACE CORPS.

Section 3 of the Peace Corps Act (22 U.S.C. 2502) is amended by—

(1) redesignating subsection (h) as subsection (e); and

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

''(f) It is the sense of Congress that access to technology can transform agriculture, community economic development, education, environment, health, and youth development which are the sectors in which Peace Corps currently develops positions for Volunteers.

''(g) In giving attention to the programs, projects, training, and other activities referred to in subsection (f), the Peace Corps should develop positions for Volunteers that are focused on leveraging technology for development, education, and social and economic mobility.''.

SEC. 8. LEVERAGING INTERNATIONAL SUPPORT.

In pursuing the policy described in section 4, the President should direct United States representatives to appropriate international bodies to use the influence of the United States, consistent with the broad development goals of the United States, to advocate that each such body—

(1) commit to increase efforts to promote gender-equitable internet access, in partnership with stakeholders and consistent with host countries' absorptive capacity;

(2) enhance coordination with stakeholders in increasing affordable and gender-equitable access to the internet;

(3) integrate gender-equitable affordable internet access into existing economic and business assessments, evaluations, and indexes such as the Millennium Challenge Corporation constraints analysis, the Doing Business Report, International Monetary Fund Article IV assessments and country reports, the Open Data Barometer, and the Affordability Drivers Index;

(4) standardize inclusion of broadband conduit—fiber optic cables that support broadband or wireless facilities for broadband service—as part of highway or highway-comparable construction projects in developing countries, in consultation with telecommunications providers, unless such inclusion would create an undue burden, is not necessary based on the availability of existing broadband infrastructure, or a cost-benefit analysis determines that the cost outweighs the benefits;

(5) provide technical assistance to the regulatory authorities in developing countries to remove unnecessary barriers to investment in otherwise commercially viable projects and strengthen weak regulations or develop new ones to support market growth and development;

(6) utilize clear, accountable, and metric-based targets, including targets with gender-disaggregated metrics, to measure the effectiveness of efforts to promote internet access; and

(7) promote and protect human rights online, such as the freedoms of speech, assembly, association, religion, and belief, through resolutions, public statements, projects, and initiatives, and advocating that other member states of such bodies are held accountable when major violations are uncovered.

SEC. 9. PARTNERSHIP FRAMEWORK.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate plans to promote partnerships by United States development agencies, including the United States Agency for International Development and the Millennium Challenge Corporation, as well as international agencies funded by the United States Government for partnership with stakeholders, that contain the following elements:

(1) Methods for stakeholders to partner with such agencies in order to provide internet access or internet infrastructure in developing countries.

(2) Methods of outreach to stakeholders to explore partnership opportunities for expanding internet access or internet infrastructure, including coordination with the private sector, when financing roads and telecommunications infrastructure.

(3) Methods for early consultation with stakeholders concerning projects in telecommunications and road construction to provide internet access or internet infrastructure.

SEC. 10. REPORTING REQUIREMENT ON IMPLEMENTATION EFFORTS.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on efforts to implement the policy specified in section 4 and a discussion of the plans and existing efforts by the United States Government in developing countries to accomplish the following:

(1) Develop a technical and regulatory road map for promoting internet access in developing countries and a path to implementing such road map.

(2) Identify the regulatory barriers that may unduly impede internet access, including regulation of wireline broadband deployment or the infrastructure to augment wireless broadband deployment.

(3) Strengthen and support development of regulations that incentivize market growth and sector development.

(4) Encourage further public and private investment in internet infrastructure, including broadband networks and services.

(5) Increase gender-equitable internet access and otherwise encourage or support internet deployment, competition, and adoption.

(6) Improve the affordability of internet access.

(7) Promote technology and cybersecurity capacity building efforts and consult technical experts for advice regarding options to accelerate the advancement of internet deployment, adoption, and usage.

(8) Promote internet freedom globally and include civil society and the private sector in the formulation of policies, projects, and advocacy efforts to protect human rights online.

(9) Promote and strengthen the multi-stakeholder model of internet governance and actively participate in multistakeholder international fora, such as the Internet Governance Forum.

SEC. 11. CYBERSPACE STRATEGY.

The President should include in the next White House Cyberspace Strategy information relating to the following:

(1) Methods to promote internet access in developing countries.

(2) Methods to globally promote cybersecurity policy consistent with the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity.

(3) Methods to promote global internet freedom principles, such as the freedoms of expression, assembly, association, and religion, while combating efforts to impose restrictions on such freedoms.

SEC. 12. DEFINITION.

In this Act—

(1) BUILD ONCE POLICIES AND APPROACHES.—The term ''build once policies and approaches'' means policies or practices that minimize the number and scale of excavation and construction activities when installing telecommunications infrastructure in rights-of-way.

(2) CYBERSPACE.—The term ''cyberspace'' means the interdependent network of information technology infrastructures, and includes the internet, telecommunications networks, computer systems, and embedded processors and controllers in critical industries, and includes the virtual environment of information and interactions between people.

(3) STAKEHOLDERS.—The term ''stakeholders'' means the private sector, the public sector, cooperatives, civil society, the technical community that develops internet technologies, standards, implementation, operations, and applications, and other groups that are working to increase internet access or are impacted by the lack of internet access in their communities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

□ 1730

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, as the author of this measure, I want to particularly recognize the invaluable contributions of the professional staff. I mentioned Jessica Kelch, but there is another staff member here who has played an outsized role to help shape the work of this committee, and not just on the Digital GAP Act, which is before us, but Nilmini Rubin has played a critical role in energy, in trade, in development legislation that we have passed out of the committee, and so I wanted to recognize her for that contribution.

I also want to focus the attention of the Members on the fact that more than 60 percent of the world's population still lacks access to the Internet. That is 3 billion people left out of one of the largest technological transformations of our time, leaving them lagging on economic growth, lagging on health, lagging in terms of potential for education.

The dearth of global Internet access negatively impacts us here at home, too. Sixty percent of the world's population can't buy American goods online, if you think about it. They are shut out of e-commerce. They are limited in their ability to connect with others through social media.

So the Digital Global Access Policy Act calls on the administration to integrate into U.S. development efforts a ''build-once'' policy when expanding Internet access, and this is common sense.

If a U.S. development project supports the construction of a rural road, let's invite the private sector to lay down cable before our government helps pay to pour the concrete. We are maximizing U.S. taxpayer dollar assistance; we are providing more support to the disadvantaged community; we are making it easier for business to invest if we change our policies to do this.

This bill complements existing efforts to promote partnerships with the private sector to expand Internet access through the Global Connect Initiative.

One of the many letters of support we received was from NetHope, which outlined why the build-once approach in the Digital GAP Act is so important. As NetHope's letter explained, years ago, a $100 million road construction project in Liberia failed to include the laying of fiber-optic lines as a part of the project. At the time, the cost of laying this cable would have been negligible. It would have been maybe 1 percent of the total investment. It would have been—I don't know—probably not even a million.

However, you know, if you look back, this is one example of many that we pulled out of the file where the donors chose not to include the Internet infrastructure in the project; and so, as a result, when you go to Liberia, as I have, there is poor Internet access, a fact that hampered Ebola response efforts as community health centers struggled to coordinate their efforts.

If that Internet access were in place, it would have helped the U.S. and public health officials safely track the spread of Ebola. It could have reduced the disease's spread. It could have saved lives.

As NetHope explained, there is now a new project under consideration to do that same connectivity work that would have cost—would have been negligible if it had been laid at the time that the road was put in. However, since it is being considered after the fact, it will now cost tens of millions of dollars if it is done, and it will take years and years to complete.

The build-once approach is smart economics. It is smart development. We simply get more bang for our buck when we coordinate these types of infrastructure investments with the private sector. So I think the case is compelling for this.

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

Mr. ENGEL. Mr. Speaker, I rise in support of this bill, and I yield myself such time as I may consume.

I, first of all, want to thank our chairman, ED ROYCE, from California. He has worked very, very hard on this bill for a long, long time, so I am very pleased to support this bill that he has introduced to help expand access to the Internet around the world. I know how strongly he feels about it. We all share his goal, but he was the impetus, obviously, for this bill, and this is really a good bill.

Mr. Speaker, a generation ago, few could have envisioned the way the Internet would open up new gateways for information, connect people around the world, and change the global economy.

Today, a classroom with broadband access gives students a window to the rest of the world, allowing them to build relationships face-to-face with people thousands and thousands of miles away. A relief worker with a smartphone can relay information in an instant about where help and resources are needed to deal with a crisis. A farmer with a laptop can make sure his or her produce is fetching a fair price on the global market. A journalist in a closed society who can get online can shine a light on abuses and corruption.

And while we know this tool can be used for harm, such as the way ISIS uses social media to recruit fighters and spread propaganda, we also know that, in the right hands, the Internet expands opportunity, drives growth, and makes people's lives fuller and more productive. The ripple effects help strengthen communities and countries.

But like so many resources around the world, access to the Internet often depends on where you live and what you have and if you can afford it. Living in a poor community or a rural area, or even being a woman in some places, may make it harder to take advantage of the Internet.

Roughly 60 percent of the world's population is not able to use this tool, and the growth rate of Internet access is slowing down. Three-quarters of those who are offline live in just 20 countries. Think of what a difference it would make if these populations had access to a resource so many of us take for granted. This bill aims to close that gap.

Chairman ROYCE's legislation calls on the administration to ramp up efforts around the world to expand access to the Internet. It encourages the State Department, USAID, and the Peace Corps to focus on Internet access as a diplomatic and developmental priority; and it states clearly, expanding Internet access, especially in the developing world, is an American foreign policy priority.

I applaud Chairman ROYCE for doing this, and I am glad to support this measure.

I want to also thank two staff persons for their hard work: Nilmini Rubin on the majority's staff, and Janice Kaguyutan on our side. They both worked very, very hard, and I think they deserve special mention.

So I urge all my colleagues to support this very important bill. I, again, commend Chairman ROYCE for working so hard on it.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I am prepared to close.

I reserve the balance of my time.

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

As I said before, the way the Internet has changed the world would have been hard to believe just a few decades ago. It would also have been hard to believe that we would be thinking of the Internet as a foreign policy priority, but we can and we should.

Today, we know that the Internet has driven so much of the interconnectedness that we now see across the global landscape, so it is important that our foreign policy keep up with these changes. We want to see this tool used in a positive way by as many people as possible, while guarding against abuses or exploitation by those who mean to harm us.

This bill helps us move in the right direction. Again, I am grateful to the chairman for bringing it forward. I am glad to support it. I urge my colleagues to do the same.

I yield back the balance of my time.

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

I would like to thank the cosponsors of the Digital GAP Act who helped me with this legislation, and the first among them is Ranking Member ELIOT ENGEL, and then also CATHY MCMORRIS RODGERS, Representative GRACE MENG, and Chairman MCCAUL for their collaboration on this bill.

The Digital GAP Act would increase Internet access with a relatively minor communications change. It would require that the United States-supported infrastructure projects are made transparent so that the private sector can

coordinate their investments in Internet infrastructure. This is a commonsense approach that we should implement now.

The Digital GAP Act also expresses the sense of Congress that the State Department should elevate and reform its efforts to address cyberspace policy internationally. As technological policy issues multiply and as they become more complex, it is important to identify clear lines of responsibility at the State Department so that problems do not fall between the cracks of the many different offices that touch on these issues now. Cybersecurity, Internet freedom, and Internet access are now core parts of our national security agenda and need to be treated as such by the State Department.

Lastly, I will simply close by again recognizing the work of Nilmini Rubin on this legislation. She has been with the committee for over 3 years. She has done outstanding work on technology and trade and other issues promoting development worldwide. Nilmini will be leaving us and will be greatly missed, but she will be continuing to do impressive and important things, improving lives overseas and improving the welfare of Americans.

Thank you, Nilmini.

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

The SPEAKER pro tempore (Mr. HILL). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5537, as amended.

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

A motion to reconsider was laid on the table.

AGOA ENHANCEMENT ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2845) to promote access to benefits under the African Growth and Opportunity Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2845

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''AGOA Enhancement Act of 2015''.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to support efforts to—

(1) improve the rule of law, promote free and fair elections, strengthen and expand the private sector, and fight corruption in sub-Saharan Africa; and

(2) promote the role of women in social, political, and economic development in sub-Saharan Africa.

SEC. 3. ACTIVITIES IN SUPPORT OF TRANSPARENCY.

(a) AGOA WEBSITE.—

(1) IN GENERAL.—The President shall establish a website for the collection and dissemination of information regarding the African Growth and Opportunity Act (in this section referred to as the ''AGOA website'').

(2) CONTENTS.—The President shall publish on the AGOA website the information described in paragraph (1), including—

(A) information and technical assistance provided at United States Agency for International Development regional trade hubs; and

(B) a link to websites of United States embassies located in eligible sub-Saharan African countries.

(3) ACTIONS BY UNITED STATES EMBASSIES.—The Secretary of State should direct United States embassies located in eligible sub-Saharan African countries to—

(A) promote the use by such countries of the benefits available under the African Growth and Opportunity Act; and

(B) include on a publicly available Internet website of such diplomatic missions a link to the AGOA website.

(b) AGOA FORUM.—The President should, after each meeting of the United States-Sub-Saharan Africa Trade and Economic Cooperation Forum, publish on the AGOA website established under subsection (a) the following:

(1) All outcomes of the meeting of the Forum, including any commitments made by member countries and the private sector.

(2) An assessment of progress made with respect to any commitments made by member countries and the private sector from the previous meeting of the Forum.

(c) OTHER INFORMATION.—The President should disseminate information required by this section in a digital format to the public and publish such information on the AGOA website established under subsection (a).

(d) DEFINITION.—In this section, the term ''eligible sub-Saharan African country'' means a country that the President has determined meets the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act.

SEC. 4. ACTIVITIES IN SUPPORT OF TRADE CAPACITY BUILDING.

(a) IN GENERAL.—The President should take the following actions:

(1) Develop and implement policies to—

(A) encourage and facilitate trans-boundary cooperation among eligible sub-Saharan African countries in order to facilitate trade; and

(B) encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development.

(2) Provide specific training for business in eligible sub-Saharan African countries and government trade officials of eligible sub-Saharan African countries on utilizing access to the benefits of the African Growth and Opportunity Act and other trade preference programs.

(3) Provide capacity building for African entrepreneurs and trade associations on production strategies, quality standards, formation of cooperatives, and market research and market development.

(4) Provide capacity building training to promote diversification of African products and value-added processing.

(5) Provide capacity building and technical assistance funding for African businesses and institutions to help such businesses and institutions comply with United States counter-terrorism initiatives and policies.

(b) DEFINITION.—In this section, the term ''eligible sub-Saharan African country'' means a country that the President has determined meets the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act.

SEC. 5. CONCURRENT COMPACTS UNDER THE MILLENNIUM CHALLENGE ACT OF 2003.

(a) IN GENERAL.—Section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) is amended—

(1) by striking the first sentence of subsection (k);

(2) by redesignating subsection (k) (as so amended) as subsection (l); and

(3) by inserting after subsection (j) the following:

''(k) CONCURRENT COMPACTS.—An eligible country that has entered into and has in effect a Compact under this section may enter into and have in effect at the same time not more than one additional Compact in accordance with the requirements of this title if—

''(1) one or both of the Compacts are or will be for purposes of regional economic integration, increased regional trade, or cross-border collaborations; and

''(2) the Board determines that the country is making considerable and demonstrable progress in implementing the terms of the existing Compact and supplementary agreements thereto.''.

(b) CONFORMING AMENDMENT.—Section 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is amended by striking ''the'' before ''Compact'' and inserting ''any''.

(c) APPLICABILITY.—The amendments made by this section apply with respect to Compacts entered into between the United States and an eligible country under the Millennium Challenge Act of 2003 before, on, or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

I would just begin by thanking Congresswoman BASS for her important work on this initiative. I am proud to have been part of the African Growth and Opportunity Act coalition. I have been part of that coalition since 2000, when we wrote the original bill.

I would also just recognize Tom Sheehy for his contribution on this, our professional staff member.

But AGOA allows African countries that respect the rule of law and respect free market principles to export many goods to the United States on a duty-free basis. The program has boosted Africa's economic growth, and especially benefiting women.

I can tell you from my trips there and seeing the results, it has strengthened the trade relationship between the United States and Africa, which is several multiples today of what it was when the bill was originally passed.

When Congress reauthorized AGOA earlier this year, I successfully pressed, along with my colleague Congresswoman KAREN BASS, for a 10-year extension; and this extension will provide

U.S. and African businesses the certainty needed to build supply chains and deepen their strong trade relationships.

□ 1745

I also championed, as well as KAREN BASS, the inclusion of country strategies in AGOA's reauthorization so that African countries could identify and make policy reforms to help them boost trade and take advantage of AGOA's provisions.

This bill, the AGOA Enhancement Act, includes important measures that seek, thus, to improve trade capacity building, to increase the ability of African companies to export to the United States and improve trade facilitation, to help remove the bureaucratic barriers and the needless red tape that thwarts trade.

So this bill would, first, grant more flexibility to the Millennium Challenge Corporation—a U.S. development agency—to support regional efforts to bolster trade; leveraging the Internet so that companies on both sides of the Atlantic can learn about how to utilize AGOA; and foster U.S.-African private sector engagement. It will put the trade hubs online, giving African businesses that are not near the existing trade hubs the information that they need to send their exports to the United States. And, lastly, this bill will increase transparency of the pledges and results made by the U.S. and African leaders at the AGOA Forum, an annual meeting of government and business leaders looking to increase U.S.-Africa trade.

So with these measures, we can help African countries and businesses fully utilize the benefits offered through AGOA.

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

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, September 2, 2016.

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

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 2845, the AGOA Enhancement Act, and for deciding to forgo a sequential referral request on that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 2845 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON WAYS AND MEANS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 6, 2016.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE, I am writing with respect to H.R. 2845, the ''AGOA Enhancement Act of 2015.'' As a result of your having consulted with us on this legislation, I agree not to request a sequential referral on this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing formal consideration of H.R. 2845, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The 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 requests your support for such request.

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

Sincerely,

KEVIN BRADY,
Chairman.

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

I rise in support of H.R. 2845, the AGOA Enhancement Act of 2015. This critical bill complements, supports, and empowers the reauthorized African Growth and Opportunity Act that was passed into law last June.

I want to thank Ranking Member ENGEL, Chairman ROYCE, and Speaker RYAN for their leadership on this.

I also believe in the last piece of legislation I heard the chairman say that Nilmini Rubin is leaving us. I am very disappointed to hear that, but I do want to really compliment her for all of her efforts not just on AGOA, but also on the piece of legislation that we just passed. She will be sorely missed.

I also want to compliment Margot Sullivan, who worked many, many, many hours on AGOA that we reauthorized as well as the AGOA Enhancement Act.

By way of background, AGOA is the foundation of the U.S.-Africa economic platform. AGOA, a trade preference program, can help to grow and stabilize jobs in eligible participating countries throughout Sub-Saharan Africa and in the U.S. AGOA has definitely helped to increase African exports to the U.S., and it has also helped to raise Africa's economic profile in this country.

Further, AGOA has helped maintain and increase employment, generating approximately 350,000 direct jobs and 1 million indirect jobs in Sub-Saharan Africa and approximately 100,000 jobs in the U.S.

With the tremendous potential of a growing middle class in several African countries, plus the growth of regional economic communities on the continent, Africa has become one of the most dynamic global marketplaces. Why? Because each of these regional economic communities encompasses a number of countries that are evolving into regional economic powerhouses with huge markets of millions of upwardly mobile populations interested in quality goods and services.

This is why Sub-Saharan Africa is currently one of the most dynamic global marketplaces. Countries such as China, India, Turkey, and the European Union recognize that doing business with Africa is increasingly critical and good for their bottom lines.

Ironically, most African countries look to the U.S. to play a leading role in trade and investment with Sub-Saharan Africa, yet we hear repeatedly from officials, business people, and academics from the region, that while several African countries do considerable business with other countries, they do so because these countries are seeking to do business with Africa. These same observers note candidly that U.S. products, maintenance arrangements, and capacity building opportunities are by far more superior.

It is with these experiences in mind that AGOA stakeholders in the House under the leadership of Chairman ROYCE and others supported the reauthorization of AGOA last year. This is also why the passage of the AGOA Enhancement Act—which strongly complements reauthorized AGOA—is equally as important.

While the reauthorization is for 10 years, this was a giant step in the right direction. AGOA cannot live up to its full potential or be implemented as effectively as it must be without complementary legislation. AGOA will benefit from this complementary legislation as it has benefited from a host of initiatives such as the administration's signature Power Africa initiative and Feed the Future initiative, just to name a few.

Arguably, AGOA cannot be fully effective without an increase in access to electricity in Sub-Saharan Africa. Chairman ROYCE led the effort to pass Electrify Africa and proactively called for a multi-year strategy to assist countries in Sub-Saharan Africa address the power deficit. Africa's expanding cities and rural areas need access to considerable and reliable sources of electricity.

Feed the Future is also central to building opportunity and development throughout the region. This innovative program helps to support critical food security in several nations by supporting family enterprises and by supporting smallholder farmers. Local farmers are able to lower risks to their farms, increasing yield and productivity and address threats posed by droughts, floods, and other natural disasters.

The AGOA Enhancement Act helps to implement a more effective AGOA as it calls for the administration to establish an AGOA Web site to inform eligible AGOA-participating countries

about critical information and technical assistance. H.R. 2845 also encourages the administration to support regional trade development in Sub-Saharan Africa by facilitating trans-boundary trade and providing crucial capacity building skills for entrepreneurs.

One of the most important aspects of H.R. 2845 was originally a separate piece of legislation that I authored and is now included that enables eligible countries with Millennium Challenge Corporation compacts in good standing to enter simultaneously into one additional compact if the country is making considerable progress toward implementing the terms of the existing compacts. The other piece of this is that compacts can be used for regional economic integration.

An example of MCC projects, I was recently in Liberia, and Liberia has an energy project that totals $201 million that will provide a new hydropower turbine to an existing facility, provide training to Liberia Economic Corporation employees, and help establish an independent regulator.

In summary, by the establishment of an AGOA Web site, the prioritization of capacity training, and by encouraging greater regional economic integration, H.R. 2845 helps to promote and develop a stronger economic relationship between Sub-Saharan Africa and the United States, creating increased jobs and a win-win for both.

Once again, I thank Chairman ROYCE for his distinguished leadership on this crucial issue.

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

Mr. ROYCE. Mr. Speaker, I see the gentleman from New York (Mr. RANGEL) on the floor, also one of the original authors of the African Growth and Opportunity Act, along with Chairman CHRIS SMITH and Ranking Member KAREN BASS, one of the most engaged on initiatives to put Africa on the map for U.S. trade and investment.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Africa, Global Health, Global Human Right, and International Organizations Subcommittee, and I thank him for his assistance with this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Chairman ROYCE for his leadership on AGOA in general. I thank KAREN BASS, who has worked doggedly for years, last year for the reauthorization. I see Mr. MCDERMOTT, who has also been so active over the years on this and critical to its passage at the beginning.

Mr. Speaker, I rise in strong support of H.R. 2845, the AGOA Enhancement Act. When the African Growth and Opportunity Act was enacted into law in May of 2000, it was intended to help eligible Sub-Saharan African countries increase economic growth by providing duty-free, quota-free access to U.S. markets for more than 6,400 items from meats to textiles and apparel, to petroleum, to leather goods. Because there were issues that needed to be addressed to enable AGOA to be more effective as intended, Congress has fine-tuned this important legislation since then and made adjustments several times to facilitate African exports to the United States.

H.R. 2845 is the latest noble effort to make AGOA work for more African producers primarily by enhancing the technical assistance and information provided to African producers, including the establishment of a Web site to provide this information. People need to know what is available and how they can access this important treaty and its subsidies.

The bill further allows for countries with the Millennium Challenge account grants to foster regional economic integration. It also targets inter-Africa trade, which is still less than 10 percent of all Africa international trade.

My colleagues have explained other aspects of the bill in great detail, so I won't be redundant. But extending AGOA as we did in the last Congress was a laudable achievement but will not have the full intended effect if African producers have limited information or abilities to effectively take advantage of international trade opportunity. This is a job creator both in Africa and in the United States.

Mr. Speaker, I thank the chairman for his authorship.

Mr. ROYCE. Mr. Speaker, I also wanted to recognize the gentleman from Washington (Mr. MCDERMOTT). Mr. JIM MCDERMOTT was also one of the original authors of the AGOA legislation. He worked for many, many years to see it come to fruition.

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

Ms. BASS. Mr. Speaker, I have to say that Mr. RANGEL is one of the lions in this House. I have had the honor of serving with him for the last 6 years. He knows I am upset with him because he is choosing to retire. When I came here and really wanted to work on African issues, I sought out those two gentlemen, both Mr. RANGEL and Mr. MCDERMOTT. I knew of their legacy. I knew of the work that they had done. I went to Mr. RANGEL, and I told him I wanted to get involved in the reauthorization of AGOA and would he help me. We sat on the floor over there. He called over a bunch of Members and told them what I wanted to do, and the gentleman ordered them all to help me. We worked on it and were able to get it done.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, as I spend my final hours in this august body, I think of all of the fond memories that I have enjoyed. I guess during these political times, one of the things that I am enjoying the most today is shattering the myth that Republicans and Democrats really can't work with each other.

Chairman ROYCE has indicated a concern for the world and the country, which shatters the myth that parties can't work together for the good of the United States of America. Certainly my colleague from New York, ELIOT ENGEL, and the chairman have proven that in working together.

Yes, when Ms. BASS first came to the Congress, she didn't come as an ordinary freshman. She had earned her stripes in the legislature of California, indeed was the speaker. I was a little shocked when she was trying to get support for her legislative committees that her interests would be foster care and Africa. That is unusual, but it is an indication of a person who comes here to this body with the type of commitment that makes you proud to be a Member of Congress and more proud even to be an American. There could be some connection between foster care and Africa because if there was any continent that has been treated as a foster child, it has been the developing countries in Africa.

Of course, I see an old-timer sitting there with his white hair, JIM MCDERMOTT. I can wonder whether or not as a Peace Corps volunteer in Africa, whether among his fondest dreams, that he would be a Member of the House and creating a climate where people have dignity and pride and be able to be a part of the world rather than just being a resource for stronger countries.

□ 1800

I can think of nobody that has brought more to the committee than Mr. WILLIAMS and Rosa Whitfield in working with Mr. Gingrich, in working with Mr. Crane, in working with Republicans, and how the leadership not only was able to get their sides but to see how the African Diplomatic Corps actually became the strongest lobbying force that we have had in the Congress as they found themselves pioneers in dealing with our great country that they loved so much and really had no understanding of why they didn't seem to be on our agenda.

With AGOA, we knew it was just the beginning, we knew it was an opportunity. We take pride in the success that it has had, but we also know how far they had to come from behind.

This enhancement piece of legislation has a lot of fancy words, but it sends out words to our embassies that this is American foreign policy. You don't just read the words. Make it work. Whether it is with the Millennium Challenge Corporation, whether it is with AID, whether it is giving information, whether it is helping them out, whether it is teaching them to learn, it is bringing them into the international trade.

And what does it do? Is this a bill that just helped people in Africa escape poverty and disease? No. It helps the

United States, and it helps the world. It helps people to be able to trade with each other, to talk with each other, to understand each other, and have compassion for each other. What a wonderful opportunity it is for the United States of America to look at a country that is struggling to enjoy the things that we believe in, to find out that now they don't have to lobby for it. Republicans and Democrats want what is best for the United States of America, and the developing countries in Africa need us so badly.

There are a lot of reasons why I regret that I have to leave the Congress and retire to go back home, but knowing that I leave behind such people who are so dedicated, that are willing to go to the other party and give up a lot of their capital to make certain that the small countries in Africa appreciate the fact that we consider them an important part not only of our trade policy, our foreign policy, but, indeed, the policy of the United States of America.

Mr. Speaker, I thank Ms. BASS for the opportunity to express myself on this most important issue. And I thank JIM MCDERMOTT, who will be leaving—I don't know whether he is going back to Africa, but he won't be going back as a Peace Corps volunteer, I will tell you that. I thank him for his friendship.

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

Ms. BASS. Mr. Speaker, as I mentioned before, I have had the honor of serving with Mr. MCDERMOTT for the last 6 years, knowing that he was a Peace Corps volunteer in Africa. He was the one that led the effort around conflict minerals, something many people were concerned about in the country. They even made movies about the subject and all of the havoc that was wrought in many African countries because of conflict minerals. And also my work with him on child welfare issues and his legacy on both of those issues.

I yield 5 minutes to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, it is kind of awesome to become a myth in your own time. I was not a Peace Corps volunteer. I was in Africa in 1961 before the Peace Corps ever existed. When we were in Ghana in 1961, the first Peace Corps volunteers arrived, so I was there when it all started.

I also want to remind you—when you know the history of something, it is kind of interesting to listen to it—this started in 1995. We put a bill in and, actually, Speaker Gingrich got it out of the House. It passed the House in 2000. We couldn't get it through the Senate. It had to come back under Mr. Bush. Then we finally got it through the House and the Senate, and it became law.

It has been an issue that everyone recognizes something needs to be done. As I look at this bill today, I read some of the language that the President is directed to provide training for business and government trade officials, provide capacity building for entrepreneurs and trade associations, and promote diversification of African products.

Now, I don't know how many bills I have seen that in. What is missing here, unfortunately, in my view—I am going to support the bill, and the ideas of it are great, but what has been missing ever since 1995 or 2000 has been a commitment of the resources to actually help the Africans figure out how to use our system.

I can give you one example. There are shrimp all over the coastline. Now, why don't shrimp from Africa come into the United States? Because they can't pass the phytosanitary rules of our government. We won't let food come into this country that we think will be problematic for our people. So if we are going to actually help the Africans—we tried several times to get the Department of Agriculture to base people in some of the places along the coast, Senegal and some other places, in order to give them the instructions necessary to be able to bring those products in. What I hope will happen—and CHARLIE RANGEL and I are going to leave the scene, and we did everything we could during the time we were here—for the rest of you, you have got to put some money in, put some money down on the ground.

I had a project in one of the bills. Lions are a huge issue in Africa. If you want to have lions, and you want to have people go out and hunt them, well, if you kill a lion, it is only worth $800. But if you leave a lion there for tourism purposes, it is worth $50,000. So we have encouraged these countries to get the poachers to become game wardens and the women to run B&Bs out there, so we would have tourism which would bring foreign exchange into Africa to give them the ability to invest and do more.

An epidemic of tuberculosis occurred in the African lions. There were only two people in all of Africa who had ever dealt with a big game animal, so we thought, let's start a school; we will start a veterinary school. We couldn't get the money. There are a lot of things that we could do with very small amounts of money in terms of helping them develop the capacity because the bill is filled with this capacity building. Give them the opportunity to develop capacity.

But sometimes it takes a small investment on our part, and that is really what I hope will come. Maybe the bill will pass and then we can get a little bit of money into the Foreign Operations appropriations act and use it for that kind of program.

I think this is a work in progress. It won't be done when I leave and CHARLIE leaves. I remember the first meeting CHARLIE and I had with the ambassadors from all of Africa. Nobody thought that it would ever happen. So we called them all up and said: Do you want to trade or do you want aid?

They said: We want trade.

We said: Okay. Come in here, in the office, and sign a paper.

We got them to sign a paper where they all asked the President of the United States to give them a trade act. That is the only time it has ever occurred around here that I know of.

So it has been there, and it has gradually developed, but more slowly than it could have. I hope that we will pass it and the message will get to the appropriators that a little bit of money could make this go a long way.

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

Ms. BASS. Mr. Speaker, as Mr. MCDERMOTT leaves, I will take his comments as my marching orders for what I am supposed to do in the next session, so I thank him very much.

I would urge my colleagues to support H.R. 2845.

I yield back the balance of my time.

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

In closing, I have been to the factories across Africa, and I have seen the women employed. I have seen how AGOA is improving economies in Africa. AGOA is making a difference and could have even more impact on the continent if the measures included in this AGOA Enhancement Act are implemented.

This bill improves how we offer assistance through the Millennium Challenge Corporation to increase the ability of people in Africa to trade, and helping cut the bureaucratic barriers and needless red tape that thwarts trade.

This bill helps unlock the potential of AGOA so that people in Africa can strengthen their markets, and so Americans can improve trade relationships with countries in Africa. And yes, it has been slow going, slow progress. We have gotten a few more staffed positions from the U.S. Department of Agriculture, a few more ag inspectors positioned there. And JIM MCDERMOTT is right, we need to do more. We have been slow going, but we have more foreign commercial service officers now in these positions in AGOA.

In 2 weeks' time, we will have the AGOA forum. We will again be bringing these issues up. In the following session, the effort will continue, as JIM MCDERMOTT laid it out, to see this through and to try to make AGOA as effective as we possibly can. In the interim, this legislation is a big step in the right direction.

I really want to thank not only Congresswoman KAREN BASS, but also my colleagues from their original efforts, CHARLIE RANGEL and JIM MCDERMOTT, and urge a unanimous vote, again, in support of the extension of AGOA.

I yield back the balance of my time.

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

ROYCE) that the House suspend the rules and pass the bill, H.R. 2845, as amended.

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

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

SEPTEMBER 7, 2016.

Hon. PAUL D. RYAN,
Speaker of the House, United States Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 4(a) of the John F. Kennedy Centennial Commission Act (P.L. 114–215), I am pleased to appoint The Honorable Joseph P. Kennedy III of Massachusetts to the John F. Kennedy Centennial Commission.

Thank you for your consideration of this recommendation.

Best regards,

NANCY PELOSI,
Democratic Leader.

□ 1815

FEDERAL LANDS POLICY

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

Mr. GOHMERT. Mr. Speaker, our Natural Resources Committee—and great work from the Natural Resources Committee's staff—has been trying to get a handle on just how much land the United States—the Federal Government—has taken over.

West of the Mississippi, it is absolutely extraordinary. Now, we have heard in recent months and over the last few years of incidents in which landowners, according to the media, just went off and did something crazy, overreacted—maybe had a gun—but it bears looking into what the Federal Government has been doing to the landowners, to the local governments, to the State governments in the Western United States. Our committee has been able to pull together maps that show just how much Federal Government property we have.

On this, we have the Bureau of Indian Affairs showing in these burgundy, or maroon, areas. These are areas in the West that the Bureau of Indian Affairs is in charge of.

When we look at the next map here, added to that of the Bureau of Indian Affairs, we have the Bureau of Land Management. Those are these areas here, the pale color, the soft orange. It is 247.3 million acres. That would be larger than Arizona, plus Iowa, plus Colorado, plus Nevada all put together that is owned by the Bureau of Land Management—those are all of these kind of light orange areas—all the way up here, into Montana. It is just extraordinary, when you look at Nevada, how much land the State of Nevada and the citizens of Nevada control and how much the Bureau of Land Management controls. Absolutely extraordinary. We run into the same thing here just north of California and getting into Oregon and over into Idaho, Colorado, Wyoming. It is just incredible.

Then the U.S. Fish & Wildlife Service gets some of their land in here. Then you also have the United States Forest Service. Those are these green areas. They have got a lot of California, a lot of Oregon, Washington, Idaho. You have got Montana, Wyoming, Colorado, right on down. You have got even Arizona and New Mexico. Extraordinary. That is this light green area. Then you have the national parks.

Oh, by the way, the Forest Service has 197.1 million acres. Twice the size of Montana is what the U.S. Forest Service has. The U.S. Fish & Wildlife Service has 89.1 million acres. That is larger than Utah and North Carolina put together. The national parks have 84 million acres. That is larger than New Mexico and New Hampshire put together. Then there are other agencies. We add on the Department of Energy, the Department of Transportation, the TVA, the Bureau of Reclamation—extraordinary.

When you look at how much land is white—meaning that belongs to State, local, or private owners—and how much is owned by the Federal Government, you begin to think, perhaps, the Soviet Union didn't disappear and that the Soviet Union is now in the Western United States when a government controls that much of what used to be private property, much of it.

We look at the next map, and we are adding on another overlay. With this one, we have the endangered species' critical habitat. That is for 704 species of plants and animals. I know, in my district, we have two plants that grow wild, and they are all over the place. They were notified that they are now listed as threatened, and my local governments are already suffering because of the Federal land, the national forests. They get no tax money. They are not getting revenue. The Federal Government is not producing the renewable resource of timber off of them anymore. Then they get notified that they have got a couple of threatened plants with critical habitats there.

The local government was saying: Wait a minute. These things are everywhere. These plants are all over the place. Look, we have got pictures. They are all over the place. You can find them anywhere.

What does the Federal Government say?

Yes, but we have a scientific study that says they are threatened. We don't care if you have got pictures that show they are everywhere. That is not scientific, because we had somebody in a cubicle in a little office, who never went to those areas, and he says they are threatened, so we are going to say they are threatened. You people who live in that area and who took pictures of them everywhere must not know what you are talking about.

Wilderness areas, we have got 765 wilderness areas on Federal land. That is 109 million acres in 44 States. Then we have the Clean Air Act and Class I areas also added in here.

Then, on our last map here, we have added on the wetlands—110.1 million acres are subject to section 404 regulations of the Clean Water Act—and marine protected areas. There are 13 marine sanctuary areas in more than 170,000 square miles of waters. Then you have got the Outer Continental Shelf at 1.712 billion acres.

We will add this additional map. We have added Wild and Scenic Rivers. There are 12,709 miles of 208 rivers—amazing—that are managed by BLM, the National Park Service, the U.S. Fish & Wildlife Service, and the Forest Service. Then we have 49 heritage areas in 32 States. It is absolutely extraordinary. When you look at all of the overlays of federally owned controlled land, there is just not much left there.

Now, I love the idea that our chairman, ROB BISHOP, had for a bill. How about if we don't allow the Federal Government to get any more land—to take over any more land—west of the Mississippi until 10 percent of all of the land east of Mississippi is owned by the Federal Government? That might slow things down with the people who are east of the Mississippi starting to have to lose their private property as the Federal Government takes up more and more.

I am pleased to be joined by the gentleman from California. He knows California as well as anybody in the country, certainly better, probably, than the current Governor. I yield to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding, and I particularly want to thank Congressman GOHMERT for organizing this discussion on Federal lands policy and for his highlighting of the Federal Footprint Map.

You can find that at naturalresources.house.gov/federalfootprint or just Google ''Federal Footprint.'' When you do, you will have a complete picture of how much land the Federal Government owns and how much of your State and your community is affected. It may surprise you.

For example, the Federal Government owns just seven-tenths of 1 percent of the entire State of New York. It owns just 1.1 percent of the State of Illinois. It owns just 1.8 percent of the State of Texas; but then go further west, and you will see the reason for the Western revolt. The Federal Government owns and controls 62 percent of the State of Alaska. It owns and

controls two-thirds of the State of Utah and 81 percent of the State of Nevada. In my home State of California, the Federal Government owns nearly half; 48 percent is Federal land. In one county in my district, Alpine County, the Federal Government owns 93 percent of the land.

If you are not from one of the Western States, you need to understand what that means. That is all land that is completely off the local tax rolls. That is land that carries increasingly severe restrictions on public use and access, which means it is generating very little economic activity to these regions; and, often, Federal ownership means that Federal land use policies are in direct contravention to the wishes of the local communities that are entangled with it.

Recently, the Natural Resources Committee held a field hearing in north Las Vegas at the request of Congressman CRESENT HARDY. Now, if you have ever flown into Las Vegas, you know how vast are the empty and unutilized lands of Nevada, stretching as far as the horizon. Yet the local leaders there all complained of how the region's economy suffers from a great shortage of land—land for homes and shops, for businesses and infrastructure. What an irony and what a commentary about the harm that is being done by the decisions of our Federal land managers.

More than a century ago, we began setting aside the most beautiful lands in the Nation for the ''use, resort, and recreation'' of the American people. That was the wording of the original Yosemite Land Grant that was signed by Abraham Lincoln in 1864; but somewhere along the way, public ''use, resort, and recreation'' became ''look, but don't touch,'' and the Federal Government became indiscriminate and voracious in the amount of land under its direct control.

As I said, my congressional district is in the heart of the Sierra Nevada. Common complaints from my constituents and from local government officials range from abusive Federal regulatory enforcement to inflated fees that have forced families to abandon cabins they have held for generations, exorbitant new fees that are closing down long-established community events, road closures, and the arbitrary denial of grazing permits for family ranchers who go back generations on that land. A small town in my district that is trying to install a $2 million spillway gate for their reservoir was just given a $6 million estimate from the Forest Service just to relocate a hiking trail and a handful of campsites.

Let me relate one quick story of what it means to be entangled in this Federal morass that came to me from the sheriff of Plumas County, which is just outside of my district.

An elderly couple goes horseback riding near their home. They come across an old horseshoe. The wife picks it up, and an ambitious, young Forest Service official saw her pick it up. The next thing they knew, six armed Federal law enforcement officers descended upon their home. They tore it apart and, ultimately, prosecuted this elderly couple for removing the horseshoe, charging them criminally with stealing from the Federal Government. Ultimately, the Federal judge dismissed the charges and chastised the officials who were responsible for this travesty, but only after this couple had gone through hell.

Ask yourself how your local economy would fare if the Federal Government owned 93 percent of the land in your county, forbade or greatly restricted any economic activity on it, and ignored the pleas of your local city council or county board.

□ 1830

In my district, the Federal Government consigned our forests to a policy of benign neglect. We now have, roughly, four times more trees per acre than the land can support. In this overcrowded and stressed condition, the trees can no longer resist the drought and beetle infestation. Today, an estimated 85 percent of the pine trees in the Sierra National Forest—that is adjacent to Yosemite National Park—are dead. And I am talking about Christmas-tree-in-July dead just waiting to be consumed by catastrophic fire.

The National Park Service estimates it is facing more than $12 billion of maintenance backlog, yet we keep adding to the Federal holdings that we can't take care of now. That is why the Federal footprint map is so important to understand and why fundamental reform of our land use policy is of paramount importance.

Now, the Federal Lands Subcommittee has three principal goals: to restore public access to the public lands, to restore sound management to the public lands, and to restore the Federal Government as a good neighbor to those communities most impacted by the Federal lands. But overarching all of these imperatives is the simple fact that excessive Federal land ownership in the West has become a stultifying drag on our economies and a direct impediment to our ability to take good care of our public lands.

I thought Congressman GOHMERT put it best in a subcommittee hearing we held almost 2 years ago now when he compared the Federal Government's land use policies to the old miser whose great mansion has become the town eyesore—overgrown with weeds, paint peeling, roof dilapidated, broken windows—while the old miser spends all of his time and money plotting how he can buy his neighbor's land.

There needs to be a proper balance between Federal ownership, State and local stewardship, and the productive private ownership of the lands. One look at the Federal footprint map should warn even the most casual observers that we have lost that balance and that we need to restore it.

I, again, thank the gentleman from Texas for organizing this time today and for yielding time.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from California (Mr. MCCLINTOCK) so much for his in-depth observations.

I yield to the gentleman from New Mexico (Mr. PEARCE), who knows a great deal about this situation.

Mr. PEARCE. Mr. Speaker, I thank the gentleman from Texas. Again, I appreciate the comments of the gentleman from California.

I am sure most of you have seen this chart, but the color red designates the Federal ownership of land. So you can see some of the statistics that were quoted by the gentleman from California that, in the Eastern part of the U.S.—and it begins at New Mexico, Colorado, Wyoming, and Montana—is where the great mass of Federal lands come into play. You might ask why?

These are the States that came in after Teddy Roosevelt was President. So in the early 1900s, he began the policy of holding many of the lands that were supposed to be given back to the States. He wanted the large national parks that we were many times enamored with, the large national forests. But they go beyond that. And that going beyond, that holding of land that has productive use but will not be used productively by the government, is the great source of economic problems in the West.

Now, in New Mexico, which is the State here, we have many national forests in the areas covered with red. At one point, New Mexico had 123 mills that were processing timber that were cut out of our national forests. So 20 or 30 years ago, the Fish and Wildlife Service said that we have to protect the spotted owl and logging is the problem. They killed 85 percent of the timber industry nationwide. They killed those jobs nationwide.

In New Mexico, of the 123 mills that we had processing timber at one point, we have closed 122 of them. So imagine these rural communities up in the mountains of a sparsely populated State, they have no economic basis now that the Forest Service has shut these mills down. By the way, about 3 years ago, they came out with a finding that logging was never the problem.

So economic devastation occurred in the areas where the national forest had stopped all logging for a lie that had come from the Fish and Wildlife Service. So people in the West are understandably irritated, they are angry, and they are mad because their way of life has disappeared in these logging communities. But it goes much further beyond that.

A couple of years ago, the Forest Service took a look at the grazing allotments in one of the forests and said: ''Oh, we have got to eliminate you 17 ranchers.''

We asked later if they would show us the science which said they have to get

the people off. They showed me a picture of an orange, 5-gallon can turned upside-down in the forest and said: ''Look, the grass height is not high enough.''

I began to ridicule their orange-bucket science in public. It embarrassed them tremendously. Meanwhile, we asked the scientists at New Mexico State University to come and study the grazing and the height of the grass, and they said it is probably at historic heights.

So we got involved in the issue. All the ranchers were eventually reinstated into their allotments, but these are private property rights. The allotments are things that have been purchased and sometimes passed along from generation to generation.

Those private property rights, constitutional rights, were removed with no reason, with no understanding of what they are doing from a Forest Service that was arrogant with its power.

Again, you see the effect on our economy. New Mexico is one of the lowest economies in the U.S.'s 50 States. So to find the U.S. Government at odds with the jobs in the State in this rural area just does not make sense to most people. So you find this budding anger across the entire West because the same policies affect everyone out there.

Right now, we have a situation where one family has been fighting the U.S. Forest Service for their water rights. The court said the water rights belong to them. The Forest Service responded by putting a fence around the 23 acres. And they said: ''Well, it may be his water, but it is our 23 acres surrounding the water.''

The rancher went back to the courts. The courts said, over a period of time, he does not have a right to walk his cows on their 23 acres, but he does have the right to move the water from the 23 acres to his cows. The Forest Service responded by electrifying the fence.

Now, our office has been engaged for 12 years trying to get some reasonable understandings between the rancher and the Forest Service, but it, again, is this arrogance that is willing to drive one of the largest ranchers in that area out of business over something that is, to most people, not understandable.

We continue to analyze the effect, again, of these big red areas in our States. And at the end of the day, the most pressure is put on the Western schools. Now, the gentleman from Utah (Mr. BISHOP) has done a magnificent study showing that the schools in these States are 20 percent below in funding all of the States in the rest of the country.

So at the end of the day, the problem beyond the tax base, the problem beyond the jobs, the problem is in our schools that are starved for resources because we have no tax base on which to fund the schools and which to fund the local governments. So as you look at these footprints of the Federal Government ownership in the West, understand the trauma that it brings to us in our schools, in our jobs, and in our way of life.

It is time for the U.S. Government to change its policies. It is time for the U.S. Government to begin to deal with the fact that people need to raise families in rural States, they need the access to good schools, and we need to be able to access the land which they are currently curtailing at an amazing rate. So that is the perspective from New Mexico on the ownership of Federal lands.

Again, I thank the gentleman from Texas (Mr. GOHMERT) for his leadership on this issue. I thank him for the time that he has yielded to us on this particular subject matter. I would, again, state that we can do better and we must do better.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from New Mexico (Mr. PEARCE).

So often we hear from people here on this floor from the other side of the aisle talking about how much they care about the children, for the children, for the children. And I know, in my district, we have counties that have national forests. There is no tax base, as Mr. PEARCE points out.

You can't tax it when they are not producing the renewable resource of timber. These aren't sequoias. These are not redwoods. These are just pine trees that grow back every 15 or 20 years or so. And the schools are hurting, the local governments are hurting, but the children suffer because of the Federal Government's usurping the land, failing to utilize it, and leaving people high and dry.

We had a hearing. I learned a lot, and I was pleased that my friend, Mr. HARDY, had requested the hearing because I learned a lot.

I yield to the gentleman from Nevada (Mr. HARDY).

Mr. HARDY. Mr. Speaker, I thank the gentleman from the great State of Texas for yielding me the time.

Nowhere are the challenges of the Federal land mismanagement more evident than in Nevada, where more than 85 percent of our State is controlled by the Federal Government. Land management is an issue that affects all Nevadans, both urban and rural. That is why I was proud to have the opportunity to hold a Natural Resources Committee field hearing in my district examining the unique challenges facing southern Nevada communities.

At the hearing, we heard from local agencies, a nonprofit organization, a university professor, a private sector trade association, and the Federal Government. By bringing all of these different stakeholders to the table at once, one thing became abundantly clear: the status quo Federal land management isn't working, and we need to do something about it. If we fail to act, we will not only harm the quality of life for our constituents, but we will also be endangering the public safety.

I would like to highlight a few examples that were raised at this field hearing and expose the stark reality.

First, we had a chief engineer for the Clark County Regional Flood Control District testify that erroneous BLM requirements prevent the county officials from removing excess sediment and debris from detention basins after desert flash floods. It is amazing that you would have to ask the Federal Government to return to clean out debris where you have already done EISes and NEPA reports; that you can't go remove it before the next flood comes.

Anybody that knows the desert southwest knows that we don't get much rain, but when we get it, we get it all at once. In our area, we can have 3½ inches of annual rainfall, but it can all come in a couple of floods. And if we don't get those detention basins cleaned, we have the stark reality of shirking the responsibility of local governments and the county governments by protecting for the life, safety, and health of the citizens that are the taxpayers.

He also stated that these aggressively lengthy and convoluted Federal processes poses a significant public safety issue in the event of future floods.

Next we heard from a board member of the Opportunity Village, a community organization that serves thousands of people with intellectual disabilities. She emphasized the need of making affordable land available for important public purposes, including those carried out by qualified nonprofit organizations. According to her testimony, the fundraising dollars of charitable community organizations would be better off spent applied directly to their mission and the people they serve instead of going into the coffers of the Federal bureaucracy. Unfortunately, these charities are forced to expend their limited dollars to acquire the land from the Federal Government.

So you see that the current Federal land management is preventing communities like ours in southern Nevada from carrying out some of their most important responsibilities, like public safety and helping individuals with disabilities.

Those of us on the committee, including my colleague from Texas, firmly believe that there is a better way forward to protect our public lands and natural heritage while allowing the communities to thrive. If we want to grow and diversify our economy to support a growing and diverse population in Nevada, we cannot afford to stand still. As Nevada continues to change, so, too, must our land management.

Mr. Speaker, I thank the gentleman from Texas for leading this important conversation on the Federal footprint out West.

□ 1845

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from Nevada. It was quite a learning experience, and it was

amazing to hear testimony about the Federal Government not only not being helpful when ditches needed to be cleaned out to prevent massive flooding problems, but actually being a bigger problem than the floods themselves.

At this time, I yield to the gentlewoman from Wyoming (Mrs. LUMMIS), my dear friend, who is going to be severely missed come next year.

Mrs. LUMMIS. Mr. Speaker, I thank the gentleman from Texas. Texas is a State that has very little Federal land. And the fact that he took the reins as subcommittee chairman for the Committee on Natural Resources Subcommittee on Oversight and has taken such an active interest in this issue is something for which those of us from the public lands States in the West are very grateful. Thank you very much, Mr. GOHMERT.

Now, what does this mean on the ground? What we have told you tonight is roughly 640 million acres of this country, or about 30 percent—1 in 3 acres in this country—are owned by the Federal Government. So we have gotten that far.

We have also told you that there are a variety of Federal agencies that own this land. The biggest one is the Bureau of Land Management, BLM, which is under the umbrella of the Department of the Interior. The BLM manages about 250 million acres, and 99.9 percent of that BLM land is in the 11 Western States and Alaska.

So this is an agency that really doesn't deal with 38 of the States. It only deals with 12. But those States are so dramatically affected by this agency, if you combine those 250 million acres, roughly, that BLM manages, that is like the States of Colorado, Arizona, Nevada, and Iowa combined. It is a huge geographic area.

It is not taxed. It is off the property tax rolls. So that is why our schools and other public services in our 11 Western States and Alaska are so impacted by the presence of BLM land. We are given payments in lieu of taxes, but they are not the equivalent of getting taxes, and they are certainly not something that we can count on every year. Some years Congress gives PILT money and some years it does not, so it is not a reliable source of revenue for these States. Yet they are tremendously impacted by these lands.

The science has changed so much, but our statutory scheme in managing these lands has not caught up to the better science that we have today. For example, let's look at this picture. I hope you can see it from where you are sitting. Some of the brownish areas are land that has not been logged. The trees are clogged close together. They have small diameters. They are competing for moisture, for root space, for the nutrients in the soil. Because they are so crowded together, they become less healthy. Bark beetles and other forest killers are killing them out. So what you are seeing here in the crammed areas is unhealthy forests that have not been logged.

Now, what you are seeing in these green, beautiful areas has been logged. So what has happened there? There has been selective logging. It has been done with the natural contours of the landscape. It has been done in the high ground, so you can keep some high mountain meadows that help keep snow and a source of grass growing below the tree canopy for wildlife, hopefully keeping them in the high country longer in the year. Furthermore, those trees can breathe; they are better resistant to disease; they are healthier and better resistant to fires.

One of the big consequences of having overcrowded, unhealthy, unlogged forests is these massive wildfires that we have been having these last few years. That is bad public policy that was probably generated by people who were well intentioned, who thought that we were overlogging, so their viewpoint was to quit logging, when, in fact, that made matters worse. Instead of quitting logging, we should have been more selective and more careful using silviculture techniques and horticulture techniques that have been proven in the 21st century.

Let's look at grazing, which is a more common use of BLM land. What we have found—and I strongly encourage you to go listen to this TED Talk. If you have ever listened to a TED Talk, this is one of the best ones I have ever heard by a man named Allan Savory. So get on TED Talks, go to Allan Savory, and you will finally understand what I have been saying here for 8 years about 21st century grazing practices.

As it happens, Allan Savory, who is probably the preeminent global expert on grazing, has his ranch in Zimbabwe, and the areas that he was working in Zimbabwe were horribly, horribly eroded. They attributed it to overgrazing. They were worried that there were too many elephants, so they did a massive killing off of thousands of elephants, only to find out that was not the cause.

When they changed their grazing practices and put four times as many split-hoofed animals, meaning cattle or sheep or goats, on that land and herded them, it actually made the grass healthier. Grass grew back in stronger stands of grass. They sequester more carbon, so it is good for carbon capture and sequestration, and the grass stands were healthier. Eroded draws healed up; the grasses came back.

These practices were brought to the United States. Interestingly, my family purchased some land on the ranch next door to us that had a Savory grazing system on it. It had 2,600 acres that were divided into 16 smaller pastures, with the water source in the middle, and we would move our cattle among these 16 small cells; and you would put all of them in one cell for a very short period of time, maybe 10 days, and they would graze that grass down to the nubs.

They would eat the grass that was more palatable, but they would also eat the noxious weeds, and then you move them. So you continue to move them among these 16 cells on 2,600 acres. As we grazed that way, we found out that healthy stands of grass, palatable grass, good buffalo grass, short grass, prairie grasses were thriving. The noxious weeds were declining. The eroded draws were healing. There was more opportunity to sequester carbon.

When you concentrate cattle into those small areas, their manure becomes a tremendously valuable source of fertilizer. The grass stand is healthier. This process was proven in Africa in grazing, and it is being done successfully all over the United States. Please go to the Allan Savory TED Talk. You will understand what I am saying. What he shows on that TED Talk, I have experienced on my own land.

We should be doing that on BLM land. We have BLM land that is overgrazed, and some people come here to Congress and say, well, if you would just take cattle and sheep off the public lands, it is just being overgrazed, then we can have as many wild horses as we want. The problem with that is, wild horses have a solid hoof, so when they pound the ground with their solid hoof, they are compacting the soil. When it rains, it runs off instead of seeping into the soil.

If you put cattle, goats, sheep, elk, deer, moose that have split hooves on that ground, they actually knead the soil with their hoof action, and it develops an opportunity for more of that rain to seep into the ground. It is a better grazing ungulate. We have learned all this recently. This is not 21st century science. This is late 20th century and now 21st century science.

The problem is our statutes were passed in the 1970s when the thought was we should concentrate power and authority and public input into Washington, and we should make these grazing policies and forestry policies out of Washington because the people in the States can't be trusted. They will overlog, and they will overgraze to line their pockets. You know, it is just not true anymore, but our statutes are stuck in a 1970s command-and-control scheme.

So we need to update our statutes to reflect our greater understanding of logging and grazing and how mankind can actually benefit and sustain these resources and improve these resources well into the 21st century. We owe it to our children and grandchildren.

I thank Mr. GOHMERT so much.

Mr. GOHMERT. I thank my friend from Wyoming. Well-made points. When you look at Wyoming on the map and you see just how much of it is colored, meaning how much is controlled by the Federal Government, how much is owned by the Federal Government—I think about the movie where one lawyer got upset because the judge kept interrupting, and the lawyer ultimately says: Well, Judge, if you are

going to try my case, just don't lose it for me.

I think about that with regard to the Federal Government taking over all of this land. If you are going to take over our land, Federal Government, at least just don't ruin it, which has been going on. In fact, what we have seen with the fund that has been used by the Department of the Interior to acquire more and more land, I think we may be $9-, $10 billion behind in upkeep and maintenance of our national parks. Our Federal properties as facilities are declining. Where they are not getting proper repair, it is like, as Mr. MCCLINTOCK mentioned, all they can see is, wow, we have got money, let's get more land and more land and more land, and they are not properly taking care of what they have.

At this time, I yield to the gentleman from California (Mr. LAMALFA). He knows all about the problems the Federal Government continues to create and aggravate.

Mr. LAMALFA. Mr. Speaker, I really appreciate my colleague, Mr. GOHMERT, once again for yielding to me on so many of these important topics that we have worked on together during my relatively short time here.

This, of course, is very key to all of us in the West, and the reality of which needs to be pressed upon all the people of the country and all of our legislative colleagues across the country, especially on the East Coast that really can't quite fathom how far-reaching this is in Western States. So it is really a pleasure to be able to join with my other Western colleagues and Mr. GOHMERT who have spoken here tonight.

We need to raise the awareness of yet another new map being released by the Committee on Natural Resources. Now, the map I am illustrating here, this actually breaks it down into a smaller size. This is the First Congressional District of California, this being Oregon up top and Nevada on the side, where you have that top corner there, which is part of a State that is owned approximately 45 percent by the Federal Government—actually, not by the Federal Government. It belongs to the people. It is the public's land. Our neighboring State, Nevada, is approximately 84 percent Federal land.

We know how poorly they are managed as we watch them go up in flames each summer. The visible result is that millions of acres in the West burn each year. The amount of timber and fuel reduction is done. You see most of that is done on private lands where they can actually go out and have the incentive to take care of their assets versus the other side, with U.S. Forest Service and BLM and others that don't seem to be able to get out of their own tracks on the issue.

For example, last year, 576,000 acres of Federal land burned in California—this is the public's land—about 1.3 percent of all Federal land in the State. Even worse, fires which began on national forest lands burned hundreds of thousands of acres of private and State land as well where, as part of the strategy, the Federal Government was even resorting to a backfire-setting strategy on private lands, as they are doing right now to let it burn its way out. This happened partly up in my district in Siskiyou County right now, thousands of acres of private land backfired.

We know that the Forest Service and National Park Service alone have a deferred maintenance backlog, by their own estimate, of over $16 billion—$16 billion that would have to come from the national Treasury. Yet both agencies are continually attempting to acquire even more land.

□ 1900

The result, of course, is that these agencies' funds are stretched more and more thinly, making the backlog even worse. At the same time, they are also complaining that, with the increased amount of fire suppression, the costs have shifted for the Forest Service from one-third of the budget just a few years ago to, now, two-thirds of their entire budget for fire suppression, making it harder for the things they should be doing, with getting out harvest permits and doing their other green work during the nonfire season. That doesn't happen anymore.

Another impact of Federal land acquisition is to deny the local governments the property tax revenue they would receive and generate and deny the rural communities the jobs and economic activity that responsible timber, ranching, farming, and mining operations would generate.

Thanks to Federal land acquisition and this administration's refusal to properly manage national forests, rural communities are heavily reliant on the secure rural schools fund, a program the Federal Government funds to help local schools, police, and local infrastructure, to the tune of about $285 million last year. Counties are also heavily reliant on the PILT fund—payment in lieu of taxes—to the tune of about $450 million last year.

In both cases, local governments have less funding than if they were simply allowed to have the functioning economies that Federal regulations have destroyed. Both of these funds are something we have to fight for each budget year to make sure they stay in place, because people seem to forget these are backfills for what has been taken away from rural communities and rural economies.

These rural economies don't want handouts. They want to have the opportunity to be self-sufficient, while not having to come begging for PILT funds or the secure rural schools fund. This means jobs for these economies, for these local areas, versus high unemployment and the social ills that come from an economy that has now disappeared, the social ills that affect families and affect homes, that affect local government and what you have now with the issues of people who are now basically in depression. More domestic violence happens because they don't have a job anymore.

However, the Federal footprint isn't limited solely to federally owned land. The map identifies not just land owned by the Federal Government, but also areas with restrictions on human activities due to Federal regulations.

As you can see, between national forests and other Federal public lands and areas under critical habitat, wetland, or other restrictions, economic activity is restricted in the vast majority of my district. These colors in green and orange are pretty much dominated by Federal land ownership or, supposedly, stewardship. The areas in white are where the offers are still for people in private areas to carry out economic activity.

You can see from the color of that map that there are not a whole lot of options left. Indeed, by the time they establish wildlife corridors and more and more of these things that are in the plans, you can see our options are going to be just about zero.

This means that local voices, once again, are ignored. Communities have little recourse when Federal agencies arbitrarily decide to close roads, limit economic activities like hunting, fishing, hiking, what have you, and expand their reach through regulations and habitat designations.

Rural Sierra Nevada communities have long been told by environmentalists that they must shift to a tourism economy now that Federal and State restrictions have nearly killed the timber and mining industries in those areas. But what happens when the same environmental agenda, extended in the form of critical habitat and other designations, even damages the fledgling tourist economy that they want to promote for these communities?

The Fish and Wildlife Service recently bent to the demands of extremist groups and listed the Sierra Nevada yellow-legged frog and the Yosemite toad under the Endangered Species Act, affecting much of this area on the east side in my district and extending down into Mr. MCCLINTOCK's district south of mine there.

During this process, my colleagues heard from many people in the several public meetings that Mr. MCCLINTOCK and I had on this very subject a couple of years ago. We wanted the public to be able to be part of this process to ensure that the Service heard the concerns of our constituents directly.

The Service's initial habitat maps were riddled with obvious errors, like the inclusion of parking lots and other areas which contained zero amphibian habitat; and over 20,000 public comments were submitted, which were overwhelmingly opposed to the designation of this so-called critical habitat.

However, when the final designations were released just a few days ago, they

differed little from the initial maps. Nearly 2 million acres of Sierra Nevada, all down the east side of California—about half within my district, the other half pretty much all within Mr. MCCLINTOCK's district—were designated as critical habitat.

Again, throughout this process, the Fish and Wildlife Service claimed there would be no negative impacts to Sierra communities. We learned that claim to be false almost immediately.

For years, a race called the Lost Sierra Endurance Run, a 50-kilometer, has been held on existing trails and roads throughout the town of Graeagle in Plumas County, California. Run by a local small local nonprofit, the race generates thousands of dollars for trail maintenance and has a significant economic impact on a little town know as Graeagle, with local hotels, restaurants, and shops benefiting from the visitors the race draws to the area, as well as people being able to enjoy the outdoors and see what their public lands are all about.

However, last year, before the critical habitat designation was even complete, the nonprofit was told they would need to pay to conduct a study on the impacts of the race on the yellow-legged frog—an impact study. Federal agencies were concerned that runners using existing trails might negatively impact the frogs.

The study the Federal agencies demanded was costly enough to more than wipe out any proceeds from the race, and the organizers were forced to cancel it. Not only would runners not be visiting the area, but now, trail conditions will deteriorate without the funding the race generated. Yes, the funding that the race generated was there to help keep the habit and the trails maintained.

This is the second year that the race has not occurred, and it is likely that it, with the visitors it brought to the area, is gone permanently. What is next? Limits on walking through the area within a critical habitat?

Colleagues, it may sound absurd, but Federal agencies have already expressed concern that running within this designation could harm frogs. Imagine all the other activities—using off-road vehicles, hunting, fishing, camping, bird watching, hiking—that agencies likely view as dangerous to frogs.

As we watch the West burn this time of year, we observe the failure of Federal ownership and nonmanagement of the public's lands.

Compare private timberlands versus the public. Private is fire-resistant and healthy, by and large, where they are able to manage their own lands. You can fly over it and see the checkerboard pattern of public versus private. Before a fire, you see it being managed. After a fire, you see the private lands, where they go back out there and get the lands re-covered and replanted again. Public land sits there with a bunch of snags, dead timber, brush growing up, and becomes the next tinderbox in 5 or 7 years.

Indeed, the damage from these massive fires we have these days, these catastrophic fires, isn't just to the trees. It is to the habitat, to the wildlife—the very habitat they are fighting against us on.

When you have these devastating fires, the next winter, what do you get? Ash and silt all washing down into the creeks, streams, rivers, and lakes, making it bad for the fish. You don't have the habitat there for owls or anything else that used to be there when the forest was still standing. Somehow, there are a handful of extremists that think this is somehow good. Oh, we need these burned lands.

California is full, at this point, with about 66 million dead trees, by the U.S. Forest Service's own estimates. This isn't just an isolated tree here and there. Now you can see entire groves that are just waiting for the next lightning strike or the next spark, and it is going to be big-time problems for those areas to try and put them out.

The Forest Service even goes so far as to resist the opportunity for doing land swaps with land that has already been managed, thinned, properly left by private concerns. Where they can then move on to take some trails into public ownership, that would be beneficial for the public as well as private entities being able to manage the formerly public land. They resist these kind of swaps because they want to buy more, acquire more, with money we don't have.

Each new national monument, wilderness, critical habitat designation, or study area limits the tools to promote healthy forests. With the desire and even mandate for new renewable electricity—especially the mandates in California—forest biomass is one of the greatest opportunity potentials we have. It is something we need to be doing yesterday, in order to generate the electricity and bring the jobs that would come from removing that extra material in a way that is good for the ecology, for the forest, and bring those jobs right in the district—not building solar cells in China or wind machines in Europe, but jobs right in our own backyard; thinning these forests, using the material and putting it into a power plant that can generate renewable electricity to meet the mandate of 50 percent California sees and that other States will probably start adopting. We can be putting these jobs back home, improving forest safety and fire safety, preserving the habitat, keeping the water quality up, and, yes, bringing the jobs home for those paper and wood products that we still all need.

Instead, we watch them burn because they are unwilling to do what needs to be done. They are afraid to do what needs to be done. There is not enough money in the U.S. Treasury to go out and try to recover all that habitat, plant those forests back, which is what the private sector could be doing when it manages it and is allowed to make a little bit of living at a time.

So we have got a lot of work to do in getting this message across on the way the West is dominated by poor management at the Federal level. I hope those people listening tonight will take this to heart and give us the backing we need to accomplish better policy goals and make it so that our Western lands, our Western economies, our Western habitats can actually be preserved with wise management, not this debacle we see happening every fire season.

So, again, to my colleague, Mr. GOHMERT, I thank him so much for having this time here tonight for us to be able to spotlight this once again for our American people and for our colleagues. I appreciate it.

Mr. GOHMERT. I am grateful to Mr. LAMALFA, a man that has been educated in agriculture. He knows what it is to be a farmer. He knows what it is to be a good steward of the land.

At this point, we have someone else who knows something about use of the land. He is a dentist but knows about use of the land.

I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. I would like to thank my good friend and colleague, the gentleman from Texas, for taking the time to lead on this important conversation about the size of the U.S. Federal footprint.

It is a conversation that many Americans, specifically those living east of the Mississippi River, have never had to think much about. However, in Western States like my home State of Arizona, we face unfair burdens on our communities due to the fact that over 90 percent of all Federal land is located in the West. In Arizona, only 18 percent of the land remaining in the State is privately held.

Where land is locked up by the Federal Government, the government controls all aspects of use, development, and access. Local school districts and businesses suffer, having no private land base to grow or tax to support infrastructure.

Imagine the impact on corn if only 18 percent of the land in Iowa was privately held, or cotton production in Mississippi or oranges grown in Florida. The agriculture that defines many Eastern States would be severely limited if they faced the same Federal footprint that Arizona and Western farmers must confront.

Farmers and ranchers in the West face a tsunami of bureaucracy preventing them from doing their jobs. Additionally, energy development, including traditional and renewable energy, is almost nonexistent on Federal lands.

I have held numerous townhall meetings and field hearings to hear from small-business owners, sportsmen, farmers, ranchers, elected officials, and many other stakeholders who adamantly oppose furthering the reach and size of the Federal Government's footprint.

Adding insult to injury is the fact that the Federal Government management agencies like the BLM have identified hundreds of thousands of acres of Federal land for disposal that the agency admits it is not effectively and efficiently utilizing.

Imagine for a moment that the BLM knows it has land that it doesn't use and yet the Federal Government still keeps the land for itself. The BLM is not alone though. In April of this year, it was reported that the National Park Service has a nearly $12 million deferred maintenance backlog. Wow.

The Forest Service Federal footprint is 192.9 million acres, and the total Federal estate exceeds more than 635 million acres.

When businesses and the private sector don't develop their leases quickly enough for the extremist environmental groups, they are labeled as ''greedy.'' Yet these same groups give the Federal Government a pass and actually encourage them to acquire more land. The Federal Government is supposed to represent we the people, not the special interest groups like the Sierra Club.

In order to return Federal land that is not being used back to the State and communities who desperately need it, I am proud to have introduced a commonsense solution that ensures public lands are utilized more efficiently, while also yielding significant benefits for stakeholders.

This legislation, known as the HEARD Act, establishes an orderly process for the sale, conveyance, and exchange of Federal lands not being utilized by public land management agencies that have been identified for disposal.

The HEARD Act will yield significant benefits for education, sportsmen, agriculture and natural resource users, counties and States by establishing a revenue-sharing mechanism that ensures a fair return for all.

□ 1915

Now the Heard Act is modeled after the Southern Nevada Public Land Management Act. This Federal law, enacted in 1998, has a proven track record of success in Nevada. To date, more than 35,000 acres identified by the BLM for disposal have been sold, conveyed, or exchanged in Nevada, and sales have generated nearly $3 billion in revenue.

The revenue-sharing mechanism instituted by this law has benefited education, enhanced recreational opportunities, public access, and achieved better overall management of public lands. Imagine what we could do if we returned public lands that were up for disposal back to the public and back to the State.

It is long past time that Congress takes action to responsibly shrink our 635-million acre Federal footprint and empower western States to have a voice in determining our land management policies.

I thank the gentleman from Texas for giving me the time to talk about this.

Mr. GOHMERT. I thank the gentleman from Arizona. I yield back the balance of my time.

STATEHOOD FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, I appreciate this time on the House floor this evening because there has been a historic development in the District of Columbia. Today, a new group called Statehood Yes announced what amounts to bipartisan support for D.C. statehood.

The fact is that the Republican Party of the District of Columbia had not always—in fact, had not been officially a part of the statehood movement, which is not to say that some Republicans have not been for D.C. statehood.

But today was very different. Today, a D.C. resident, George Vradenburg, a philanthropist in our city, a long-term resident, and a former AOL executive, announced that he was chairing a campaign that is part of the effort of the District of Columbia to achieve statehood. That effort is being led by the Mayor and the City Council who, earlier this year, launched what is called the Tennessee Plan.

The Tennessee Plan is simply a shorthand way to get statehood. The way in which my statehood bill operates is that, yes, the House and the Senate would vote for statehood, and it would then ask the city to submit a constitution and do what is necessary to become a State.

The Tennessee plan simply reverses that process. It does what Tennessee did. What Tennessee did was what the District is in the process of doing. What Tennessee did was to present a constitution to the people to be ratified. And when it had done all of the preliminaries, preliminaries that are often done after the statehood vote, they simply came to the Congress and said: Approve us for admission to the State. And, indeed, that is exactly what the Congress did 200 years ago.

The District is trying to imitate that approach to statehood. In order to do so, there needs to be a vote. You are not going to get statehood if you don't want it. So as part of the democratic process, the District would have to vote on whether or not it wants statehood. That is what the Statehood Yes campaign is trying to facilitate as part of what is required by the Tennessee plan.

What this means is—much like the State of Tennessee, it was a Federal territory at the time—this bill would be submitted to the President after the House and the Senate had voted for D.C. statehood if the voters answered four questions.

What are these questions?

First, the voters will have to answer yes or no whether the District should become a State.

Second, the District will have to answer whether voters, those of us who live in the District and vote in the District, approve of a constitution. That constitution is being adopted as I speak by the Council of the District of Columbia.

Third, the voters will have to approve the proposed boundaries for the State. That is important since the Federal sector would continue to exist. That Federal sector would be the areas where The Mall and monuments and other Federal buildings are now located. The new State would be the neighborhoods of the District of Columbia.

And the fourth question the voters will be asked to approve is whether they pledge to support an elected representative form of government.

I was very pleased to hear Mr. Vradenburg speak today at Busboys and Poets, one of our local meeting places, about why he supports D.C. statehood and why he has taken on this effort to be the chairman. Among the things he discussed, of course, is how he intends, with the effort of Statehood Yes, to reach out to all parts of the country.

The District recognizes that, in spite of this bipartisan support in the District of Columbia, statehood remains an uphill climb.

What important change in our country has not been an uphill climb?

We are undaunted by that prospect.

We recognize that the Republican Party nationally has certainly not been supportive of D.C. statehood. At its convention this year, the Republicans did not include language supporting D.C. statehood. In fact, there was language that appeared to oppose D.C. statehood.

But at that time we did not have what we apparently have today, and that is the official support of the Republican Party of the District of Columbia. That official support could not be more important. Present at the Statehood Yes announcement today was Patrick Mara, the Executive Director of the Republican Party of the District of Columbia.

This bipartisanship is minimally necessary for us to move forward; just as we recognize we will have to work with Republicans here in the Congress in order to get the same rights they have.

District of Columbia residents are number one per capita, first in taxes paid to support the government of the United States, and yet, the City's budget comes here every year. It is a local budget. That is money, $4 billion, raised in the District of Columbia. I am sure my colleagues would tear their hair out, Republican and Democrat, if their local budget had to come here.

The reason the District has moved to statehood is that there is no other way to achieve equality as American citizens except as a new State.

Today's effort came as every Member of this House is running for office. As I thought about what this first bipartisan effort, the first thought that crossed my mind was that D.C. is running for statehood. It is going to the people and saying: We can't move forward with the effort the Congresswoman has made, or with this effort through the Tennessee Plan, a shorthand way to get statehood, but one that has been used by other States, unless D.C. wants statehood.

So in D.C. that is like second nature. Why would you ask somebody if they wanted statehood?

We all know the answer, but getting an official answer, an answer through a vote, is very different from answer, an answer through a vote, is very different from everyone understanding that nobody would choose to have Congress in your local business if you had a choice, particularly a Congress which has shown for a number of years now that it can't even run itself, much less try to have anything to do with running a District of almost 700,000 American citizens.

So, yes, we do need a strong vote from residents to move forward with statehood. I am not at all concerned about that vote. A poll showed that more than three-quarters—that is a poll that was taken by one of our newspapers, The Washington Post—support D.C. statehood.

You can be assured that the District is—those who are working as part of the Tennessee Plan for the necessary vote—are trying to get an even bigger vote than that. We haven't had a vote for statehood now for decades. This is an entirely new effort on the part of the City.

In fact, the best expression of where the residents stand on statehood came about 4 years ago when we had our first official Senate hearing on statehood. Now, I knew there would be some residents who came. What I did not anticipate is that they would come in such large numbers that, after the standing-room-only room where the hearing was being held was filled, the Senate would have to open up other rooms in order to accommodate all the residents. So they have voted. They have voted with their feet.

What the District wants now and what Statehood Yes is trying its very best to get is an official recognition, an official voice from the residents of whether they want statehood or not. And the best way to get that is the way they began today, with bipartisan support, with an AOL executive who lives in the District chairing the effort to get that vote.

D.C. showed up. They showed up in record numbers when the question was: Do you want to listen to the first official hearing in the Senate on D.C. voting rights—sorry—on D.C. statehood?

I am glad I mentioned D.C. voting rights there because the District didn't come to statehood easily. When Tom Davis—Representative Tom Davis, who decided several years ago to retire from the Congress—was here, he approached me about a bipartisan effort to get a vote, just a vote, in the people's House. Tom, a Republican, had been in the Republican leadership. He was in the majority. He and I worked together on what was really an important effort.

Utah had just missed getting the vote. Utah may be the most Republican State in the union, and the reason it missed getting the vote was heartbreaking. Its young people fan out every year to other countries as part of their missionary work. In past eras, those missionaries had been counted in the way they must because they have to come home after 2 years.

For some reason they weren't counted, and Utah went all the way to the Supreme Court of the United States, but did not prevail. So it was quite a bipartisan effort. I remember working not only with the Utah delegation, but with the Governor of the State and with the House and the Senate of that State, who approved that bipartisan effort to achieve a House vote for D.C. residents and a House vote for Utah.

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That effort succeeded in the House and the Senate at a time when the Democrats controlled both parties. What kept it from fruition is also heartbreaking, and that is that there was a rider from the National Rifle Association attached that, in essence, said, yes, you can give D.C. a Member of Congress if—if—the District eliminates all of its gun safety laws. That is an offer that had to be refused. It was a cynical offer.

How can you be in the Nation's Capital and not have strong gun safety laws? Not only do 700,000 of us live here, but the most controversial figures in the world come here. Heads of state frequent our streets and our restaurants. They come by in caravans of cars every day. So it was an offer that had to be refused.

But it does show that the District has tried to find incremental ways to statehood and been rebuffed. Even as I speak, there is a new and important effort going on; and that is the District has moved, pursuant to a budget autonomy referendum, to manage its own budget without coming to the House of Representatives or the Senate.

For this referendum, The District was sued. It lost in the U.S. district court and went to the court of appeals. As someone who practiced constitutional law, I can tell you I had never seen what resulted. The U.S. court of appeals eliminated—the District Court decision, and submitted the issue of the constitutionality and the legality of budget autonomy to the Superior Court of the District of Columbia. The Superior Court of the District of Columbia held that the District's budget autonomy referendum is valid. So, the irony is that the only court decision upholds budget autonomy for the District.

Understand what we mean by that. It is the same autonomy that every Member here not only cherishes, but insists upon. It is your own money. It has nothing to do with this House, which contributes nothing. The only thing the House contributes to the District of Columbia is what it contributes to everybody else. It doesn't give us a thing. Yet if you go out in the streets of the District of Columbia, you should be envious of what we have done with our economy because what you will see is building going on everywhere. People are moving into the District, not moving out.

We know how to support ourselves. We have got more than $2 billion in surplus funds. How many Members of this House can boast that? So you can see how we object to those who dare tell us how to run our city, particularly as we see this House floundering on the Zika virus, a health emergency, and we still can't get it done. D.C. doesn't have that kind of problem. We can govern ourself without interference by others.

The District is particularly to be complimented on this longer effort to achieve D.C. statehood. It has been going on now for the better part of 6 months. Too often the city and its residents have grown angry when Congress did something to our city. There was an arrest led by the former Mayor when he was Mayor and members of the council when there was an attachment to our budget after we had gotten every single rider or attachment removed that had been undemocratically attached by this House. People were arrested.

But the problem with that approach is not that civil disobedience is not to be expected when somebody takes away rights that every American citizen should have. The problem with it is you can't wait for the Congress to do something really horrendous to you and then say that we are now in the mode to get our rights. It has to be a sustained effort. What the District is doing now as it tries to use the Tennessee Plan to get statehood is part of a sustained effort.

Today I called for a yearlong plan after that because I do not suffer the illusion that a House that can't pass a Zika virus is going to reach into its long lost democratic treasure house and give the District statehood, but I do certainly believe that it won't happen unless you have the kind of effort that is going on now. What the District is doing in its effort to achieve statehood, using the Tennessee Plan with the bipartisan effort announced today, to me, is particularly noteworthy.

When I come to the House floor, as I often do, as I am this evening, to speak about statehood, you are within your rights to say: Says who? My answer to that—when the vote comes in in November, with this question on the ballot answered by the residents of the District of Columbia, I will be able to say: Says who? Says the American citizens who live in your Nation's Capital,

who also happen to pay the highest taxes per capita in the United States of America; that is who. That is what I was will say.

I say to my Republican friends in the District of Columbia, you have sent a worthy signal to this House that bipartisanship for D.C. statehood begins in the District of Columbia, and now it must be taken up by both parties in the House and Senate as well.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for September 6 and today on account of illness.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 8, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

6686. A letter from the Director, International Cooperation, Acquisition, Technology, and Logistics, Department of Defense, transmitting Transmittal No. 2–16, informing of an intent to sign the Memorandum of Agreement Among the Federal Ministry of Defense of the Federal Republic of Germany, the Ministry of Defense of the State of Israel, and the Department of Defense of the United States of America, pursuant to 22 U.S.C. 2767(f); Public Law 90–629, Sec. 27(f) (as amended by Public Law 113–27 6, Sec. 208(a)(4)); (128 Stat. 2993); to the Committee on Foreign Affairs.

6687. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period of April 1—May 31, 2016, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

6688. A letter from the Deputy Director, Office of Presidential Appointments, Department of State, 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.

6689. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting two notifications of change in previously submitted reported information 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.

6690. A letter from the Secretary, Judicial Conference of the United States, transmitting the Report of the Proceedings of the Judicial Conference of the United States for the March 2016 session, pursuant to 28 U.S.C. 331; June 25, 1948, ch. 646 (as amended by Public Law 110–177, Sec. 101(b)); (121 Stat. 2534); to the Committee on the Judiciary.

6691. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter reporting a violation of the Antideficiency Act, in the Medical Support and Compliance account (36–0152), pursuant to 31 U.S.C. 1351; Public Law 97–258; (96 Stat. 926); to the Committee on Veterans' Affairs.

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. MILLER of Florida: Committee on Veterans' Affairs. H.R. 5178. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes; with an amendment (Rept. 114–727). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Indiana (for himself, Mr. BLUMENAUER, Mrs. MCMORRIS RODGERS, and Mr. CÁRDENAS):

H.R. 5942. A bill to amend title XVIII of the Social Security Act to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; to the Committee on Energy and Commerce, 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. DONOVAN (for himself, Mr. KATKO, Mr. KING of New York, Miss RICE of New York, Mr. PAYNE, and Mr. MCCAUL):

H.R. 5943. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes; to the Committee on Homeland Security.

By Mr. UPTON (for himself, Mr. CRAMER, and Mr. HIGGINS):

H.R. 5944. A bill to amend title 49, United States Code, with respect to certain grant assurances, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, Mr. TOM PRICE of Georgia, Mr. SMITH of Nebraska, Mr. REED, Mr. KELLY of Pennsylvania, Mr. HOLDING, Mr. SMITH of Missouri, Mr. RICE of South Carolina, and Mr. ROSKAM):

H.R. 5945. A bill to amend title III of the Social Security Act to allow States to drug test applicants for unemployment compensation to ensure they are ready to work; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. FARENTHOLD):

H.R. 5946. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. REICHERT, Mr. DOGGETT, Mr. DANNY K. DAVIS of Illinois, and Mr. REED):

H.R. 5947. A bill to amend the Internal Revenue Code of 1986 to include foster care transition youth as members of targeted groups for purposes of the work opportunity credit; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. HUNTER, Mr. ISSA, Mr. PETERS, and Mr. VARGAS):

H.R. 5948. A bill to designate the facility of the United States Postal Service located at 830 Kuhn Drive in Chula Vista, California, as the ''Jonathan 'J.D.' De Guzman Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. LANCE (for himself and Mr. KINZINGER of Illinois):

H.R. 5949. A bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts; to the Committee on Foreign Affairs.

By Mr. TIPTON:

H.R. 5950. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself, Mr. WELCH, Mr. LATTA, and Ms. CLARKE of New York):

H. Res. 847. A resolution expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment; to the Committee on Energy and Commerce.

By Mr. MURPHY of Pennsylvania (for himself, Mr. VISCLOSKY, Mr. DENT, Mr. MCKINLEY, Mr. BOST, Mr. RYAN of Ohio, Ms. KAPTUR, Mr. JONES, Mr. JOHNSON of Ohio, Mr. LOEBSACK, Mr. LIPINSKI, Mr. BROOKS of Alabama, Mr. CRAWFORD, Mr. TIPTON, Mr. REED, Mr. COSTELLO of Pennsylvania, Mr. NOLAN, Mr. HARPER, Mr. PITTENGER, Ms. SEWELL of Alabama, Ms. MCCOLLUM, Mr. BYRNE, Mr. HUDSON, Mr. GENE GREEN of Texas, Mr. CARSON of Indiana, and Mr. BARLETTA):

H. Res. 848. A resolution calling for the maintenance of effective trade remedies for United States manufacturers and producers by ensuring that any foreign country designated as a nonmarket economy country under the Tariff Act of 1930 retain this status until it demonstrates that it meets all of the criteria for treatment as a market economy set forth in section 771(18)(B) of such Act; to the Committee on Ways and Means.

MEMORIALS

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

292. The SPEAKER presented a memorial of the Legislature of the State of Arkansas, relative to Interim Resolution 2015–007, encouraging the United States Congress to amend the Food Allergen Labeling and Consumer Protection Act of 2004, to include mammalian meat, dairy, and other products; to the Committee on Energy and Commerce.

293. Also, a memorial of the Legislature of the State of West Virginia, relative to House

Concurrent Resolution 36, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

294. Also, a memorial of the Manville, Borough Council of New Jersey, relative to Resolution 2016–135, confirming support of H.R. 814 known as the ''Thin Blue Line Act'' and urging the United States House of Representatives and the U.S. Senate to enact this legislation; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. YOUNG of Indiana:

H.R. 5942.

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 make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. DONOVAN:

H.R. 5943.

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. UPTON:

H.R. 5944.

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

Article 1, 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 this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BRADY of Texas:

H.R. 5945.

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

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. DOLD:

H.R. 5946.

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

Article I, Section 8, Clause 1.

By Mr. MCDERMOTT:

H.R. 5947.

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

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mrs. DAVIS of California:

H.R. 5948.

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. LANCE:

H.R. 5949.

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

Article 1 Sec. 8, Clause 3 and Clause 10: The Congress shall have the power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; to define and punish Piracies and Felonies committed on the high Seas, and offenses committed against the Law of Nations.

By Mr. TIPTON:

H.R. 5950.

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

Article 4 Section 3 Clause 2: 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; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. LOUDERMILK, Mr. WEBSTER of Florida, Mr. DAVIDSON, and Mr. ROUZER.

H.R. 213: Mr. HULTGREN, Mr. DENT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. POLIS, Mr. RIBBLE, Mr. ROTHFUS, Mrs. DAVIS of California, Mr. POE of Texas, and Mr. DEUTCH.

H.R. 249: Mr. KENNEDY.

H.R. 267: Mr. YOUNG of Iowa.

H.R. 333: Mr. GARAMENDI.

H.R. 335: Mr. GUTIÉRREZ and Ms. VELÁZQUEZ.

H.R. 381: Mr. TED LIEU of California.

H.R. 430: Ms. LOFGREN.

H.R. 449: Mr. PERLMUTTER.

H.R. 546: Ms. LINDA T. SÁNCHEZ of California.

H.R. 556: Ms. PINGREE.

H.R. 563: Mr. ISRAEL.

H.R. 605: Mr. ISRAEL.

H.R. 612: Mr. MOONEY of West Virginia.

H.R. 670: Mr. DONOVAN and Mr. SMITH of New Jersey.

H.R. 836: Mr. HILL.

H.R. 902: Mr. HIMES.

H.R. 918: Mr. RATCLIFFE.

H.R. 954: Mr. DOLD.

H.R. 971: Mr. FITZPATRICK.

H.R. 1013: Ms. LOFGREN.

H.R. 1095: Ms. JACKSON LEE, Mr. CUMMINGS, Ms. BASS, Mr. GRAYSON, Mr. PASCRELL, Mr. ENGEL, and Mr. POCAN.

H.R. 1116: Mr. DANNY K. DAVIS of Illinois.

H.R. 1192: Ms. ROYBAL-ALLARD, Mr. GRAVES of Louisiana, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTER of Texas, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BYRNE, and Mr. TED LIEU of California.

H.R. 1220: Mr. RICHMOND and Mr. WESTERMAN.

H.R. 1233: Mr. PERRY.

H.R. 1258: Mr. BECERRA.

H.R. 1284: Mr. SMITH of Washington, Ms. LINDA T. SÁNCHEZ of California, and Mrs. DAVIS of California.

H.R. 1427: Mr. BROOKS of Alabama and Mrs. ROBY.

H.R. 1453: Mr. GARAMENDI

H.R. 1532: Mr. REED.

H.R. 1545: Mr. COSTA.

H.R. 1559: Mr. ALLEN.

H.R. 1595: Mr. MURPHY of Florida and Mr. CURBELO of Florida.

H.R. 1598: Ms. ADAMS.

H.R. 1643: Mr. ROSS.

H.R. 1707: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1763: Ms. MCCOLLUM and Ms. ROS-LEHTINEN.

H.R. 1779: Mr. RUSH.

H.R. 1859: Mr. BROOKS of Alabama.

H.R. 1904: Ms. JACKSON LEE.

H.R. 1905: Ms. JACKSON LEE.

H.R. 1911: Mr. REED.

H.R. 1966: Mr. GRAYSON.

H.R. 2001: Mr. LOUDERMILK and Mr. ROONEY of Florida.

H.R. 2096: Mr. HECK of Nevada.

H.R. 2280: Ms. LEE.

H.R. 2294: Mr. DUNCAN of South Carolina.

H.R. 2429: Mrs. BEATTY.

H.R. 2500: Mr. HUNTER and Mr. TIBERI.

H.R. 2622: Mr. SENSENBRENNER, Mr. CARTWRIGHT and Mr. POSEY.

H.R. 2628: Mr. HILL, Mr. JEFFRIES, Mr. TURNER, and Mr. RODNEY DAVIS of Illinois.

H.R. 2641: Mr. GRAYSON.

H.R. 2738: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2739: Mr. BILIRAKIS, Mr. DELANEY, Mr. PALAZZO, Mr. CARNEY, Mr. OLSON, Mr. GARAMENDI, Mr. CUMMINGS, Mr. HECK of Nevada, and Mr. PETERS.

H.R. 2844: Mr. AL GREEN of Texas.

H.R. 2858: Mr. CLAY and Mr. RUSH.

H.R. 2866: Ms. WASSERMAN SCHULTZ.

H.R. 2895: Mr. COFFMAN.

H.R. 2902: Mr. CARTWRIGHT, Mr. COSTA, Mr. CARNEY, and Mr. DOLD.

H.R. 2903: Mr. HIMES.

H.R. 3012: Mr. BROOKS of Alabama and Mrs. BLACK.

H.R. 3085: Ms. JACKSON LEE.

H.R. 3137: Mr. KENNEDY.

H.R. 3180: Ms. MCSALLY.

H.R. 3229: Mrs. ROBY, Mr. KELLY of Mississippi, and Ms. STEFANIK.

H.R. 3235: Mr. NORCROSS.

H.R. 3255: Mr. YOUNG of Iowa.

H.R. 3397: Mr. PEARCE and Miss RICE of New York.

H.R. 3406: Mr. ROGERS of Kentucky, Ms. PLASKETT, Mr. HIGGINS, Ms. ESHOO, Mrs. CAPPS, Ms. ROS-LEHTINEN, and Mr. KATKO.

H.R. 3410: Mr. BLUMENAUER, Mrs. NAPOLITANO, Ms. KAPTUR, and Mr. CÁRDENAS.

H.R. 3438: Mr. SESSIONS, Mr. RATCLIFFE, Mr. SMITH of Texas, Mr. COLLINS of Georgia, Mr. SENSENBRENNER, Mr. ISSA, and Mr. TROTT.

H.R. 3516: Mr. CRAWFORD.

H.R. 3535: Ms. JACKSON LEE.

H.R. 3589: Mr. ROGERS of Alabama.

H.R. 3613: Ms. JACKSON LEE.

H.R. 3706: Mr. COLE, Mr. PASCRELL, Mr. ZELDIN, Ms. ROYBAL-ALLARD, Mrs. COMSTOCK, Ms. LINDA T. SÁNCHEZ of California, Mr. VISCLOSKY, and Mr. DELANEY.

H.R. 3815: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 3822: Mr. THORNBERRY.

H.R. 3861: Mr. ROSS and Mr. BLUMENAUER.

H.R. 3926: Ms. TITUS.

H.R. 3991: Mr. RUSH, Ms. CASTOR of Florida, Ms. LOFGREN, and Mr. JOLLY.

H.R. 4027: Mrs. NAPOLITANO.

H.R. 4043: Mr. RANGEL and Ms. LOFGREN.

H.R. 4073: Mr. TED LIEU of California, Mr. HIMES, and Mr. RENACCI.

H.R. 4204: Mr. LOBIONDO.

H.R. 4298: Mr. REICHERT and Mr. JONES.

H.R. 4320: Mr. SWALWELL of California.

H.R. 4374: Mr. SWALWELL of California.

H.R. 4378: Ms. JACKSON LEE.

H.R. 4381: Mr. RATCLIFFE.

H.R. 4456: Mr. SESSIONS, Mr. MOONEY of West Virginia, and Mr. STIVERS.

H.R. 4481: Mr. HONDA and Ms. JENKINS of Kansas.

H.R. 4485: Mr. ROUZER and Mr. RIBBLE.

H.R. 4514: Mr. SESSIONS and Mr. HARPER.

H.R. 4525: Ms. JACKSON LEE.

H.R. 4558: Mr. ISRAEL and Ms. KAPTUR.

H.R. 4559: Mr. HILL and Mr. LAMBORN.

H.R. 4564: Mr. BEYER.

H.R. 4567: Mr. MEEHAN and Mr. ENGEL.

H.R. 4611: Mr. CARSON of Indiana, Mr. MCGOVERN, and Mr. SERRANO.

H.R. 4632: Mr. PERLMUTTER and Mr. EMMER of Minnesota.

H.R. 4665: Mr. MEEHAN and Mr. POCAN.

H.R. 4671: Mr. LAMALFA and Mr. PITTENGER.

H.R. 4715: Mr. NOLAN.
H.R. 4740: Mr. MCGOVERN.
H.R. 4773: Mr. SCALISE.
H.R. 4784: Mr. DOLD.
H.R. 4842: Ms. TITUS.
H.R. 4907: Mr. COFFMAN and Mr. LANGEVIN.
H.R. 4919: Mr. PETERS.
H.R. 4927: Mr. POCAN, Mr. CICILLINE, Mrs. BEATTY, and Mrs. DINGELL.
H.R. 5015: Mrs. COMSTOCK, Mr. KNIGHT, Mrs. BLACK, Mr. RATCLIFFE, Mr. BISHOP of Utah, and Mr. POMPEO.
H.R. 5093: Mr. SESSIONS.
H.R. 5115: Mr. SESSIONS.
H.R. 5116: Mr. SESSIONS.
H.R. 5136: Mr. SESSIONS.
H.R. 5141: Mr. CRAMER.
H.R. 5167: Mr. RANGEL.
H.R. 5204: Mr. PERLMUTTER.
H.R. 5205: Mr. LOWENTHAL and Mr. BLUMENAUER.
H.R. 5213: Mr. ASHFORD.
H.R. 5226: Mr. SESSIONS.
H.R. 5256: Mrs. TORRES, Mr. RICHMOND, Mr. LANGEVIN, and Mr. TONKO.
H.R. 5272: Mr. CARSON of Indiana, Mr. WELCH, Mr. GRIJALVA, Miss RICE of New York, Mr. GUTIÉRREZ, Mr. MOULTON, Mr. TED LIEU of California, and Mrs. NAPOLITANO.
H.R. 5292: Mr. HIMES.
H.R. 5313: Ms. NORTON, Mr. MCGOVERN, Ms. MCCOLLUM, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 5343: Mrs. MILLER of Michigan.
H.R. 5351: Mr. HUIZENGA of Michigan, Mr. KINZINGER of Illinois, Mr. WENSTRUP, Mr. LATTA, Mr. KELLY of Mississippi, Mrs. BROOKS of Indiana, Mr. YOHO, Mr. ROTHFUS, Ms. JENKINS of Kansas, Mr. SAM JOHNSON of Texas, Mr. BISHOP of Michigan, Mr. GRAVES of Missouri, Mr. WALKER, Mr. ROKITA, Mr. AUSTIN SCOTT of Georgia, Mrs. BLACKBURN, and Mr. WITTMAN.
H.R. 5386: Mr. HUFFMAN.
H.R. 5396: Ms. SLAUGHTER.
H.R. 5415: Ms. MCSALLY.
H.R. 5418: Mr. BRAT, Mr. HILL, Mr. FLORES, Mrs. BLACKBURN, Mr. BRADY of Texas, and Mr. POSEY.
H.R. 5433: Mr. GOSAR.
H.R. 5462: Mrs. NAPOLITANO.
H.R. 5474: Ms. SLAUGHTER, Mr. CLEAVER, Mr. RUSH, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 5482: Ms. MOORE.
H.R. 5489: Mr. THOMPSON of Pennsylvania.
H.R. 5499: Mr. YOUNG of Iowa and Mr. ROKITA.
H.R. 5506: Mr. PETERSON, Mr. HASTINGS, Mr. HECK of Washington, Mr. COFFMAN, Mr. TED LIEU of California, Mr. JOYCE, Mr. HARPER, Mrs. BEATTY, Mr. DONOVAN, Mr. KELLY of Pennsylvania, Mr. FARENTHOLD, Ms. MCSALLY, Mr. BARR, Mr. LOEBSACK, Mr. CUMMINGS, Ms. NORTON, Mr. MEEHAN, Mrs. BLACK, Mr. CLAY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LANCE, Mr. CUELLAR, Mrs. COMSTOCK, Mr. COHEN, Ms. HERRERA BEUTLER, Mr. ROGERS of Alabama, and Ms. WASSERMAN SCHULTZ.
H.R. 5513: Mr. YOUNG of Iowa.
H.R. 5531: Mr. CUELLAR.
H.R. 5532: Mr. KEATING.
H.R. 5537: Mr. KILMER.
H.R. 5555: Mr. RANGEL.
H.R. 5571: Mr. SWALWELL of California, Ms. SLAUGHTER, Mr. CICILLINE, Ms. BONAMICI, Ms. JUDY CHU of California, and Mr. MCGOVERN.
H.R. 5584: Mr. CURBELO of Florida, Ms. LEE, Mr. CONNOLLY, Mrs. RADEWAGEN, Ms. LOFGREN, Ms. MCSALLY, Ms. KAPTUR, Ms. ESHOO, and Mr. FITZPATRICK.
H.R. 5587: Mr. PETERS, and Mr. DAVID SCOTT of Georgia.
H.R. 5620: Mrs. ROBY, Mr. YOUNG of Iowa, Mr. COLLINS of New York, and Mr. CHAFFETZ.
H.R. 5630: Mr. COOPER and Mr. CARTWRIGHT.
H.R. 5646: Mr. SCHWEIKERT and Mr. LAMALFA.
H.R. 5650: Ms. DELBENE and Mr. SCHIFF.
H.R. 5668: Mr. SMITH of Texas, Mr. BROOKS of Alabama, Mr. ABRAHAM, Mr. BISHOP of Utah, Mr. BYRNE, and Mr. RATCLIFFE.
H.R. 5683: Mr. CRAMER, Mr. OLSON, and Mr. RUSH.
H.R. 5685: Mr. POMPEO and Mr. LONG.
H.R. 5691: Mr. MCGOVERN.
H.R. 5708: Mr. SMITH of New Jersey.
H.R. 5730: Ms. MCSALLY.
H.R. 5732: Mr. DOLD.
H.R. 5734: Mrs. COMSTOCK, Mr. SHUSTER, and Mrs. ROBY.
H.R. 5755: Ms. MCSALLY and Mr. RODNEY DAVIS of Illinois.
H.R. 5756: Mr. CICILLINE.
H.R. 5796: Ms. JACKSON LEE.
H.R. 5817: Mr. CARNEY, Mr. FARR, Mr. GRIJALVA, Mr. HASTINGS, Mr. HUFFMAN, Ms. LEE, Ms. NORTON, and Mr. PALLONE.
H.R. 5836: Mr. PEARCE.
H.R. 5867: Mrs. BROOKS of Indiana.
H.R. 5883: Mr. DESJARLAIS and Mr. BARR.
H.R. 5904: Mr. ROUZER.
H.R. 5931: Mr. SALMON, Mr. BARR, Mr. EMMER of Minnesota, Mr. ABRAHAM, Mr. GARRETT, Mr. MARINO, and Mr. GIBSON.
H.R. 5940: Ms. ROS-LEHTINEN.
H.J. Res. 2: Ms. HERRERA BEUTLER.
H.J. Res. 48: Ms. JUDY CHU of California.
H.J. Res. 95: Mr. BARR and Mrs. BLACKBURN.
H. Con. Res. 33: Mr. WITTMAN and Mr. MULVANEY.
H. Con. Res. 114: Mr. NUNES and Mr. ROONEY of Florida.
H. Con. Res. 140: Mr. RICE of South Carolina, Mr. SHIMKUS, and Mr. MARINO.
H. Res. 12: Mr. BILIRAKIS.
H. Res. 130: Mr. COFFMAN.
H. Res. 290: Mr. CONYERS.
H. Res. 352: Ms. LOFGREN.
H. Res. 590: Ms. PINGREE, Mr. NUGENT, Mr. SEAN PATRICK MALONEY of New York, Mr. SIMPSON, Mr. HANNA, Mr. LANCE, Mr. YARMUTH, and Mr. RIBBLE.
H. Res. 617: Mr. BOUSTANY and Mrs. WALORSKI.
H. Res. 647: Mr. BARR.
H. Res. 652: Mr. LARSEN of Washington.
H. Res. 660: Mr. RUSH and Mr. SMITH of New Jersey.
H. Res. 683: Ms. LOFGREN.
H. Res. 686: Mr. CUMMINGS.
H. Res. 766: Mr. SWALWELL of California.
H. Res. 773: Mr. BLUMENAUER, Ms. LOFGREN, Ms. LEE, Ms. TITUS, Mr. MCGOVERN, Mr. TED LIEU of California, and Mr. SCHIFF.
H. Res. 782: Mr. COFFMAN and Mr. YOUNG of Iowa.
H. Res. 792: Mrs. LOWEY.
H. Res. 810: Mr. SEAN PATRICK MALONEY of New York.
H. Res. 811: Mr. MEEHAN and Mr. GIBSON.
H. Res. 831: Mr. PETERSON, Mr. KLINE, Mr. POCAN, and Mr. EMMER of Minnesota.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

84. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution No. 2016–29483, urging the United States Food and Drug Administration to repeal its prohibition on men who have had sex with men within the past 12 months from donating blood; to the Committee on Energy and Commerce.

85. Also, a petition of the Borough Council of Sound Bound Brook, New Jersey, relative to Supporting the H.R. 814 known as the ''Thin Blue Line Act'' and urging the United States House of Representatives and the U.S. Senate to enact this legislation; to the Committee on the Judiciary.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, WEDNESDAY, SEPTEMBER 7, 2016 *No. 134*

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

God, our guide, we know not what a day may bring. We are grateful for the knowledge that You guide our steps and direct our paths.

As our lawmakers face the challenges of their work, give them the wisdom to know and do Your will. Open their minds and hearts to the movement of Your providence, providing them grace for every exigency, disappointment or fulfillment, sorrow or joy. Lord, guide our lawmakers that they may be just in purpose, wise in counsel, and unwavering in duty. May they uphold the honor of our Nation and secure the protection of our people.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—H.R. 3231

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3231), to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

WRDA

Mr. MCCONNELL. Mr. President, last night I took action to move to the 2016 Water Resources Development Act, an important authorization bill supporting our Nation's waterways. Chairman INHOFE has worked across the aisle with Ranking Member BOXER to craft this bipartisan bill, and I hope we can reach an agreement to pass it very soon.

ZIKA VIRUS, VETERANS, AND DEFENSE FUNDING

Mr. MCCONNELL. Now on another matter entirely, last night Senate Democrats blocked critical funding for veterans, for pregnant mothers and babies, and for servicemembers. It is not the first time or even the second time they have put partisan politics ahead of the health and safety of the American people; it is now the third time. Why Democrats would filibuster critical funding for Zika control at a time when cases are growing is really inexplicable. Why Democrats would filibuster critical funding for defense at a time when threats are growing is absolutely inexcusable.

In case colleagues across the aisle have missed it, here is the latest on the spread of Zika: There are now more than 2,700 cases in our country. More than 30 of those are likely local mosquito-borne cases. Yet, instead of acting with urgency to approve funding to combat Zika, Democrats have chosen once again to filibuster it.

In case colleagues across the aisle have missed this, too, here is the latest on the global changes facing us: North Korea continues to show signs of aggression with its recent tests of another missile. Iran continues to provoke our ships in the Persian Gulf—actions the commander of the U.S. Central Command called ''very concerning.'' ISIL continues to inspire and call for terror attacks around the globe, from a wedding in Turkey, to a church in France, to a nightclub in Orlando. Yet, instead of acting with urgency to approve funding to confront these threats, Senate Democrats have chosen once again to filibuster the Defense bill as well.

It really makes you scratch your head when the Democratic leader boasts how he has led such a cooperative minority. In what sense? Democrats have used the filibuster to blow up a bipartisan appropriations process for 2 years in a row now—2 years in a row. That is not my definition of a cooperative minority. They have bragged openly about their filibuster summer strategy. They have filibustered to protect executive overreach that even fellow Democrats claimed to oppose. They have even filibustered legislation designed to help victims of modern-day slavery, if you can believe that. Once again, they are filibustering to block funding for Zika control, for veterans, and for our men and women in uniform.

We hear the Democratic leader say he wants his party to do away with the filibuster altogether if Democrats win back control of the Senate. If he is so concerned about this abuse, maybe he should stop abusing it himself. Stop filibustering critical resources for Zika. Stop filibustering help for veterans. Stop filibustering the funding for our men and women in uniform because they count on us.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

RESERVATION OF LEADER TIME

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

WATER RESOURCES DEVELOPMENT ACT OF 2016—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I am going to—I believe I have an opportunity to speak on the floor now on the pending measure as in morning business, but I am going to yield as soon as the Democratic leader comes back, which I expect to be momentarily, and I would ask unanimous consent to then reclaim the floor. He has just arrived. I am going to yield to the Democratic leader for his leadership time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I appreciate very much my friend the assistant leader for always looking out for me, as he has for 34 years. I appreciate it very much. We came together here 34 years ago, to Congress, and I appreciate all he has done over the years and especially his friendship.

ZIKA VIRUS FUNDING AND JUDICIAL NOMINATIONS

Mr. President, quickly, it is hard for me to understand how my friend the Republican leader can stand here and talk about Zika. Let's just look back at what happened. We passed here, with 89 votes, a compromise Zika funding bill. Democrats and the President wanted more money. We agreed to $1.1 billion. It flew out of here and went to the House. The House decided they wanted to do a few things. They wanted to restrict funding for birth control provided by Planned Parenthood. Remember, 2 million women visited Planned Parenthood last year. With all the problems with Zika now, there are a lot more who are going to be showing up at Planned Parenthood. That legislation exempts pesticide spraying from the Clean Water Act. It cuts veterans funding by $500 million—half a billion dollars. That money was being used to speed up the process in the veterans' claims. It cuts Ebola funding by $107 million. Yet it rescinds $543 million of ObamaCare money. It strikes a prohibition on displaying the Confederate flag.

So, in effect, the Republicans in the House decided they would send back this bill loaded with poison pills. We had just passed the bill that I told you went over there—straight funding for research and taking care of the problems with Zika. That was it. It was very simple. Even though the Republicans voted—89 votes—with us a few weeks before that, they suddenly decided: Well, we will go along with flying the Confederate flag, cutting ObamaCare, and destroying Planned Parenthood. So how can he with a straight face talk about our having hurt Zika?

Zika is a very dangerous virus. We are learning more about it every day. One of America's prominent scientists today said that now Zika affects everybody. The virus goes in people's eyes and leads to vision impairment and blindness. It is not just women of childbearing age; it is going to affect a lot of people.

Please, please, Mr. Republican Leader, don't talk about this anymore. It takes away from your dignity.

Yesterday I objected to committees meeting to bring attention to the fact that the Senate Republicans refuse to hold a hearing on Chief Judge Merrick Garland, this man who should go to the Supreme Court. As said by a senior member of the Republican caucus, ORRIN HATCH of Utah, he was a consensus nominee, but they refuse to allow this man to go on the Supreme Court. They want to save that Supreme Court nomination for Donald Trump. Donald Trump picking who goes on the Supreme Court—a man who believes in waterboarding. He said that waterboarding isn't enough torture; we need to do more than just waterboarding. That is just one of the little snippets from this man.

This morning, a number of Senators are going to go to the Supreme Court steps with former clerks of Judge Garland, and we are going to hear positive statements about Merrick Garland, as if we need more. We have plenty. This is a good man.

I am glad to see that the Republican leader is talking about some movement on Zika. Maybe we have a path forward on that. We are going to continue to take steps to keep attention on this important nomination and on Zika and other things.

The Republicans simply aren't doing their job. You have seen these charts we have, and we will continue to show them. It is very simple: Do your job. And the Republicans simply are refusing to do their job.

In the meantime, I want to find other ways to focus attention on what they are not doing to help Chief Judge Garland. My friend the assistant Democratic leader is going to attend a meeting—which he does whenever they have one, with rare exception—of the Judiciary Committee. He loves that committee. He is the ranking member and was chair of the Constitution Subcommittee. Tomorrow, it is my understanding that we are going to try to do a markup of some district court judges. I look forward to what is going to happen at that meeting of the Judiciary tomorrow.

OBAMACARE

In this morning's Wall Street Journal—a paper not ever confused with being liberal or pro-Obama—there is stunning news—very positive news—about the number of Americans who now have health insurance. According to the Centers for Disease Control, our Nation's uninsured rate stands at 8.5 percent. From where it was before, that is stunning. Because of ObamaCare, almost 92 percent of Americans now have health insurance—92 percent of Americans. People no longer have to worry if they have a child with diabetes or someone has been in an accident or you are a woman—you can now get insurance. Insurance companies don't control what goes on.

I remind my Republican colleagues, who love to come down here and berate ObamaCare, could ObamaCare be better? It could be a lot better if we had 5 percent help from the Republicans, 2 percent, 1 percent, but they have done nothing to help the health care delivery system in this country. In fact, they have done things to hurt it. Some 70 times they voted to defund ObamaCare and do away with it. It wasn't long ago that we talked about how many millions of people had no health insurance. That is no longer an argument. It has been 6 years and the Affordable Care Act has cut the number of uninsured Americans significantly. The Nation saw the sharpest decline in the number of uninsured people in 2014 when the ObamaCare coverage provisions kicked in. This is no coincidence. While the Republicans have been making much about the premium increases, the fact is, the vast majority of Americans are protected by ObamaCare provisions that safeguard against these huge tax rates and tax increases.

These are the facts. All across America our constituents are getting the health coverage they were promised when Congress passed the Affordable Care Act. I repeat: It could be made better if a few Republicans would break away from the Trump mentality and try to help us. It is time for Republicans to stop denying the evidence. ObamaCare has worked and it is working.

NOMINATION OF MERRICK GARLAND AND THE JUDICIARY COMMITTEE CHAIRMAN

Mr. President, after 7 weeks, we are finally back working. We finally returned from a historically long and unprecedented long, long, long summer vacation. About 2 months were wasted by Republicans who could have been doing their jobs. We would have been happy to join with them in getting things done on the Senate floor and in our committees. If Republicans were serious about their constitutional duties, they would have spent some time giving Chief Judge Merrick Garland the hearing he deserves. He deserves to have a hearing.

Why are they afraid to give him a hearing? They are afraid to give him a hearing because if they did, this good man's credibility, competence, experience, and just the simple fact that he is such a nice man would be overwhelming. They don't want to do that. The American people would know they are trying to hold up somebody who should be on the Supreme Court.

The American Bar Association said he was unanimously ''well-qualified.'' They can't give a higher rating. If they could, they would. Senator HATCH said there is ''no question'' he could be confirmed and that he would be a ''consensus nominee,'' but Senate Republicans will not even give this good man a hearing. It is nothing short of being shameful.

As a USA TODAY editorial last month said, ''Flat-out ignoring a vacancy on the nation's highest court, which Senate Republicans have vowed to do while President Obama remains in office, is an abrogation of its constitutional duty.''

The people we represent across this great country cannot believe their representatives have put partisan interests above their constitutional duties. They cannot believe the chairman of the Judiciary Committee has gone along with this scam, and that is what it is.

Over this recess, the Des Moines Register, Iowa's largest newspaper, published another letter to the editor. There have been lots of editorials. Here is what one Iowan said:

> I am a 60-year-old registered Republican and this year I am not voting for Chuck Grassley. Senator, you have tossed 225 legal years of tradition in the trash heap and have made this country weaker. . . .
>
> I think the people of Iowa are not served by waiting over a year for a judicial hearing. Where is the senator I first voted for 40 years ago?

I have been in Congress for 34 years, and this is something that is a familiar refrain that we hear from people all over Iowa, and that's how I feel. Where is the Senator I first started serving with in the Congress those many decades ago?

I admit, as I consider all of the unprecedented obstruction of Merrick Garland's nomination, I am again forced to ask: Where is the CHUCK GRASSLEY I have come to know over the last three and a half decades? I can't imagine this man who we always thought was an independent person would refuse do his job on the Judiciary Committee. As chairman, he failed to schedule a hearing on this qualified nominee.

The first speech I gave on this floor those many years ago was talking about the Taxpayer Bill of Rights. The Presiding Officer was the Senator from Arkansas, David Pryor. Senator GRASSLEY heard my speech. He agreed to help me. With the help of Senator GRASSLEY and Senator Pryor, we got that passed my first year in the Senate. It was really quite a big victory. We put the taxpayer on more equal footing with the tax collector, and Senator GRASSLEY worked with both Senator Pryor and me. That is the way GRASSLEY used to be—independent. I could not have imagined—but I have to accept it—that he would refuse to do his job by blocking a vote on Garland's nomination, but that is precisely what the chairman of the Judiciary Committee has done. He has blocked his nomination. He was nominated 175 days ago. For 175 days, this senior Senator from Iowa has refused to lift a finger in consideration for this nominee.

The Senator I knew would not cede the independence of this very good committee—famous committee. It has been around forever in the Senate. I could never have imagined what he has done. Since he became chairman, we have seen the independence and prestige of the Judiciary Committee manipulated by Senator GRASSLEY's boss, the Republican leader, for narrow, partisan warfare.

We all know where the Republican leader stands on President Obama's Supreme Court nominee. Long ago, Senator MCCONNELL decided to abandon any degree of bipartisanship or decorum just to spite President Obama. We heard that within hours of Scalia having passed away. The Republican leader admitted as much last month when he told a gathering in Kentucky, ''One of my proudest moments was when I looked at Barack Obama in the eye and I said: 'Mr. President, you will not fill this Supreme Court vacancy.' ''

Isn't that something to be proud of? One of the Republican leader's proudest moments was the time he abandoned his constitutional duty and failed to do the job he was elected to do. Republicans' proudest moments are not accomplishments, they are obstruction. What a shame that he is putting Senator MCCONNELL's political vendetta against President Obama over the will of the people of Iowa and the other 49 States. It is disappointing that Senator GRASSLEY is going along with this obstruction. Where is the Senator I have known for such a long time?

I am not mad at Senator GRASSLEY. I remember who he used to be—what he used to be—and that is going to overcome any animosity I have toward Senator GRASSLEY. My only concern is that I think the great record of this man from Iowa is being tarnished—some say beyond repair. His legacy is going to be damaged, and we have seen that in editorials out of Iowa as well as letters to the editor out of Iowa—lots of them.

Donald Trump is the American nightmare. He is the most unqualified major party Presidential candidate anyone can remember. He is a bigot and a scam artist. He will not show us his tax returns, and Senator GRASSLEY is holding the Supreme Court vacancy for this man.

Just last week, the chairman of the committee even compared Donald Trump—listen to this one—to Ronald Reagan. Wow. I served with Ronald Reagan for a little bit, and I didn't agree with everything he did, but I admired him as a person. I thought he had a good administration. I thought what he did in bringing the Cold War to an end and swallowing a little bit of pride, which you have to do sometimes in order to do important things—he met with Communist leaders on more than one occasion. He, more than anyone else, brought the Cold War to a close. He didn't have an unblemished record. There was the commerce fiasco which had a lot of problems, but he was a good person.

With all due respect to the Senator from Iowa, I know President Reagan and I worked with him and, as I indicated, had a few differences with him, but I can say unequivocally that Donald Trump is no Ronald Reagan. That is the most significant understatement I have made on this floor in a long time. The fact that my colleague from Iowa would lump Ronald Reagan in with an egomaniac—a selfish person like Donald Trump—should scare the people of Iowa. This is not the GRASSLEY we have come to know all these many years. Instead of spending his days as Trump's fan, the Judiciary chairman should perform his constitutional duty and give President Obama's Supreme Court nominee due consideration. That is the job the people of Iowa elected him to do, and it is simple common decency and fairness.

Senator GRASSLEY should do his job and give Merrick Garland a hearing and a vote, and it should be now. Don't make another Iowan question: Where is the Senator I first voted for 40 years ago?

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, I listened carefully to the statement made by the Republican leader, Senator MCCONNELL, about the Zika crisis we face. I would like to give the Members of the Senate and those who are following this debate an update of what occurred in the United States of America between the time we adjourned and now returned to this session of the U.S. Senate.

The last time I came to the floor to speak in July to talk about Zika, there were 3,667 people in the United States and U.S. territories who had Zika infections. Included in that number, 599 pregnant women. As of late last week, that number has skyrocketed. There are now 17,000 people infected with Zika in the United States and its territories. That is a fourfold increase over the 7 weeks since we left for recess. It included 1,595 pregnant women.

I say to the Republican majority: You have been warned by the President, by public health experts, and others that your failure to respond to the President's request for resources would endanger people living in the United

States and its territories and especially pregnant women. Yet the Republican leadership has refused the President's efforts to provide the resources necessary to fight this deadly Zika virus.

The numbers are devastating but not surprising. It was last February—7 months ago—when the President asked Congress for $1.9 billion in emergency funding so public health experts would have the resources they needed to fight Zika. Here we are almost 7 months later—200 days later—and Congress still has refused to provide the resources necessary to protect American families from this virus. This is a disgrace. It is an outrage.

Our Federal health agencies, including the Centers for Disease Control and Prevention, have been doing everything they can to move money around within their agencies to try to make do in this fight against Zika. They are out of options.

Last week, Dr. Frieden, Director of the CDC, said:

> The cupboard is bare. Basically, we are out of money, and we need Congress to act to allow us to respond effectively.

Dr. Frieden came to see me before the recess. In my office, he said he was incredulous. He said: You mean you are going to leave without Congress responding to the President's call for emergency funding to fight Zika? And I said: Unfortunately, that is the case. And that is what happened. For 7 weeks, we have said to the public health leaders across America that the Republican-led Congress will not respond to the President's call for emergency funds. It didn't have to be this way.

In May, the Senate approved a bipartisan compromise funding bill supported by 89 Senators, including many who have come to the floor on the Republican side. It was negotiated by Senators BLUNT, MURRAY, and others. It provided $1.1 billion in emergency funding to fight Zika, not what the President asked, which was $1.8, but $1.1 billion. Instead of voting on this bipartisan measure after it passed the Senate with 89 votes, the House Republican leadership put forth an inadequate proposal to fight Zika in the range of $622 million, about one-third of what the President asked for. Then when that bill was a nonstarter, the House Republicans decided to double down, so they drafted the special House Republican Zika funding bill. What an outrage. This bill included a litany of poison pill riders that the House Republicans knew didn't have a chance in the U.S. Senate.

They threw in a provision—listen to this—at a time when women, fearful of becoming pregnant and infected by the Zika virus, were seeking family planning advice and counseling, the House Republicans threw in a provision on the Zika funding bill to block funding for Planned Parenthood. They knew with no vaccine available to protect these women, women's health clinics like Planned Parenthood were on the frontlines of giving women who faced a pregnancy the opportunity to delay that pregnancy so they wouldn't be infected and give birth to a child with serious problems.

Did they stop there? No. The House Republicans had more. They threw in provisions to undermine the Environmental Protection Agency on key provisions of the Clean Water Act. Then they added provisions to cut Affordable Care Act funds to reduce the opportunity in Puerto Rico, which is ground zero in our territories, to fight the Zika virus. Essentially, the Republicans are putting red meat for the right wing of their party ahead of protecting the people living in America and our territories—and especially pregnant women—from this public health threat.

It is no surprise that this hyperpartisan bill coming out of the House went nowhere.

Now, Senator MCCONNELL comes to the floor and blames the Democrats—blames the Democrats—after the Republicans put in the provision to block funding for family planning at Planned Parenthood.

Let me be clear. Democrats were committed from the start to fund this effort that the President asked for at $1.9 billion so that we had the resources to fight this public health emergency. The Republicans decided to play politics with it.

I have been in Congress for a while, in the House and in the Senate. We have had a lot of disasters—natural disasters and others. Time and again we put party aside to respond to the real needs of the American people. That has all changed. With the arrival of the tea party and this new spiteful spirit that we see in the Congress, even a public health crisis like Zika has become a political football in this Republican-controlled Congress.

When it became clear the Republicans were not going to approve the funding level the President asked for, we agreed to a compromise of $1.1 billion. This bipartisan bill passed the Senate overwhelmingly, and all the House had to do was to approve that bill so that we could provide funding to fight Zika. They refused.

I worry that my Republican colleagues are underestimating the threat that this virus poses. Local transmission of Zika has now occurred in Florida, with more than 35 Floridians contracting the virus without having traveled overseas. And, for the first time ever—for the first time in the history of our country—the Centers for Disease Control and Prevention is warning Americans that there are certain parts of the continental United States that are not safe to travel in. They are advising pregnant women to avoid neighborhoods in Miami, FL. That has never happened before. When the President warned us in February of the danger of this crisis, did any of the Republicans who opposed him think there would be parts of America that we would be advising Americans not to visit because of the danger of this public health crisis? Certainly, if they did, they would have paid closer attention to the President's request.

During the past 6 months, we have discovered new and worse information about Zika. Here is what we know. Zika can be spread through sexual transmission. We also know women with Zika in their first trimester face a 13-percent chance that their baby will be born with microcephaly. And even if pregnant women don't show any signs of infection, the baby can be born with serious physical and neurological disorders. Researchers are also examining the links to other negative health outcomes: Eye infections that can lead to blindness, autoimmune disorders that can cause paralysis. And what about the impact of maternal stress on the baby? I can't imagine the anxiety that pregnant women must feel right now, especially in Florida, and as a result of the looming crises in Texas, Louisiana, and certainly in Puerto Rico. If you call yourself a pro-life Congressman or Senator, wouldn't you want to do everything in your power to protect these babies from this elevated risk?

In July I met with maternal and fetal health medicine specialists and community health leaders in Chicago who shared with me their fear about what parents were going to go through. Illinois has now had 47 cases of Zika, but with Chicago being a major transportation hub, hundreds more of pregnant women have sought care and advice from providers and have undergone tests to make sure their babies are safe.

I am tired of the partisan games being played with the health of pregnant women and babies but, to date, that is exactly what has happened with this partisan response to the Zika crisis. It is time for this to stop.

I am heartened that some House Republicans—only a few—have had the courage to step up and say what is obvious. Florida Republican Representative TED YOHO recently said: ''Take everything out except Zika funding and don't put any riders in it'' when he was asked how we should respond to the Zika crisis. He basically said to Speaker RYAN and the House Republicans: You have to reverse course and take the politics out of the Zika public health crisis.

Well, I hope the Republican leadership is listening. Let's not wait for another 17,000 infected by Zika. It is time for the Republicans to stop playing these political games, to come back and approve the measure that passed with 89 votes in the Senate.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, I have come to this floor for many years now to alert the American people to a looming crisis. It is a crisis involving for-profit colleges and universities. Many people were not even aware that there was a difference between public and private universities

in the for-profit sector, but there is a big difference. I have said it repeatedly and sadly it is still the case.

There are three numbers that tell the story about for-profit colleges and universities. Ten. Ten percent of students enrolled in post-secondary education go to these for-profit schools—schools like the University of Phoenix and DeVry and Rasmussen and Kaplan—10 percent of the students. Twenty. Twenty percent of all of the Federal aid to education goes to these for-profit schools. Why so much? Because they charge so much in tuition. But the big number is 40. Forty percent of all student loan defaults are students who attended for-profit colleges and universities. Ten percent of the students, 40 percent of the defaults. Why? For several reasons.

First, these for-profit colleges and universities are recruiting young people who are not ready for college. They don't care. Sign them up. Sign them up so that these for-profit schools can walk away with their Pell grants, can lure them into student loans that send thousands of dollars for each student back into these for-profit schools. Many of the students finally wake up to the reality that they are not ready for college or that the debt they are accumulating is too high, and they make a terrible choice but an inevitable one—they drop out. So they sit there with a debt and nothing to show for it but wasted time. Or, they stick with the program. For-profit schools take them to ''graduation'' and then they find out the reality that the diploma from for-profit colleges and universities in many cases is worthless, despite all the debt and all the time wasted.

Yesterday, one of the worst actors in the for-profit sector, ITT Tech, announced it was closing after years of exploiting students and fleecing taxpayers. In the post mortem, many are focused on the Department of Education's decision a couple of weeks ago to prohibit ITT Tech from enrolling any new students using Federal student loans, in addition to other restrictions. But the root of the ITT Tech demise stretches back much further than that. This is a company that literally rotted from the inside.

The story of ITT Tech, like that of Corinthian, another failed for-profit college, is really the story of the for-profit college industry—for-profit education companies consumed by greed, fed by students who are understandably trying to make a better life for themselves, and enabled for too long by poor Federal oversight and congressional inaction. Like Corinthian before it and many for-profit colleges still today, ITT Tech charges students too much in tuition, provides them too little in the form of meaningful education, and leaves them with crushing debt.

In my hometown of Springfield, IL, we have a mall called White Oaks Mall. Every time I would drive out there and take a look at the huge ITT Tech sign on the side of that mall, I would think to myself, I know what is going to happen here. This school is going to lure in hundreds of unsuspecting students from this area, saddle them with debt, and give them worthless diplomas, and probably ITT Tech one day would go out of business. It happened. In my hometown, an ITT Tech student seeking an associate's degree in information technology, computer and electronics engineering technology, computer drafting and design, and parallel studies could sign up with ITT Tech and expect the 2-year program to cost them $47,000—$47,000 for 2 years at ITT Tech in Springfield, IL, for an associate's degree. If they went a few miles away to Lincoln Land Community College, they could get an associate's degree in fields like information technology, computers and electronics for $3,000, so $47,000 at ITT Tech and $3,000 at Lincoln Land Community College a few miles away. And here is something to think about: At Lincoln Land, only 1 in 50 students ends up being unable to pay back their Federal student loans—1 in 50. At ITT Tech: One in five. Students are 10 times more likely to default on their student loans if they went to ITT Tech instead of Lincoln Land Community College for the same degree. Why? The difference in tuition: $47,000 in debt at ITT, $3,000 in debt at Lincoln Land.

According to one recent Brookings study, ITT Tech students cumulatively—cumulatively, these students owe more than $4.6 billion in Federal student loans, and now ITT Tech is going out of business.

How much is being paid back on that accumulated debt to ITT Tech, this for-profit college? According to the same Brookings study, minus 1 percent of the balance has been repaid in 2014. How is that possible? How can it be a negative number? Because the interest on the cumulative debt is accruing faster than the payments being made by students nationwide. These students are being fleeced—fleeced by a fly-by-night, for-profit college that should have been closed long ago.

Individual students often have no chance of paying back their debt. They have taken on huge debt for a worthless diploma from ITT Tech.

In 2009, ITT Tech's 5-year cohort default rate on student loans was 51 percent. More than half their students defaulted.

Marcus Willis from Illinois understands it. He was recruited by ITT Tech with two or three phone calls a day until he finally signed up. He relented from the pressure and signed up for classes. Marcus graduated in 2003 from ITT Tech and spent months looking for a job. Of the student debt he incurred, he says: ''It's too much to even keep track of; I will never be able to pay it back.'' He says he wouldn't wish ITT Tech on his worst enemy.

ITT Tech and many of these for-profit colleges are approved by our Federal Government to issue Pell grants and student loans. Is it any wonder that students like Marcus Willis think they are legitimate schools and they turn out to be nothing but fleecing operations by these people who are raking in millions of dollars?

Like Corinthian before it and many more for-profit colleges still today, ITT Tech has engaged in unfair, deceptive, and abusive practices to lure students into their programs—false promises, high-pressure tactics, flashy advertisements.

Yesterday, when it announced it was going to close, ITT was under investigation by—listen—18 State attorneys general. It is being sued by Massachusetts and New Mexico at this moment. The New Mexico attorney general found ITT placed students into loans without their knowledge, falsely stated the number of credits a student needed to take in order to push them even deeper into debt, failed to issue refunds in tuition and fees in compliance with Federal law, and many other deceitful practices.

The Consumer Financial Protection Bureau is suing ITT Tech for predatory lending. This was a for-profit college with the blessing of the Department of Education. There are many more, sadly, just like it.

Despite what happens to students and their families, the executives who worked at ITT Tech are not going to suffer in this closure. Kevin Modany and Daniel Fitzpatrick were two ITT execs. Modany received $515,048 and Fitzpatrick received $112,348 in big bonus checks as recently as January. In 2014, Modany was paid more than $3 million in total compensation. I think that is more than any college president in America. This man was paid that amount of money by ITT Tech because students came in and signed up for their worthless courses. These are the same two individuals the SEC say violated numerous securities laws in their fraudulent private student loan scheme at ITT Tech.

Accreditation for ITT Tech? The for-profit industry takes care of that. They accredit their own schools. It is time for us and the Department of Education to stop playing ball with that.

Yet for all of this, in its swan song, ITT Tech is engaging in a pity campaign for itself—blaming everyone but its own greedy executives and shady practices for its collapse.

True to form, the Wall Street Journal calls the collapse of ITT Tech an ''execution'' carried out by the Obama administration. The words ''for-profit'' as used in the term ''for-profit colleges and universities'' are such a siren song for the Wall Street Journal that they don't even have the good sense to recognize crony capitalism when it comes to the for-profit colleges and universities. These colleges and universities are the most heavily federally subsidized businesses in America today.

ITT Tech's irresponsible actions now leave tens of thousands of students

across the country wondering what is next.

Many who recently attended ITT Tech will be eligible for closed school discharges, but must weigh their options carefully.

If students use ITT Tech credits to transfer to a similar program of study, they may not be eligible for a closed school discharge.

Those who decide to transfer should look at community colleges or other not-for-profit options. I have asked Illinois community college presidents to assist ITT Tech students to continue their educations. I urge my colleagues to do the same in their States.

The last thing we want is these students to fall into the open arms of other for-profit colleges facing State and Federal investigations or lawsuits.

In addition, there are countless ITT Tech students who likely qualify for Federal student loan relief under a defense to repayment given the voluminous evidence of ITT Tech's unfair, deceptive, and abusive practices.

The Department of Education should work with State attorneys general and other Federal agencies who have evidence of this wrongdoing to ensure ITT Tech students who were defrauded receive the relief to which they are entitled under the law.

Of course, all of this will cost taxpayers dearly. The Department estimates that the outer limit of potential closed school discharges could be around $500 million. Potential defense to repayment claims pushes the price tag higher.

In addition to the $90 million the Department currently holds from ITT Tech, the Department should seek the full $247 million it required ITT Tech to post in August and explore other ways to ensure that ITT Tech and its executives pay for as much of the relief as possible.

But the high cost can't mean being stingy with relief to students. As I said with Corinthian, we can't leave them holding the bag.

We also can't continue to rely on a policy of oversight that only protects students on the back end, after a major collapse.

We have to reform our accreditation system so that there is meaningful accountability with respect to student outcomes on the front end. I will be introducing legislation with several of my colleagues in the coming weeks to do just that.

We need earlier and more aggressive enforcement from the Department of Education, including expanded use of letters of credit to ensure taxpayers are protected. I am pleased that the Department has created an enforcement unit to identify and respond to wrongdoing early and is working through the Borrower Defense Rule to establish triggers that will require a school to post a letter of credit.

We also must ensure that students can hold schools directly accountable in court by banning the use of mandatory arbitration. I am hopeful that the coming Borrower Defense Rule will also include a strong ban on this practice which hides wrongdoing and leaves taxpayers as the only option for relief when students are wronged by schools.

I am going to close by saying that there is more work to be done. This is not the last shoe to drop. Corinthian left so many thousands of students with worthless diplomas and, sadly, worthless student debt. They didn't earn anything for it. The same thing is happening at ITT Tech.

Who are the losers? The students, their families, and the taxpayers are. When these students can't pay back their loans, the taxpayers of America lose. This ITT Tech could be a billion-dollar baby when it comes to penalties for America's taxpayers. When will this Senate and this Congress wake up to the reality of the disgrace of the for-profit college and university industry?

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise today to highlight the importance and urgent need of the Water Resources Development Act of 2016 and the urgent need to bring it to the Senate floor and to act and pass it in the Senate.

Unfortunately, there are many events, floods, and disasters around the country in recent times that highlight the need for this. The most recent—even more unfortunately, from my point of view—is in South Louisiana—the devastating thousand-year flooding in greater Baton Rouge and parts of Acadiana.

WRDA 2016 addresses many of the needs that events like this highlight. It builds on the necessary commonsense reforms we made in 2014. It reinforces why Congress should be passing these water resource bills every 2 years. This is one of the reasons why WRDA has come out of both Senate and House committees with overwhelming bipartisan support. We can't continue to rebuild neighborhoods and cities time and again after disasters. We have to become more proactive in protecting life and property, more diligent in our oversight of the Corps of Engineers to ensure that projects are delivered on time, as well as more focused on creating real paying jobs that help grow our economy with the important work contained in these bills.

Some of the highlights of WRDA 2016 that particularly impact Louisiana are as follows:

First of all, let's go to the disaster area with this devastating flooding. As chair of the Senate Subcommittee on Transportation and Infrastructure and in light of that recent flooding, I added to this bill language that would expedite construction of the Comite River diversion and additional flood protection measures along the Amite River and tributaries in East Baton Rouge and adjoining areas.

The Comite River project was first authorized by Congress in 1992, and it is one project that I have been pushing forward for several years. Had this project been completed, it absolutely would have dramatically reduced the flooding we recently saw in greater Baton Rouge. Constructing the remaining phases of the Comite River Diversion Project must be an absolute top priority, which means getting it ready to go, encouraging State and local officials to acquire the necessary footprint and mitigation lands.

In addition, the WRDA 2016 bill authorizes the West Shore Lake Pontchartrain Hurricane Protection Project and the Southwest Coastal Louisiana Hurricane Protection Project. These projects will provide necessary protection for residents outside of the New Orleans Hurricane Protection System along I–10 and throughout communities in southwest Louisiana.

We authorized the Calcasieu Lock, another vital project to reconstruct an aging lock to ensure safe, reliable transportation along the Gulf Intracoastal Waterway, a vital shipping lane.

In the bill, we have additional reforms to the harbor maintenance trust fund. This extends vital programs for ports that move much of our Nation's energy commodities, that modernize cost shares to maintain our Nation's competitive advantage in the global economy and provide for additional operation and maintenance needs for small agricultural ports along the Mississippi River.

We give authority for ports to get limited reimbursement for maintenance they perform using their own equipment for Federal navigation channels. This will help clear the bureaucratic logjam for routine maintenance and operations of our waterways in a very cost-effective way.

We provide increases in beneficial use of dredge material. That is critically important for the restoration of our coast, including the placement of dredge material in a location other than right next to the existing project.

We provide for local flood protection authorities to increase the level of protection after a disaster and rehabilitate existing levees to provide authorized levels of protection and meet the National Flood Insurance Program requirements.

We provide for allowing locals to get credit for money they spend for operations and maintenance of multipurpose protection structures and work they have already completed on coastal restoration projects.

Finally, in WRDA 2016 we also have vital studies to look at improvements to the Mississippi River, flood protection and ecosystem restoration in St. Tammany Parish, and other measures.

It is vital that we better protect our communities all across America, including in Louisiana, from disastrous floodwaters. We must be proactive, aggressive, and hold everyone accountable, certainly including the Corps of Engineers, as well as State and local partners, to ensure that these flood

protection projects get constructed on time. Congress and the bureaucracies cannot continue to drag their feet on authorization, construction, and oversight of these vital projects.

It is my hope that all of us take this into consideration and that all of us move forward with this WRDA 2016 measure, bringing it to the Senate floor, acting on it expeditiously, and getting on with the vital work of maintaining our ports and waterways and building important flood protection for communities all across Louisiana and America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

OBAMACARE

Mr. ISAKSON. Mr. President, on Christmas Eve 2009 on the floor of the Senate, I and the other 99 Members of the Senate voted on what is known as the Affordable Care Act, which later became known as ObamaCare. It has been 7 years since that debate, and a lot has happened.

When it passed on the floor of the Senate and in the House, I voted against it because I feared it would limit access, cost more, and limit choice.

It was sold as doing the opposite. It was sold as costing less, expanding choice, and expanding access. But facts are stubborn things. It is now time for us to look at ObamaCare and the Affordable Care Act, realize what it has done to us, and realize time is running out for us to correct the imperfections of that legislation.

On choice, remember what the President said: If you like your policy, you can keep it. Because of what we are doing, there is going to be more access for those who don't have a policy.

But, in fact, those who liked the policy they had didn't get to keep it. In fact, a lot of their coverage went away or became more limited.

The cost was going to be less expensive because everybody was going to be covered, but, in fact, everybody was not covered and costs have gone up. In fact, in our charity hospitals, our inner-city hospitals, and our high-trauma, level-1 centers around America, the payments for the disproportionate share of costs were going to be eliminated because ObamaCare was going to have everybody covered and there would be no uninsured people going to hospitals, but, in fact, that didn't take place.

Access was going to increase because there was going to be more coverage, more insurance, more things like that. But what has been the fact is the following: Choice is limited or nonexistent, cost is more expensive than ever, and access is gone.

As to my State of Georgia, I want to read you a few facts. Just last month after Aetna, UnitedHealthcare, and Cigna announced they would leave Georgia's marketplace, Blue Cross filed its third premium increase for the third time this summer—an increase of 21.4 percent. Earlier in the summer, Humana announced average premium increases in Georgia of a whopping 67.5 percent. This year, all 159 counties in Georgia had at least two provider options. In 2017, 96 counties in Georgia will have one option and one alone.

The numbers do not lie. ObamaCare is forcing insurance carriers to leave the market, eliminating competition and choice, all the while placing the burden of higher costs on the backs of working taxpayers in this country. Worst of all, the inevitability of the Affordable Care Act as a single-payer government system, which is on the horizon, is what I feared the most in the debate of Christmas Eve 2009—something all of us in the Senate hoped would never happen. It is going to be on our doorstep if we don't act now to correct ObamaCare, repeal the portions of it that are wrong, keep the portions of it that are right, but bring about choice, access, and quality to our residents. That is what we promised them 7 years ago, and that is what they deserve today.

It is time for the Senate, the House, and this administration and the next administration to realize that our No. 1 priority was to bring about the promise of a program that has more access, lower costs, and more choice for American citizens. We cannot rely on going to a government single-payer system. It will bankrupt the country, destroy health care, and eliminate the choice we all love as Americans.

So with that, I challenge the Senate to get down to business, correct the inequities in the law that was passed and do the right thing for the people of Georgia who I represent—give them insurance that is accessible, affordable, and accountable to the American people.

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

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

TRIBUTE TO MARVIN WILLIAMS

Mr. COTTON. Mr. President, I would like to recognize Marvin Williams as this week's Arkansan of the Week for his work as the UCAN coordinator at the University of Central Arkansas in Conway. UCAN stands for Unlocking College Academics Now, a program at UCA aimed at helping students facing their first academic suspension to improve their grade point average and continue their education. Students who participate in UCAN are permitted to stay in school during their first suspension rather than withdrawing for the semester.

As the program coordinator, Marvin works with students to help identify their academic weaknesses and find ways to accommodate them. Under Marvin's leadership, the program has helped 347 students obtain their college degrees. Without UCAN, it is possible that many of these students would have taken their semester suspension and not have returned to complete their degree.

The impact Marvin has on students' lives cannot be overstated. One of his colleagues wrote:

> [Marvin] meets with students on a daily basis to encourage them to take control of their lives and their education, so they can improve their future. On a regular basis he experiences the difficulties of life as students bring him their circumstances, and he walks with them when they have no one else to turn to. Along with that, when they need correction, he does it with empathy, and leads them back to the path they need to be on.

But Marvin's compassion does not end with his work in the classroom. Marvin was also instrumental in establishing the Bear Essentials Food Pantry, the UCA on-campus food bank. The food pantry idea was born out of a meeting Marvin had 2 years ago with a student who had very little to eat. He provided the student with a list of nearby food pantries, but she lacked the transportation needed to visit the off-campus locations. Marvin responded by taking the student to the cafeteria and paying for her meal and then springing into action. He recruited a few other UCA employees to help him, and the group successfully opened a food bank on UCA's campus.

In conclusion, I would like to quote again Marvin's colleague, who concluded his nomination with these words:

> I don't think I can accurately describe the work that Marvin has done. I'm sure in the past he's received recognition, awards, and the like. However, I believe that this week, this month, maybe even this year he is the type of Arkansan that we should aspire to be in our communities.

I am pleased to recognize Marvin Williams as this week's Arkansan of the Week, and I join all Arkansans in thanking him for his positive impact on those around him.

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

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

OBAMACARE

Mr. THUNE. Mr. President, as President Obama's Presidency draws to a close, talk tends to turn to his legacy. What will President Obama leave behind? Internationally, of course, he will leave behind a growing terrorist threat and an emboldened Iran on its way to becoming a nuclear power. Domestically, the President will leave behind a weak economy, as the recent economic growth numbers for the second quarter made clear. We grew at a

little more than 1 percent. If you look at the historical average since World War II, average growth has been 3 percent, 3.5 percent. In fact, President Obama will be the only President in history—at least since they started keeping these sorts of numbers—who will not have had 1 year in his Presidency where the growth rate exceeded 3 percent.

Under his Presidency, we have averaged about 1.5 percent, so it is a sluggish, anemic economy that continues to keep wages at lower levels for American workers, the highest number of people who have left the labor force and lowest labor participation rate literally in 40 years. That is the economic legacy of the President.

Of course, the President will leave behind his signature law, ObamaCare. Many Democrats would still like to think of ObamaCare as the President's signature domestic achievement, but you can ask anybody to scan any newspaper, and you can see it is well on its way to being a disaster.

This is just a small sampling of recent ObamaCare headlines. From the New York Times, this headline read: ''Think Your ObamaCare Plan Will Be Like Employer Coverage? Think Again.''

From the Chicago Tribune: ''Illinois ObamaCare rates could soar as state submits insurance premium increases to feds.''

From the Washington Post: ''Healthcare exchange signups fall far short of forecasts.''

From a Lancaster, PA, newspaper: ''Lancaster residents will have rising premiums, fewer choices from 2017 ObamaCare health plans.''

From the Wall Street Journal: ''Insurers Move to Limit Options in Health-Care Exchange Plans.''

From The Tennessean, quoting the Tennessee insurance commissioner: ''Tennessee insurance commissioner: Obamacare exchange 'very near collapse.''' That is a headline from The Tennessean.

I could go on. In fact, I could go on for a long time. Those are just a few of the headlines from the past 3 weeks. I could literally fill an entire speech with the negative ObamaCare headlines just this summer. Just to reiterate, these are newspaper headlines. These are not conservative talking points. ObamaCare is failing so badly that even those who might like to deny it cannot.

But let's get into the specifics. What exactly are consumers on the exchanges facing for this coming year? For starters, they are facing huge premium increases—36 percent, 43 percent, 19 percent, 22.9 percent, 89 percent. Those are some of the average rate hikes that Americans are facing around the country.

Let's break that down for just a minute. Let's say that your health care plan for 2016 costs $10,000. Let's say you are facing a 43-percent rate increase, which is the average rate increase facing Humana customers in the State of Mississippi. A 43-percent increase means you would have to pay an additional $4,300 for your health insurance next year—$4,300. That is a massive increase for so many individuals and families, and that is just the rate hike for 1 year.

Many people facing these kinds of increases already faced a substantial rate hike for 2016. Now they are expected to pay even more in 2017. Who knows what they will face in 2018. These kinds of rate hikes are completely unsustainable. Can you imagine? Just imagine if an individual's mortgage payment increased at a similar rate. Within a couple of years, most people wouldn't be able to afford to pay for their homes. While health insurance may seem like a significantly smaller part of the budget than a mortgage payment, the truth is, for many families it is not.

I have heard from at least one South Dakota family whose health insurance payments exceeded its mortgage payments. In Tennessee, individuals are facing average rate hikes ranging from 44.3 percent to 62 percent for 2017. How many families can absorb a 62-percent increase in their health care costs—and for just 1 year, a 1-year increase.

Residents in my State of South Dakota are also facing huge rate hikes. A 40-year-old nonsmoker in South Dakota faces a whopping 36-percent rate hike for a silver plan in 2017—36 percent in my State of South Dakota. I have to tell you that is simply not affordable for most South Dakotans.

What are consumers getting in exchange for their premium hikes? Too often the answer seems to be not much. For starters, many customers who are already paying massive premiums face thousands of dollars in deductibles on top of that—before their coverage even kicks in.

Then there are the increasingly narrow networks of doctors and hospitals on the exchanges. As the Wall Street Journal reported recently: ''Under intense pressure to curb costs that have led to losses on the Affordable Care Act exchanges, insurers are accelerating their move toward plans that offer limited choices of doctors and hospitals.''

The days of the President's ''if you like your doctor, you can keep your doctor'' promise are long gone. Nowadays you have not only lost your doctor, you may have very few options to replace them. Of course, all of this is assuming you still have your health care plan.

Countless Americans this year are once again discovering the hollowness of the President's ''if you like your health care plan, you can keep it'' promise. Because the other side of the story is that insurers are dropping out of the exchanges in droves.

In August, insurance giant Aetna announced it is pulling out of 11 of the 15 States where it offers plans on the exchanges. Meanwhile, Humana is exiting several exchanges, while megainsurer UnitedHealthcare is pulling out of a whopping 31 States. What does this mean for consumers? Well, for many people it means they have lost their health care plan and their insurance company and that they may have very few options for replacing them. The President promised that choosing a health insurance plan would be like buying a TV on Amazon. For many people nowadays, going on healthcare.gov is akin to choosing a TV on Amazon if Amazon only offered one or two TVs.

According to a report released in August, one-third of the country may have just one insurer to pick from on the exchanges for next year. Well, if you don't like that insurance company, apparently it is your tough luck.

One county in Arizona may actually have no insurers from which to choose, not a single one. It is abundantly clear ObamaCare is failing American families, and even Democrats are starting to indicate they realize the current situation can't continue. Of course, Democrats' answers rarely involve going back to the drawing board to consider a better solution. Instead, Democrats generally offer proposals that involve throwing good money after bad. Democrats claim that more government is the solution. Throw more taxpayer money at the problem or let the government run all of health care—all health care plans to be government run. That is what we are starting to hear.

Of course, maybe government-run health care for all was the plan all along, but would you trust the Federal Government to run your health care plan after seeing how it is doing with ObamaCare? Then, of course, there is the administration's solution, what the New York Times calls ''a major push to enroll new participants in public marketplaces.''

Previous recent pushes have been of limited effectiveness. Enrollment in the exchanges currently stands at roughly 12 million, just over half of what was projected to be at this point in the law's implementation, but leaving that aside, the administration is unlikely to have a lot of success with a new enrollment push because it is abundantly clear it is pushing a broken program.

How does the administration think it is going to make high premiums, high deductibles, and limited choices look attractive to Americans? If I were the administration, I wouldn't hold out too much hope for an advertising campaign coming to the rescue. If we wanted to coin a phrase to describe the Obama Presidency, it might be the ''Presidency of diminished expectations.'' This, after all, is the Presidency in which Americans started to doubt the cornerstone of the American dream, something we all grew up with, that their children will have a better life than they do.

It is the Presidency in which we were asked to start looking at weak economic growth—as I mentioned, a little

more than 1 percent in the last quarter and 1 percent in the quarter before that—weak economic growth as the new normal. This is good enough. Obviously, it is the Presidency in which we were asked to look at a future of high premiums and few choices as the new standard for health care.

I don't believe or think for a minute we need to resign ourselves to the diminished expectations of the Obama Presidency. We don't have to be stuck in the Obama economy for the long term, and ObamaCare doesn't have to be our health care future.

ObamaCare's goals of affordable, quality care were noble goals, but this law has utterly failed as a way of getting us there. We need to start over. We need to lift the burden ObamaCare has placed on American families. We need to replace this law with health care reform that will actually drive down costs and increase access to care. I have to say, Republicans have a lot of ideas to bring to the table, we are ready to start working on a new solution, and I hope Democrats and the new President will join us.

The American people have been stuck with ObamaCare for long enough.

ZIKA VIRUS FUNDING

Mr. President, I wish to take a moment to talk about one other health care issue; that is, Federal funding to combat the Zika virus.

Democrats blocked $1.1 billion in Zika funding for the third time this week, despite the fact that every single Democrat in the Senate supported the exact same level of funding this spring. That is right. Every single Senate Democrat supported this exact level of funding this spring. Republicans were all ready to pass a final version of the bill and get this funding into the hands of the people fighting the virus, and then Senate Democrats changed their minds. They have offered a lot of different excuses. The Zika bill attacks women's health care, they claim, despite the fact that the bill actually increases women's access to care.

It threatens clean water protections, they say, despite the fact that the bill lifts just a handful of redundant regulations for a brief period of 180 days so mosquitoes can be sprayed—to kill the mosquitoes that are carrying the virus. They also claim to dislike the way the bill is paid for, despite the fact that the majority of the money used to fund the bill has been sitting around unused.

Either Democrats are so beholden to special interest groups that they cannot make decisions for themselves or they cannot take yes for an answer. The Zika funding bill provides expanded funding for community health centers, public health departments, and hospitals. The bill funds research into a Zika vaccine. It funds research into Zika treatments, and it streamlines mosquito control efforts, as the best way to protect people is to make sure they don't get bitten in the first place.

The head of the Centers for Disease Control and Prevention, the lead government agency for fighting diseases, has said $1.1 billion—the exact amount we are talking about—will take care of immediate Zika needs.

So the question is, What are the Democrats waiting for? The number of Zika cases in the United States is rapidly increasing. More than 2,700 people within the continental United States are infected and many more in the territories. Democrats have talked and talked about the importance of addressing this crisis. Yet they just rejected their third opportunity to act.

How big does this problem have to get before Democrats decide to stop playing politics with the Zika funding? I hope they will act soon, work with us, and answer the calls and demands we are getting from the American people to provide a solution to this problem.

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

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

LOUISIANA FLOODING

Mr. CASSIDY. Mr. President, I rise today to discuss the thousand-year flood that hit my State of Louisiana a few weeks ago. It is not named, so we call it the Great Flood of 2016, in which 13 people lost their lives and $8.7 billion in damage occurred in just a few days.

As an example of the enormity, here are the power outages that followed the flooding. This is baseline before the flood. The lights went out, and all of this reflects homes substantially flooded. There is no substitute for witnessing the aftermath of the disaster yourself, but I will try to paint a picture of the damage of this terrible event and the situation from which my constituents are currently trying to rebuild.

Again, it was an unprecedented weather event. The National Weather Service deemed it a once-in-a-thousand-year event. There was no way to prepare. It was not as if there was a storm system off the coast of Africa that was proceeding across the Atlantic Ocean. Less than a quarter of the population had flood insurance and not because they were supposed to and didn't. Most weren't supposed to because it wasn't supposed to flood, and they were not required to have flood insurance. Again, the flooding occurred in areas more than 50 feet above sea level where folks were told they were not in a flood zone or were at low risk. That is one example.

Thursday afternoon, residents were warned of a possible flash flood from a weather system moving into the area, but even the National Hurricane Center had no expectation of how devastating the storm would be. It was missing key cyclone characteristics, and these parishes, never having been hit by a flood such as this, felt all was well. The first parishes to be hit by flooding had no time to evacuate or prepare.

In just the first 2 days, as much as 2 feet of rain fell in South Louisiana. This record rainfall statistically had a 0.1-percent chance of occurring; thus, it is described as a thousand-year weather event. Again, this is baseline—grass, trees, roads. This is the same street. All that brown is water.

In parts of Livingston Parish, within 15 hours, 31 inches of rain fell. By the end of the third day, Baton Rouge, the capital city, had 19.14 inches of rain; Denham Springs, within Livingston Parish, had about 25 inches of rain; Watson, LA, saw over 31 inches of rain.

We received more than three times the rain that Louisiana saw from Hurricane Katrina. The recordbreaking rainfall led to recordbreaking river crest. For example, the National Weather Service recorded the Amite River's height at 46.2 feet—5 feet higher than the previous record.

Again, this is all pretty apparent. This is baseline where you have dry land with some lakes in between and now that is water. This would be the river, and the river bleeds out into the surrounding land. The Comite River was at 34 feet—4 feet higher than the previous record. As water poured out of these overflowing river systems, currents were so strong that 14 stream gauges, used to measure the height and current of the river, were broken.

When the rain ended, 13 were dead: William Mayfield, Linda Bishop, Brett Broussard, William Borne, Richard James, Samuel Muse, Kenneth Slocum, Earrol Lewis, Stacy Ruffin, Alexandra Budde, Ordatha Hoggatt, and two others who have not been identified.

Many were swept out into the current of the water. Most were caught completely off guard by the speed at which the flooding occurred. These parishes are more than 50 feet above sea level, and they were not prepared. The majority of the 20 parishes that were declared Federal disaster areas were considered low risk for flooding. In Louisiana, only about 12 percent of homeowners living in low-risk areas have flood insurance. FEMA has already documented over 60,000 homes that were significantly damaged. The number is expected to increase to more than 110,000 homes. Less than 20,000 of those families and individuals had flood insurance.

This is debris piled up in front of homes. After 3 days of heavy rain, 20 parishes—one-third of the State—were declared Federal disaster areas. Among these, East Baton Rouge had 35 percent of its homes and businesses damaged. Ascension and Livingston Parishes had about 90 percent of their homes significantly damaged or declared a total loss.

You walk the streets, and entire lives are lined up by the curb. Imagine almost 100,000 people having to start from scratch. Imagine right now owning only the clothes on your back and

a waterlogged home, which may cost more to repair than you can hope to repay. It is fair to say that this region is in crisis.

A significant portion of our State's population has lost everything. In many cities, thousands had to be rescued by boat or airlifted—taking nothing with them and forced to leave everything behind.

The good news is our community is strong. Neighbors are helping neighbors slowly put pieces back together, but there are challenges repairing infrastructure, sending kids to school, and disposing of large amounts of debris.

Aside from that, we are still in hurricane season. We don't know what might come next, but another storm hitting Louisiana before recovery is complete would be devastating.

Right now my office is working in tandem with the entire Louisiana congressional delegation and our Governor on securing expedited authorization and funding to build the Comite River Diversion and other mitigation projects to keep this from happening again. This is critical for rebuilding and preventing this level of damage from occurring with future storms. Remembering that our State has experienced severe flooding in 36 parishes in less than 6 months, our delegation is requesting a 90-percent to 10-percent cost share between FEMA and the State of Louisiana. We are also asking for supplemental appropriations of disaster recovery community development block grant funds to help with the long-term recovery.

Louisianans will work tirelessly, as we have for weeks, to rebuild. We are so lucky that we have had volunteers from out of the State come to help. Hopefully today, by increasing the awareness of this disaster, more people are encouraged to volunteer and donate in order to help fellow Americans recover.

Mr. President, I yield back.

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

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

RECESS

Mr. BARRASSO. Madam President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FLAKE).

WATER RESOURCES DEVELOPMENT ACT OF 2016—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Utah.

OBAMACARE

Mr. HATCH. Mr. President, I rise to speak once again on the failures of the so-called Affordable Care Act and what they mean for hard-working families and taxpayers.

This is far from the first time I have come to the floor to talk about ObamaCare. Indeed, over the past several years, I don't think I have spoken as often about any other topic, and I am not alone. Since the time the Democrats forced the Affordable Care Act through Congress on a series of pure party-line votes, my Republican colleagues and I have been speaking about the poor judgment and shortsightedness that has unfortunately defined the trajectory of this law from its drafting to its passage and now well into its implementation. Quite frankly, we have had plenty of ammunition. It seems like we are treated to at least one new ObamaCare horror story every week.

My friends on the other side of the aisle have done their best to downplay our criticisms and minimize every negative story written about the problems with ObamaCare. In fact, just this morning the Senate minority leader came to the floor and pronounced the Affordable Care Act a success, but the American people have long recognized the truth: ObamaCare isn't working and it never will. This isn't a matter of opinion. This is not just political rhetoric in an election year. By its own standards—and the standards of those who drafted, passed, and implemented the Affordable Care Act, ObamaCare has been a historic failure.

Case in point, the American people were promised that ObamaCare would bring down health costs, but in reality costs are continuing to go up. Over this summer, as we moved ever closer to the next open enrollment period for the ObamaCare insurance exchanges, we have learned that insurers throughout the country have submitted requests to raise premiums by an average of 18 to 23 percent over last year's premiums. For some plans, the requested rate hikes are significantly higher than that average, coming in at more than 60 percent according to some recent reports.

Consider the following expected rate increases. In California, policyholders can expect a 13-percent average increase in premiums, which more than triples the increases seen in the past 2 years. In Florida, they can expect a rate increase over 19 percent on average over this year. In Nebraska, they can expect an average increase of 35 percent, with some rates increasing by nearly 50 percent. In Wisconsin, rates are expected to increase on average by as much as 30 percent. These numbers are more staggering when you consider that when the law was passed, the Congressional Budget Office projected rate increases of only 8 percent at this point.

By some estimates, premiums for silver plans—the standard metric—are expected to increase 11 percent, more than they have at any point since ObamaCare was implemented.

While some of my colleagues have claimed that the evidence of massive premium increases is mostly anecdotal and that tax credits help blunt the overall cost increase, they simply cannot ignore the facts. Premiums in the ObamaCare insurance exchanges are going up in markets throughout the country, and according to CBO, the Congressional Budget Office, 12 million individuals are estimated to have to pay the full price next year because they either are not eligible for credits or they would choose to purchase coverage outside the ObamaCare exchanges. What is more, the middle class is increasingly bearing the brunt of these increased costs.

As the Wall Street Journal recently reported, middle-class families are spending 25 percent more on health care costs, which reduces their spending on other necessities. David Cutler, the health care economist from Harvard, is quoted in the article as saying, when it comes to health care, it is '''a story of three Americas.' One group, the rich, can afford health care easily. The poor can access public assistance. But for lower middle to middle-income Americans, 'the income struggles and the health-care struggles together are a really potent issue.'''

Our focus should no longer be on the question of whether premiums are going up. We should instead be trying to figure out why it is happening. In the end, there are a lot of reasons why Americans are paying more for health insurance under a new system that was supposed to help them pay less, but the overall explanation is actually pretty simple: The President's health care law was poorly designed, and they know it.

Recall when my friends were drafting and passing the Affordable Care Act, they claimed that the system they were putting in place—complete with higher taxes, burdensome mandates, and draconian regulations—would entice more people into the health insurance market. With the larger pool of insured individuals, my colleagues on the other side of the aisle argued that insurers would be able to keep pace with all the new requirements imposed under the law without passing costs on to patients. We now know that these projections were, to put it nicely, foolhardy. From the outset, enrollment in the ObamaCare exchanges has lagged behind the rosy projections we saw when the law was passed. As time has worn on, more and more people have opted to pay the fines rather than purchase health care on the exchanges.

In February 2013, CBO projected that more than 24 million people would be enrolled in the exchanges. As of this

past March, the actual number was less than half of that number.

My colleagues, in their desperate attempts to defend the health care law, tend to focus solely on the number of uninsured people in the United States—a number that has, admittedly, gone down in recent years. However, what they tend to leave out is the fact that the vast majority of newly insured people under the law haven't purchased insurance through the exchanges. They have enrolled in Medicaid, a fiscally unsound program that provides less than optimal coverage options for patients. In fact, there are over 30 million people without insurance, which was the reason we enacted the law—or at least that was the argument. Today there are at least 30 million people without insurance.

The Washington Post recently ran an article on the enrollment shortfalls in the exchanges, plainly spelling out the issues. They said:

> Debate over how perilous the predicament is for the Affordable Care Act, commonly called ObamaCare, is nearly as partisan as the divide over the law itself. But at the root of the problem is this: The success of the law depends fundamentally on the exchanges being profitable for insurers, and that requires more people to sign up.

Long story short, people are not signing up on the exchanges in the numbers that were promised. As a result, health insurance plans have been forced to adhere to the law's burdensome mandates and regulations without the benefit of an expanded and healthier risk pool. So as we have seen in recent months, plans in many of the exchanges have reported massive losses, leading a number of major insurers in important markets throughout the country to terminate their plans altogether. The result: patients and consumers are being left with fewer and fewer options.

According to a recent study by the Kaiser Family Foundation, nearly one out of every three counties in the United States is likely to have only one health insurance option available on the exchanges in 2017. Another third of U.S. counties will only have two options available. Thus, what had been approximately 35 percent of the counties with two or less options on the exchanges is likely to double to around 67 percent.

Furthermore, more than 2 million individuals are expected to have to change plans for 2017 as a result of insurers leaving States, which is nearly double compared to those who had switched carriers at the end of last year.

You don't need a Ph.D. in economics to know that, generally speaking, fewer options means higher costs for consumers and lower quality products being offered. That is exactly what the American people are dealing with when it comes to health insurance. This includes people from my home State of Utah. For example, one of my constituents, Mr. Chris Secrist, wrote to me. He said:

> Since the new health care law was forced on us my premiums along with my deductibles have skyrocketed. With my premium, deductible, and ''out of pocket'' expense . . . my total out of pocket expense for insurance now tops $20,000 per year . . . can anyone . . . explain how this can be considered ''affordable health care''?

Over the August recess, I met with the Utah board of directors of the Leukemia & Lymphoma Society, and there I heard from many Utahns about the skyrocketing cost of care over the past 3 years. These constituents repeatedly emphasized that they had initially hoped ObamaCare would help them, but in their experience, it had only made things worse and much more expensive.

The downward spiral of ObamaCare is a circle that cannot be broken without some kind of intervention. While there are a number of ideas out there to address these problems, there are really only two major paths we can take. We can enact reforms that are patient-centered and market-driven or we can expand the role of government in regulating, mandating and, in the end, paying for more and more of our health care system.

Republicans in Congress, myself included, have proposed plans that would take us down the first path toward more patient-centered reforms. My friends on the other side, when they are not doubling down on the status quo under ObamaCare, are advocating for even more government involvement. Case in point, the Democrat's nominee for President has outlined a number of ''reforms'' she would like to add to the ''progress we've made'' under ObamaCare. Each of her proposals amounts to an expanded role for the Federal Government, including the renewed idea of the so-called ''public option'' or a government-run plan.

In other words, in this election season, the Democrats' answer to the failure of ObamaCare is more government control of our health care system.

It is funny, beginning in 2009, when the health care law was being finalized, I argued that Democrats intended to keep expanding the role of the Federal Government in health care to the point where they could argue that the only workable option after a series of failures would be to create a single-payer health care system; in other words, socialized medicine.

Some pundits and even my colleagues declared that I was paranoid, that I was trying to scare people into opposing ObamaCare. Yet 7 years later, those claims look relatively prescient, if I do say so myself.

Faced with the failure of ObamaCare to live up to its many promises, my colleagues are not arguing for a change in direction. Instead, they are clamoring for more authority to dictate the terms of what had been a private health care marketplace before. In a world where the government dictates both the products on the market and the prices at which they are sold, the eventual result is a marketplace in which the government is the only available provider. In other words, while many of my friends on the other side will deny they want to create a single-payer or socialized medicine health care system in the United States, that is the direction they have us headed.

Fortunately, the march toward a single-payer system is not a fait accompli. We can take action to right this ship now. We can control costs. We can take government out of the equation and give patients and consumers more choices. Of course, to get there, more of my colleagues on the other side will have to acknowledge the failures of the current approach and agree on the need to plot a new course.

Perhaps once the upcoming election is over, we can begin to make progress on these issues. It is my hope that with the current administration in the rearview mirror, people will be more willing to acknowledge the failures of the ObamaCare status quo. I recognize that the coming election may embolden those who support even more rigorous government involvement in the health care sector to try to take us further down the path of a single-payer system. If that is the case, we are looking at an even more contentious environment than the one we are in now.

Don't get me wrong. I want to see more bipartisanship around here. I want us to find more opportunities to work together and get past the blind partisanship that currently fuels so much of what we do here and that caused 100 percent of the Democrats and not one Republican in either House to support ObamaCare. But make no mistake, if the next administration or the next Congress tries to take us further down that path, they are going to have a heck of a fight on their hands. It is a fight that I personally am prepared to win so that we can eventually have a health care system that works for everyone.

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.

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

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

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Ms. HEITKAMP. Mr. President, I come to the floor today after spending the last 7 weeks traveling the beautiful State of North Dakota and working with communities on issues that matter the most to them, whether it is agriculture, opioid abuse—any number of issues involving urban and rural housing. But one common message occurs at every stop: Why can't Congress get its job done? Why aren't you doing what you are supposed to be doing?

So the people of North Dakota and I think the people of this country have a simple message: They want us to do

our job. They are sick and tired of politics getting in the way of work getting done, and they don't understand why even the most basic issues, the most simple issues, issues where there are vast majorities that support them, get hung up in partisan politics.

That got me thinking about three numbers that really sum up the inability of my friends in the majority to do their job. Those numbers are 90, 175, and 20.

Let's start with 90. Ninety is the current number of judicial vacancies across our various Federal courts in the United States. Thirty-two of those vacancies have been deemed judicial emergencies. That means that justice is being severely delayed in those jurisdictions. Every day, Americans and American businesses have to sit and wait for resolution and certainty when we are capable of getting the job done, when we actually believe we have qualified nominees ready to take the bench and hear those cases.

The majority has brought to the floor and confirmed only 20 circuit and district court judges during this Congress—20. How does that compare? Well, if you look at the last 2 years of the George W. Bush Presidency, the Senate Judiciary Committee, which was then chaired by Senator LEAHY, actually approved nearly three times as many. In fact, 68 judges were approved during that time period—68 judges compared to 20. Last year the majority matched the record for confirming the fewest number of judicial nominees in more than half a century. That is just 11 nominees for the entire year.

These are not records that any of us should be proud of, not when we hear from judges, lawyers, and our constituents about the backlog of cases in the Federal courts and around this country.

Right now, 31 nominees still have yet to either have a hearing or a vote in the Senate Judiciary Committee. Some of these nominees have put their lives on hold and are ready to serve their country in some of the highest positions a lawyer can hope to achieve. They are putting their lives on hold and delaying their economic viability, waiting to find out.

That leads me to the second number. The second number is 175. That is the number of days since the President nominated Merrick Garland to the U.S. Supreme Court. My friends in the majority will come down and claim they absolutely could not give him a hearing because of something called the Biden rule—something which I have never voted on and which I did not know existed. I went looking in the rule book to try to find out where this Biden rule exists, and I have yet to track it down. But I do know that when we talk about statements on the floor attributed to then-Senator JOE BIDEN and now-Vice President JOE BIDEN, we ought to look at not what he said but what he did when he chaired the all-important Senate Judiciary Committee. So when we look at this from the lens of actions speaking louder than words and if we look at what JOE BIDEN was able to accomplish when he chaired the committee, he gave a hearing to every single nominee who came before him, whether that nominee was nominated by a Democratic President or a Republican President.

That brings me to my last number, which should be the easiest of all to address. That number is 20. Twenty is the number of circuit and district court judges who have had a hearing, who have been reported out of the Senate Judiciary Committee on a bipartisan basis—in fact, 18 of them were unanimous—but they are still awaiting an up-or-down vote in the Senate.

I think it is unusual that I should even have to come to the floor to explain how ridiculous this is. These nominees are all noncontroversial. They are noncontroversial enough to have received a hearing and been voted out of the committee with Republican and Democratic support. That means the majority of the committee that we charge with fully vetting these nominees found all of the nominees qualified to serve a lifetime appointment on the Federal district court bench. Well, 12 were nominated over 300 days ago and 6 others were nominated over 200 days ago, and still they wait. Several of these judges were nominated and have the support of both their home State Democratic and Republican Senators. Several of these judges were nominated by and have the support of all of their Senators. It is just unheard of that they should have to wait, given that we have gone through the process.

One of those nominees I want to particularly point out is a woman by the name of Jennifer Puhl. Jennifer Puhl is from Devils Lake. Her family is a huge and important part of the community there. Her dad runs a small business, a plumbing business, and she worked her way up through the ranks and currently serves as an assistant U.S. attorney in North Dakota. She was appointed by a Democratic President, but she served initially and received her initial appointment as an assistant U.S. attorney from a Republican appointee. She is highly qualified and completely noncontroversial; yet she waits and yet the Eighth Circuit waits for another person to sit on the bench and carry the load of that important circuit court.

So I think it is time to do our job. I think it is time to move these 20 nominees and to get the court fully functioning.

I make this point because when we look at the role Congress plays in the judiciary, we have a very significant role, given lifetime appointments, that we would, in fact, provide advice and consent. But beyond that, the judiciary is an incredibly important part of our checks and balances. When we don't have a functioning judiciary, we do not have a functioning democracy. I think it is very important that we look at this in the light of our responsibility to make sure these three branches of government are fully functioning and doing their job and able to do their job because we have people in place.

So I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573, 597, 598, 599, 600, 687, 688, and 689; that the Senate proceed to vote without intervening action or debate on the nominees in the order listed; that the motions 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 related statements 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?

The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, the Senate has treated President Obama very fairly with respect to his judicial nominations. By comparison, at this point in President Bush's Presidency, the Senate had confirmed 316 of his judicial nominations—316. As of now, the Senate has already confirmed 329 of President Obama's judicial nominees. In fact, the Senate has already confirmed more of President Obama's judicial nominees than it did during the entirety—the entirety—of President Bush's 8 years in office.

So at this point I am going to object to the request, but I am prepared to enter into an agreement to process a bipartisan package of four more judicial nominations that would include a California judicial nomination, two Pennsylvania judicial nominations, and a Utah judicial nomination. This would presumably be agreeable to the senior Senator from California, the junior Senator from California, and to the senior Senator from Pennsylvania, along with the junior Senator from Pennsylvania and both Utah Senators.

So I am going to ask the Senator from North Dakota to modify her request as follows: Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider individually the following nominations, at a time to be determined by the majority leader in consultation with the Democratic leader: Calendar Nos. 364, 460, 461, and 569; that there be 30 minutes for debate only on each nomination, equally divided in the usual form; that upon the use or yielding back of time on the respective nomination, the Senate proceed to vote, without intervening action or debate, on the nomination.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. BOOKER. Mr. President, reserving the right to object, as the junior

Senator from New Jersey, this is difficult for me because one of the judges the Republican leader is suggesting be skipped is the judge who has been waiting for the longest time. Judge Julien Neals has been waiting since February of 2015. He is someone who came out of the committee with bipartisan support and someone who has deep qualifications. In addition to this, he is suggesting that we skip another judge named Ed Stanton, who is the U.S. attorney for the Western District of Tennessee.

I bring out those two judges who are next on the list. They are the two longest waiting judges for the district court—one from May and one from February. I single those two out not just because one of them is from New Jersey but, if you look at the list of the next 15 judges, these are the only two African Americans on the list. The two longest waiting district court judges and the only two African Americans are the two who are being singled out, among others, to be skipped over in what the Republican leader is suggesting.

I know that for my colleagues in the Republican Party this is not a conscious thing. I know this is a coincidence and that it is not intentional that the two longest waiting judges—the only two African-American judges on this list of 15—are being skipped over, but I do feel it is necessary to point out this fact. At a time when this Nation is looking at this judicial system as needing to confront judicial bias, at a time when judicial organizations of all backgrounds are pointing out the need for diversity on the Federal court, what is being suggested right now is that we come up with a bargain to skip over the two longest waiting district court judges, who happen to be the only two African Americans on the list of the next 15. That, to me, is unacceptable, especially when you look at the qualifications of these two judges and especially if you look at their wide bipartisan support within the Judiciary Committee. The perception alone should be problematic to all of us in this body.

So I would like to object to this offer, especially given the tensions that exist right now in our country, the urgency for diversity on the bench, and the clear qualifications of these men, and, finally, the fact that they have been waiting since May and February of 2015.

Thank you.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Mr. BOOKER. Yes, there is objection. I object to the modification.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the request of the Senator from North Dakota?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, before I returned home for the August recess, I came to the floor to call on the Senate to take up pending judicial nominations. Once again, today I join my colleagues in calling for action on the crisis that is facing our Federal courts.

We had an unusually long recess—what is called the August recess, but it actually started in mid-July. We have a brief period of time when we are back in session before we are about to have yet another recess prior to the elections. I understand the Senate has been in session fewer days than the Senate has been in session in some decades—60 years.

I feel it necessary that we step up and deal with this crisis in the Federal courts and do our jobs. I call on my colleagues in the majority to do our jobs.

The obstruction that we have seen with regard to filling judicial vacancies is harming our Federal courts and our Nation, our economy, and individuals who come before those courts to seek justice.

In this current Congress, only 22 judges have been confirmed by the Senate. As we have discussed today, we currently have 90 vacancies on the Federal courts. Thirty-two—one-third—have been declared judicial emergencies. Yet before the Senate right now, we have Presidential nominees for these vacancies—27 in number—that are available for our consideration. Each of those names has garnered a bipartisan majority from the Judiciary Committee. A bipartisan majority has supported those Presidential nominees. Each and every one of them deserve a vote in the full Senate. The American people fully deserve a functioning Federal judiciary—whether the Supreme Court, our circuit courts, or the district courts.

From my home State of Wisconsin, we have a longstanding vacancy on the Seventh Circuit Court. This longstanding vacancy is absolutely unacceptable. This traditional Wisconsin seat on the Seventh Circuit Court has been vacant for more than 6 years. This is the longest Federal circuit court vacancy in the country. Today marks the 2,435th day—that is 6 years and 8 months—of this vacancy. The people of Wisconsin and our neighbors in Illinois and Indiana deserve a fully functioning court of appeals.

During this long vacancy, the Seventh Circuit has been considering issues that face people of our State as well as our country. These issues include women's health, labor rights, campaign finance, marriage equality, and, most recently, voting rights. These are important issues, and the people of Wisconsin deserve better than an empty seat when judgments are being made on such consequential issues.

We have a highly qualified nominee for this seat. Don Schott was nominated by the President on January 12. He has strong bipartisan support. Both Senator JOHNSON and I have returned our blue slips, a part of the process to advance one of these nominees. A bipartisan majority of the Wisconsin judicial nominating commission recommended and supported his consideration by the President.

Don Schott also received the support of a bipartisan majority of the Senate Judiciary Committee when they voted to advance his nomination. Don Schott is very well qualified. He has the experience and the temperament to be an outstanding Federal court judge on the circuit court, and his nomination deserves a vote. The people of the State of Wisconsin deserve to have this traditionally Wisconsin seat filled.

Nine judicial nominees who have been previously approved by the Senate Judiciary Committee prior to Don Schott still haven't had their up-or-down vote either by the Senate, and they deserve it. As is the tradition of this body, we vote on these nominees in the order they appear in the Executive Calendar. As such, I will request that the Senate Republican leader schedule votes on each of these nominees, as well as on Don Schott.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573, and 597; that the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that the motions 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 nominations; that any related statements 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. MCCONNELL. Mr. President, reserving the right to object, I have already pointed out that President Obama has already had more judges confirmed than President Bush in his entire 8 years.

I offered a counter UC that would confirm four of the judges. I will not repeat the modification that I offered earlier.

Therefore, I object.

The PRESIDING OFFICER (Mr. TOOMEY). Objection is heard.

The Senator from Hawaii.

Ms. HIRONO. Mr. President, there are currently 27 pending nominations on the Executive Calendar and 90 total judicial vacancies. More than half of these nominations have been waiting since 2015 for a confirmation vote.

Hawaii's own Clare Connors was nominated to the Federal bench 1 year ago tomorrow. She is one of the nominees who would be skipped under the Republican leader's compromise offer, which is not a fair offer any way you look at it. Claire's resume is extensive and impressive.

In her time as a U.S. assistant attorney, Clare prosecuted Hawaii's most extensive mortgage fraud case. The case involved 15 criminals who were making it harder for Hawaii's families to obtain mortgages. This is only one example of Clare's nonpartisan commitment to public service.

During her career, Clare has worked for Attorney General John Ashcroft and Attorney General Eric Holder. She is impartial, she is qualified, and she deserves a vote.

If Clare is not confirmed, the Hawaii district court seat would be left vacant for over a year. People who appear before our courts don't want to know or care if their judge is a Democrat or a Republican. They just want to know that when they get their day in court, there will be a competent and qualified judge sitting there. This goes double, of course, for the highest Court in the land, the Supreme Court, which, because of an unfilled vacancy, has resulted in a number of 4-to-4 votes. That is not how the U.S. Supreme Court should operate. We need to do our jobs.

Mr. President, I rise today, therefore, and ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions 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 nominations; that any related statements 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. MCCONNELL. Mr. President, reserving the right to object, I previously stated on two occasions that President Obama has already gotten 13 more judges confirmed than President Bush in all of his 8 years as President. I offered a counter consent that was objected to that would have confirmed a district judge in California, two district judges in Pennsylvania, and a district judge in Utah. That was objected to, so I will spare the Senate the counter UC I offered earlier because I know it will be objected to. But with regard to the consent that has just been requested, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, Republicans who control the Senate are setting new records for obstruction by slowing the pace of judicial nominations to a crawl and leaving courts across this Nation overburdened and understaffed.

I have listened as Senator MCCONNELL has asserted that he is acting fairly on judges because more Obama judges have been confirmed than total George W. Bush judges. Here is my question: What kind of game does he think this is? At this point in time during the Bush administration, there were 42 judicial vacancies. Today, there are 90. At this point during the Bush administration, there were 13 judicial emergencies—vacancies in courts that are severely shorthanded and overburdened with cases. Today there are 32—more than twice as many vacancies, more than twice as many emergencies.

Senator MCCONNELL says, well, he just doesn't want to do his job, and neither do other Republicans. And we all know why. Republican leaders in Congress have made it abundantly clear that they want Donald Trump to be President so that he can appoint judges who will bend the law to suit his own interests and those of his wealthy friends, and if that doesn't work, then Republicans will settle for paralyzing the judicial system so that it cannot serve anyone at all.

Judicial nominees stand ready to provide American individuals, families, small businesses, and entrepreneurs with the justice they are guaranteed by our Constitution. One of those nominees is Inga Bernstein, a highly regarded Massachusetts attorney who has spent years serving families, teachers, and workers. Ms. Bernstein is not controversial. She is supported by both Republicans and Democrats. Give Ms. Bernstein her vote. In fact, give these 10 noncontroversial nominees their votes.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following 10 nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions 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 nominations; that any related statements 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. ALEXANDER. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. Mr. President, it is disgraceful that Republicans are blocking confirmation of these judges. It is even more disgraceful that 18 additional nominees haven't even had hearings yet, including Merrick Garland, who has now waited longer than any Supreme Court nominee in the history of the United States to receive a confirmation vote, while our highest Court continues to deadlock on issue after issue of importance to this Nation.

All we are asking for is the Senate Republicans to stop playing politics and do their job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, to keep appropriate balance here in the Chamber, the Senate has treated President Obama fairly in terms of his judicial nominations. As the majority leader has pointed out, by comparison, at this point in President Bush's Presidency, the Senate had confirmed 316 of his judicial nominations. As of now, the Senate has already confirmed 329 of President Obama's judicial nominations. So President Obama is ahead of President Bush by that count. In fact, the Senate has already confirmed more of President Obama's judicial nominees than it did during the entirety of President Bush's 8 years in office.

Senator MCCONNELL offered an agreement to process a bipartisan package of four more judicial nominations that would include a California judicial nomination, two Pennsylvania judicial nominations, and a Utah judicial nomination, but Democrats objected.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise again to continue the plea to move forward when it comes to fulfilling the vacancies now pending in our courts. I don't know about the Constitution saying anything about a tit-for-tat—what one President got another should get—but to me the obligation of the Senate is clear, and that is, we have an obligation to do our job and to fill vacancies.

During this Presidency, significantly more vacancies have come up because of retirements and other reasons. As we have already heard from the Senator from Massachusetts, not only are there double the vacancies, but the judicial emergencies being talked about now, which have nothing to do with party, are real. Around our country right now, there are many districts that are in crisis because of our failure to do our job.

Relying on a tit-for-tat partisan understanding reflected nowhere in our Constitution is unacceptable when we are not supporting the proper functioning of the judiciary.

We have nominations on the floor, ones that have passed out of the Judiciary Committee in a bipartisan fashion. One of those nominations—to fill a vacancy in the U.S. District Court for the District of New Jersey—is Julien Neals, who is a well-qualified nominee and who has had to wait for over 19 months on his nomination—19 months. On this list, he is the longest waiting judge. Judge Neals has served as the chief judge of Newark Municipal Court, worked in private practice, and served his community as corporation counsel and business administrator for the city of Newark. The President nominated Judge Neals to the Federal bench over a year and a half ago. A hearing was held on his nomination in September 2015. The Judiciary Committee favorably reported his nomination by voice vote in November of 2015.

The delay in confirming this nomination is unfair to the people of New Jersey, who expect their justice system to

be working in its full capacity. But we know this isn't just a burden for New Jerseyans; States across this country are being forced to shoulder the Senate's failure to confirm judges, precipitating a massive judicial crisis in our country.

Continued judicial vacancies means that current Federal judges will be overworked and understaffed. Continued judicial vacancies means the American people must wait a year or two or longer to receive justice in a case. This goes counter to the very ideals we pledge allegiance to, this idea of liberty and justice for all. Without judges on the Federal bench, justice is denied for the woman who was fired on account of her gender. Without judges on the Federal bench, justice is denied for the transgender individual who is seeking to access a restroom or other public accommodation. Without judges on the Federal bench, justice is denied for the criminal defendant who deserves a speedy trial before a jury of their peers—fundamental constitutional ideas. The longer the Republican leadership delays filling our country's judicial vacancies, the longer justice is denied for Americans across our country.

I ask the Senate to promptly vote on the next two nominees who would be up, nominees from Tennessee and New Jersey. The Western District of Tennessee nominee, Edward Stanton, is a former U.S. attorney and has been pending for over 16 months. It is important for me to point out, especially after the suggestion from the Republican leader that we skip these first two judges, the longest waiting judges—I know there was no intention here, but I think it is important that we point out that in the compromise suggested by the majority leader, these are the only 2 African-American judges in the next 15.

So here we have two of the longest waiting judges, two qualified judges, two judges who passed out of the Judiciary Committee, two judges who deserve Senate action and who are also African-American judges who can help create diversity on our Federal judiciary so that it better reflects our society as a whole.

Given all of that—the totality of the crisis in our country, the urgency that is explicitly addressed in our Constitution that the Senate do its job—I now ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359 and 362; further, that the Senate proceed to vote without intervening action or debate on the nominations in the order listed and that, if confirmed, the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. CASSIDY. On behalf of the leader, I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Tennessee.

OBAMACARE

Mr. ALEXANDER. Mr. President, the Americans I have talked with are tired of ObamaCare rhetoric. They are worried about the ObamaCare reality. And what is the reality today? The reality is that ObamaCare is unraveling at an alarming rate. There appears to be a very real danger that without structural changes there may be entire States with no insurer willing to sell plans on their ObamaCare exchanges in 2018.

We are talking about 10.8 million Americans who buy health insurance for themselves or their families on the ObamaCare exchanges created in each State as a result of the law passed in 2010. What we are saying is there are whole States where these 10.8 million Americans may have no options to purchase health care with ObamaCare subsidies. This unraveling is happening sooner than anyone thought and will require us to act both in the short term and in the long term.

If we don't take action in the short term, many Americans will have fewer options and no relief from skyrocketing premium costs. If we don't take action to address the longer term structural failure of ObamaCare, we could have a complete collapse of the individual insurance market. Again, what we mean is that you may be living in a State where you cannot buy health insurance if you rely on an ObamaCare subsidy.

The reality of ObamaCare today is alarming even for those of us who have been critical of the law and its thousands of pages of regulations. Before ObamaCare even became law, Republicans warned President Obama and we warned Democrats in Congress that ObamaCare was bad news for Americans.

In February of 2010, more than 6 years ago, I spoke for Republicans at a White House summit on health care and warned President Obama that premiums for millions of Americans with individual insurance would rise under his proposal. I was right about that. Republicans warned that ObamaCare would increase the cost of health care, that people would lose their choice of doctors, that policies would be canceled, that people would lose jobs, that taxes would go up, and that Medicare beneficiaries would be harmed. We were right about all of that. Today an alarming number of health care insurance companies are leaving ObamaCare exchanges. Americans are being forced to pay much more in premiums for the same health plans next year. This might be what Republicans predicted, but it is happening even faster than we imagined, and no one is happy about being right.

Unfortunately, I don't need to look any further than my home State of Tennessee to see how bad things have become. When Tennesseans woke up on August 24 and read the front page of our State's largest newspaper, they saw this headline: ''Very Near Collapse.'' The story wasn't about a bridge or about a foreign dictatorship. ''Very Near Collapse'' was our State insurance commissioner's description of the ObamaCare exchange in Tennessee, which more than 230,000 Tennesseans—almost a quarter of a million Tennesseans—used to buy health plans last year.

What does ''Very Near Collapse'' mean in the real world? This November, when Tennesseans are signing up for 2017 ObamaCare plans, there will be fewer plans to choose from, and they will be much more expensive. That is what it means. This picture will be the same for many Americans across the country.

Next year, Tennesseans will be paying intolerable increases—on average, between 44 and 62 percent more for their ObamaCare plans than they paid last year. Even for a healthy 40-year-old, nonsmoking Tennessean with the lowest price silver plan on Tennessee's exchange, premiums increased last year to $262 a month. Next year, it is $333 a month. And if you, the policyholder, don't pay all of it, then you, the taxpayer, will because a large portion of ObamaCare premiums are subsidized with tax dollars. Surely, it is not a valid excuse to say that just because taxpayers are paying most of the bill, that justifies having a failing insurance market where costs are so out of control that we may soon have a situation where no insurance company is willing to sell insurance on an ObamaCare exchange.

Tennessee had to take extreme measures to allow these increases because insurance companies told the State: If you don't let us file for rate increases, we will have to leave. And if that happens, Tennesseans might have only one insurer to choose from. That is what is happening in States all over the country as ObamaCare plans and rates get locked in for next year.

According to the consulting firm Avalere Health, Americans buying insurance in one-third of ObamaCare exchange regions next year may have only one exchange to choose from. People buying on ObamaCare exchanges will have only one insurer to choose from in the entire State in five States next year: Alabama, Alaska, Oklahoma, South Carolina, and Wyoming, according to the Kaiser Family Foundation. The same Kaiser Family Foundation report found that a growing number of States that have multiple insurers have only one insurer selling policies in a majority of counties.

Tennessee is one of those States. Last year, Tennesseans could choose ObamaCare plans between at least two insurers in all 95 counties in the State. For the 2017 plan year, next year, it is estimated that 60 percent of Tennessee's counties will have only one insurer offering ObamaCare plans—in other words, no choice.

North Carolina is also experiencing a dramatic reduction in options under

ObamaCare. Next year, 90 percent of counties in North Carolina are estimated to have only one insurer offering ObamaCare plans, up from 23 percent of counties last year. A similar picture exists in West Virginia, in Utah, South Carolina, Nevada, Arizona, Mississippi, Missouri, and Florida.

Just last week, the Concord Monitor, a newspaper in New Hampshire, published an article with this headline: ''Maine health insurance cooperative leaves N.H. market, reeling from losses.''

The story goes on to describe how the Maine-based Community Health Options insurance plan will no longer be operating in New Hampshire after experiencing over $10 million in losses in the ObamaCare exchange over just the first two quarters of this year alone. This move will leave 11,581 individuals in the Granite State looking for new health plans.

Politico reports that one Arizona county is ''poised to become an ObamaCare ghost town''—those are Politico's words—because no insurer can afford to sell health plans on the ObamaCare exchange. That leaves 9,700 people in Pinal, AZ, with no ObamaCare plan options in 2017.

Millions of Americans need relief from ObamaCare. Here is the action that is needed: First, Americans need immediate relief from the cost of health insurance and the lack of options on the ObamaCare exchanges. We could do that by giving States more flexibility to give individuals and their families options to purchase lower cost private health insurance plans outside of ObamaCare, and we could do that now. I intend to offer legislation that would provide that relief. That is only to deal with the emergency of next year.

Second, we need big, structural change in order to avoid a near collapse of our Nation's health insurance market. If there is a Republican in the White House next year, we need to repeal ObamaCare and replace it with step-by-step reforms that transform the health care delivery system by putting patients in charge, giving them more choices, and reducing the cost of health care so that more people can afford it. But if there is a Democrat in the White House, broad systemic, structural changes will still be necessary.

Republicans didn't create this problem, but we are prepared to solve it. Democrats want to spend more taxpayer dollars to prop up the exchanges. They want to expand the role of government in your private health care decisions.

In an article last month in the Journal of the American Medical Association, here is what President Obama wrote: ''I think Congress should revisit a public plan to compete alongside private insurers in areas of the country where competition is limited.''

Of course, the President's proposal means more money and more government, but Republicans know and Americans have seen over the last 6 years that more money and more government are not the solution; they are the problem. We saw the problem ahead of time. We warned about it. We criticized the poor regulations that made a bad law even worse. Now, we are ready to take action. We are ready to do something about this emergency—both for next year and for the longer term.

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. CASSIDY. 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. CASSIDY. Mr. President, I rise to speak about ObamaCare and the incredibly negative impact it is having on millions of Americans. Let's just speak about its impact upon the middle class. There was a recent article in the Wall Street Journal, dated August 26, which spoke about how ObamaCare is pushing the burden of health care costs to the middle class. It speaks about how deductibles have risen 256 percent, but wages have only increased 32 percent. It also goes on to say how folks are spending 32 percent more on health care, but they are having to cut back on groceries, restaurants, entertainment, and clothing. Everything else is being cut back as health care consumes more and more.

ObamaCare was supposed to change health care. The President promised that premiums would fall $2,500 per family. The logical question is, Why didn't that happen?

I have a good example. A physician friend I know who happens to be a neurologist in Baton Rouge texted me. She had a couple in her office who were paying $1,600 a month for insurance. They have a $10,000 family deductible. They are middle class and don't get a subsidy. Let's think about this. They are paying $1,600 a month and have a $10,000 family deductible. Let's do a little quick math. That is roughly $16,000 a year plus $3,200, which comes to $19,200 a year, if my math is correct. When we add $10,000 for a deductible—let's say they both get in a car wreck and they are taken to the emergency room at the same time—they will be out $29,000 before they see a benefit from their insurance. They will have to pay $29,000 before they see a benefit from ObamaCare which is supposed to hold down costs.

These are statistics and anecdotes. Let's speak in a different sense. Let's speak about premium hikes. Premiums are up 31 percent this year in Louisiana, but premium increases are rising as high as 67 percent in Arizona. There is a 69-percent premium increase in Tennessee, and that is consistent across the Nation.

As it turns out, there is one county now which doesn't have any insurance company providing coverage, but there are many other counties in our Nation in which there is only one insurance carrier. I can tell you, the less competition you have, the higher costs will go. As this continues, competition decreasing—and insurance companies like Aetna, Humana, and Blue Cross are pulling out of the exchanges in some States—we can expect these premiums to continue to rise.

The situation we are in is that people are either going to be insurance poor or they will be forced to go without insurance. There is an incredible irony. The bill which passed, the Affordable Care Act, had the stated goal of making health care affordable. It is becoming so unaffordable that people are going without insurance. I think this will only worsen.

Up to today, ObamaCare has received $10.5 billion in Federal tax dollars as subsidies, and there were a series of co-ops set up. The co-ops were going to foster competition. As it turns out, 16 out of the 23 co-ops have gone out of business, health expenditures are on an alltime rise, and the subsidies are going away—some of them have been ruled illegal by the Federal courts—and so only the beneficiary will be paying the premiums. Despite $10.5 billion in subsidies, insurance companies have lost $2.7 billion. Again, if these subsidies go away because they are illegal, we can expect premiums to rise even more.

I am a big believer that if you are going to criticize something, you should offer an alternative. I would like to point out that this Republican and another Republican have offered an alternative. We call it the World's Greatest Healthcare Plan. We have kind of a cheeky title to draw attention to it, but it is serious legislation. Under the World's Greatest Healthcare Plan, we change the paradigm of ObamaCare. If under ObamaCare the presumption is that government knows best and folks in Washington can make better decisions for the folks in Baton Rouge, New Orleans, Lafayette, Shreveport, the Presiding Officer's hometown in Pennsylvania, or any other place in the Nation, and knows what to tell them and what they should buy—therefore how much they should spend—under the World's Greatest Healthcare Plan, we take the opposite approach.

We assume that the woman in the household—usually it is a woman. I am a physician so I know this. Usually, the woman makes 95 percent of the decisions on health care for a family—let's use the feminine—so she knows what is best for her family. There is kind of a humorous anecdote. On the campaign trail 2 years ago, I had two different women speak to me in a very memorable way. One of them came up and said: You know, I am 58 and my husband is 57. Our two boys are 18 and 19. Unless my name is Sarah and my husband is Abraham, we are not having more children, we do not need pediatric

dentistry, and I do not need obstetrical benefits, but that is included in my policy, which I am forced to pay for, and my husband and I are paying $28,000 a year for insurance.

Another woman from Jefferson Parish walked up to me and said: My name is Tina. I am 56 years old, and I had a hysterectomy. My husband and I are paying $500 more a month for insurance—$6,000 more a year—and I am paying for pediatric dentistry and obstetrics. I do not need these benefits, but I sure as heck would like to have my money.

Washington is making the decision that these two women in Louisiana, and women across the Nation should pay for benefits they don't need, therefore paying far more. By paying far more, they have less to spend on other things they might need to purchase, for example, flood insurance in my State, clothing, restaurants, entertainment, a night out in their own State, wherever that State might be, but they cannot make that decision.

Under the World's Greatest Healthcare Plan, we take the power away from Washington and give it to the family. We allow them to choose the benefits they wish, those they need, making the decisions between pocketbook and health care that they are uniquely qualified to make. By the way, we also do away with the individual mandate. We know that individual mandate. It is the ObamaCare provision saying that you shall buy insurance or the Federal Government will fine you.

Under the World's Greatest Healthcare Plan, we take all the money a State would receive from the Federal Government for health care and we allow the State to give a credit to each individual in that State who is eligible, and that would be most folks. The State legislature would have the option to say that everyone in the State who is eligible is enrolled unless they choose not to be—unlike ObamaCare, where you have a 16-page online form where you have to get on and have your W–2 and check it off. If you don't have a W–2 with you and are a poorer person and have to go to the library for your Internet access and you go home by public transportation to get the right form and have to take public transportation back, it is not going to happen. Under our plan, you are enrolled unless you choose not to be. We expect to have 95-plus percent enrollment.

We don't provide the bells and whistles of ObamaCare, but what we do is give first-dollar coverage. Instead of a $6,000 deductible per individual or a $10,000 deductible per family, every family will have a health savings account with which they have first-dollar coverage. If they need to take their daughter to the urgent care center to have an earache treated, they have first-dollar coverage. There is not a $6,000 deductible to work through. They have a pharmacy benefit and a catastrophic coverage on top. If they are in a car wreck and admitted to the hospital, they will be protected from medical bankruptcy by that catastrophic coverage.

Another thing we do by giving power to the patient is price transparency. Under ObamaCare we have seen prices rise and rise and rise even more. Part of the problem is the consumer has no power. She does not have the ability to know that if a doctor orders a CT scan for her child—if she goes to this place and pays cash, it is $250 or if she goes to that place, it is $2,500. I picked those numbers, by the way, because the Los Angeles Times had an article a few years ago and found that the cash price for a CT scan in the L.A. Basin varied from $250 to $2,500, and there would be no way someone would know. With the World's Greatest Healthcare Plan, the power of price transparency is given to that mom so she knows where she can take the child for the best cash price and the highest quality and balance that with her budget. If the family wishes to really take matters into their own hands, they can put their family credits all together in a pool and buy a group policy for their family or they can give it to their employer as the employee's contribution for an employer-sponsored plan and buying into the richer coverage that employers typically give.

I could go on, but, if you will, the premise I learned as a physician is that if you give the patient the power, she will make the right decision for her family, both for their health and their pocketbook—unlike ObamaCare, which says: Family, you are not as wise as folks in Washington. We are going to tell you what you have to buy, therefore what you have to pay, and if prices escalate even more and you decide you can no longer afford insurance, we are coming after you to make you pay a penalty. It is wrong, I think it is un-American, and it is certainly bad for families.

The principle under the World's Greatest Healthcare Plan, which I like to say in a phrase is giving the patient the power, but the academic literature would call it the activated patient—someone who is now fully engaged in managing her and her family's health care. Not only does that result in lower costs, statistically it gives you better outcomes.

There is a physician Congressman on the other side in the House of Representatives who tells a story of someone he worked with. They went through a health savings account, and the manager came up and said: Dr. FLEMING, I don't particularly care for this plan because it doesn't pay for my inhaler. He said: Well, your health savings account can pay for your inhaler, I suppose, if it is not covered by your pharmacy benefit, but if you stop smoking, you don't need an inhaler, and he walked away not thinking about it. She later approached him and she said: Dr. FLEMING, let me tell you. He said: Yes? She said: You are right. He is thinking: What was I right about? She said: I stopped smoking and no longer need an inhaler. That is a personal story, if you will, of that which statistically is demonstrated. If people become engaged in their health care, they are not only healthier, but they save money. Under the World's Greatest Healthcare Plan, we take that Republican principle of believing in the power of the individual to shape her life and her family's destiny in a much more positive way than you would expect from a bureaucrat telling you to be passive and to otherwise obey.

I will return. Unfortunately, the President's health care law, the Affordable Care Act or ObamaCare, is crushing the middle class with ever-higher premiums, higher deductibles, higher copays, an inability to pay, and becoming insurance poor as they cut back on everything else to avoid paying the penalty for the needed health insurance.

Republicans have offered an alternative. One alternative is the World's Greatest Healthcare Plan, and in our alternative we give the patient the power. I suggest that would be an important area of compromise; that we all see that giving the patient the power, the individual American the responsibility, is a better way to go.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I wish to thank my fellow Senator from Louisiana, Mr. CASSIDY—Dr. CASSIDY—for his really creative ideas—the World's Greatest Healthcare Plan and the way he frames it, in terms of his years of practice and the sincerity with which I know he has practiced in all kinds of health care settings and has done a lot of work with folks who never could or never would have afforded health insurance. So I thank the Senator for what he is doing and for working with us to try to solve this issue.

I rise today to join many of my colleagues in sharing the realities of ObamaCare. We have heard a lot about this. In my home State of West Virginia, for many, this law has been nothing short of devastating. While the number of people insured has increased because of the expansion of Medicaid in my State, the way these policies were put into place has created possible catastrophic fiscal cliffs for States. My State, by the way, last fiscal year was over $300 million in the hole because of other issues, and now they are looking at this fiscal cliff of having to pay the full rate of Medicaid expansion.

There is now a segment of our population that is falling through the cracks when it comes to health reform. They make too much money to qualify for aid or subsidies and end up paying the full cost of increasing individual coverage premiums. These working families are being faced with sky-rocketing premiums, copays, and deductibles. Talk to any health care

center. Talk to the hospitals. This rising amount of deductibles is influencing their bottom line because they are not chasing the uninsured. They are chasing now people's deductibles. In my State and across this country, we have little, if any, choice in insurers.

I know we have all heard that often-repeated phrase, and I will say it again. It is the claim that if you like your doctor, you can keep your doctor. This has been pure fiction. The provider and hospital networks have shrunk and insurers have shifted away from options to give patients the choice they were promised and that they counted on, and they are now being pushed into much more restrictive plans.

One of our local papers recently ran a story about a West Virginian in just this situation, a small business person who labeled this plan accurately, calling it the ''Un-Affordable Care Act.''

Since ObamaCare, my premiums have increased at least $450 per month in the last couple of years. The plan I had was canceled. . . .

So if you like your health care, you can keep it. His was canceled—false statement. He had to enroll in a new plan. His premiums are currently over $1,350 a month. Between the high deductible and meeting the out-of-pocket maximum, this West Virginian has to pay 20 percent—all out-of-pocket—and the situation is likely to get worse.

In West Virginia, we, like many other States, are currently waiting to see what our premium increase is going to be for 2017. It hasn't been approved yet by the State insurance commission. The question is not whether there will be an increase; that is a given. The question is, How enormous will it be?

If nearby States are any indication, there is much to be concerned about. In the State of Tennessee, the State insurance commissioner recently sounded the alarm saying that the ObamaCare exchange in Tennessee is very near collapse. Rates there are skyrocketing to between a 44- and 62-percent increase. Sadly, the story is the same whether one is in Arizona, New Hampshire, Iowa, Nebraska, or West Virginia. All too often, these rate increases are coming with much less coverage as well.

I recently spoke with a West Virginia small business person who has absorbed the cost of increased premiums for their employees, realizing they can't afford it but, at the same time, that employees are getting much less coverage, higher deductibles, and higher copays. Attempting to switch to a lower cost plan comes with its own perils. The average bronze plan deductible in 2016 was $5,700. This is assuming you have choices.

A recent analysis by the Kaiser Family Foundation found that one-third of all counties in the United States will only have one ObamaCare insurer next year. This is up dramatically from the 7 percent of counties in 2016, and it is largely the result of major insurance companies scaling back or withdrawing their participation on the marketplaces. Unfortunately, there is nothing that indicates that this trend will not continue. Many counties are becoming ObamaCare ghost towns.

In Pinal County, AZ, 10,000 people bought exchange coverage this year, but no insurers are planning to offer plans on the exchange next year. What are they supposed to do? I fear this scenario could all too easily play out in West Virginia. Traditionally, over the course of ObamaCare, we have only had one insurer for the entire 55 counties. This year we happen to have 1 insurer for 45 of the 55 counties.

This lack of competition in the marketplace is not new for our State. This has been the reality for the vast majority of our residents, and now we are seeing it just expanding all across the country. This lack of choice, along with unaffordable premiums, copays, and high deductibles, has prompted most Americans to reject ObamaCare plans and not even join.

Nationwide enrollment in ObamaCare exchanges is only half what was originally planned. We owe it to those we represent to do better. We have heard Senator CASSIDY talk about his ideas. We have great ideas on this side of the aisle to improve it, and we have asked and voted many times to throw out ObamaCare and start over. I think that is the direction we need to go, because Americans deserve a health care system that works for them, every day, from year to year. It is becoming clearer and clearer that ObamaCare is not that plan.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I wish to thank my colleague from West Virginia for her comments on this health care law, as well as my colleague from Louisiana.

I have just returned, as we all have, from our time in our State and traveling in our State. I know my colleague from West Virginia heard the same stories that I heard in Nebraska. People are worried. They are afraid. They are very concerned about their futures and what they are going to see this fall with regard to this health care law. So I thank my colleagues for their comments that they have given today on this very important issue.

I, too, rise to address the stark reality of President Obama's failed health care law. The evidence of its failure continues. The latest example is the relentless increase in premium rates across our country. In Nebraska, health care plans under ObamaCare will see premium rates rise more than 30 percent. Nearly every week, I hear new stories of the pain caused by this law. It breaks my heart because it has led hard-working people to the brink of despair. We have sunk to the point where some Nebraskans, like many Americans across our country, are now asking themselves: Why bother?

Karen in central Nebraska shared that most of her paycheck goes to her plan's premium and deductible costs. She is faced with two terrible options: quit her job to qualify for more government subsidies or opt out of insurance coverage and then pay the penalty.

Meanwhile, Peter, a small business owner in western Nebraska, faces the gut-wrenching decision of raising prices to offset the rising premiums and other unaffordable costs of his ObamaCare plan.

Stephen in eastern Nebraska, another small business owner, bluntly told me: ''Enough is enough.'' For Stephen, it made more sense to pay the penalty than to budget for his ObamaCare plan. If that wasn't enough, Stephen's longtime family doctor, the medical professional who he trusts, is no longer in his network. So now Stephen has to travel just to see an in-network provider.

Because of a law forced upon them, Americans are left with difficult choices. Mothers and fathers are being forced to choose between what is in the best interest of their families and what health insurance costs they are going to be able to afford.

Hard-working Americans are keeping less of their paychecks. They are spending more on these uncontrollable health care costs. They can no longer afford and, in many cases, they no longer even have the option to see the doctor they trust. They are not saving money, and they are not better off. They are living a real American nightmare.

Nebraskans are all too familiar with the failures of ObamaCare. The co-op established for Nebraska and Iowa was one of the first ones to fail, and that was in December of 2014. In my letter at the time to then CMS Administrator Tavenner, I sought answers. I received an answer much later from Acting Administrator Slavitt. His response was disappointing, and it clearly demonstrated what we have known for a long time now: The government is incapable of successfully administering health care coverage. These Nebraskans were left with few options and very little support because of the government's shortsightedness in continuing a doomed co-op.

We have witnessed similar disasters with other ObamaCare co-ops across the country. They keep failing. They include Colorado, Connecticut, Illinois, Michigan, New York, and Oregon, to name a few. At a cost to taxpayers of more than $1.7 billion of the original 23 co-ops, only 7 now survive. That is a failure rate, people, of more than 60 percent. The surviving seven are now being evaluated for their financial health, but one thing is clear: To prop them up through the next enrollment period only to delay their really inevitable failure would be incredibly dishonest to the American people.

Nebraskans are a trusting people. We like to give people the benefit of the doubt, but there is no doubt any

longer. ObamaCare was built on certain promises and those promises have been broken.

It is time for the government to be honest with the American people. It is time to come clean, face up, and act responsibly. We have already taken some positive steps to get our people out of this mess—steps which the vast majority of the Members of this Senate have approved. The medical device tax and the Cadillac tax are clear examples. The majority of this Chamber agreed on a bipartisan basis that delaying these taxes was a necessary step to alleviate some of the harm that has been caused by this health care law. In voting to delay these taxes, the Senate chose the American people over a failed law. That was a good day, and that was a good vote. We must take more actions like that in the future—action, not just talk—actions that will help the American people lighten this law's heavy load and bring families back from that brink. We must keep doing this until Americans like Karen, Peter, and Stephen are no longer forced to make those unreasonable choices.

At the same time, I want solutions for those Nebraska families still struggling to find quality and affordable health care. But let's be honest. These solutions are not more bailouts and tax subsidies. No more one-size-fits-all Federal mandates. We must all conclude that ObamaCare is a clear failure. We must, once and for all, scrap it and then replace it with patient-centered solutions. I want to have that conversation, and I am ready and willing to do so.

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 legislative clerk proceeded to call the roll.

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

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

ELLICOTT CITY, MARYLAND, FLOOD

Mr. CARDIN. Mr. President, the first order of business in this return to session is for us to pass an appropriations bill to keep the government open on October 1. I know that people are physically at work in order to make that a reality.

I was on the floor yesterday talking about the need to fund Zika. To me, that is urgent. We have to get that done now. I explained then that there are real risks to the general population of Maryland and Colorado and every State in this country from the Zika virus.

Today I am going to talk about two episodes—two disasters—that occurred in Maryland during the recess. I mention that in this context because we need our Federal agencies fully functioning and fully funded in order to deal with the things that just happen in America.

In my own State we had two horrible disasters during the recess, and I would like to talk a little bit about that.

Marylanders are heartbroken by the devastation that has hit our community in Ellicott City. My condolences go out to the family and friends who lost loved ones in the tragedy.

I want to especially thank the first responders who worked tirelessly to save lives and property after the historic flooding in Ellicott City.

Ellicott City is a historic Maryland treasure, founded in 1772 and known for its vibrant business community and its culture of kindness and resilience. It suffered significant flooding throughout the intense rainfall on the evening of July 30, 2016. The National Weather Service predicts that a rainfall of this magnitude should statistically occur once in every 1,000 years. Six inches of rain poured down on Ellicott City—an amount of rain that normally falls over the course of one month—in the period of only 90 minutes.

Shortly after the storm hit, I toured Ellicott City with Howard County Executive Allan Kittleman, officials from the Maryland Emergency Management Agency, MEMA, and other Federal, State, and local officials. The devastation is truly frightening in terms of damage to property, businesses, homes, vehicles, and infrastructure in Ellicott City.

As the Baltimore Sun reported, Saturday, July 30, began unremarkably for a summer day in the mid-Atlantic, with thunderstorms expected. Joseph Anthony Blevins was out on a date night with his girlfriend Heather Owens, and he suggested they stop at Main Street in Ellicott City. They had just left a matinee at a movie theater in Laurel and were heading home to Windsor Mill. With a roll of her eyes, she agreed to stop in the city's historic district.

Let me continue with the Baltimore Sun's reporting of this story:

It was raining when [Heather Owens and Joe Blevins] pulled into a parking lot off Main Street around 7:30 p.m., and they sat in the car to wait out what they expected to be a short downpour. They didn't know that the weather service had issued a flash flood warning for much of central Maryland about 12 minutes earlier. When they realized the rain was not going to let up, they decided to go home. They pulled back on to Main Street, but within five minutes, their car began floating. The car struck a guardrail and plunged into the swollen Patapsco River.

Owens was able to get out of the passenger side window, and thinks she grabbed something, perhaps a branch of a tree on the river bank, as the current pulled her downstream.

She looked for Blevins and saw him in the river, gasping for air and reaching in vain for something to hold on to. She scrambled up the rocky bank onto nearby railroad tracks, heading toward houses on higher ground to get help. The rushing waters had torn her pants and shoes off, but she survived with a fractured jaw. . . . Residents and first responders later looked unsuccessfully for Blevins. Blevins, 38, died during the flooding, leaving behind Owens and his three children.

A confluence of meteorological and geographical factors turned this hard summer rain into a destructive torrent. In less than 2 hours the river rose 14 feet above its normal flow. Shops and restaurants that line Main Street were swamped and flooded as water rushed down the street and rose underneath it. The Tiber, usually just an inch or two of water running through a reinforced channel below some of the buildings, swelled during the storm.

You can see a little bit here of the damage that we are talking about in this photograph. I had a chance to see this firsthand, and it was incredible that buildings had been completely washed away. The river normally flowed underneath that and has for a long time, but because of construction and because of the amount of water that fell, the water was funneled into Main Street, and it became a force of itself going down Main Street, as well as the river rising below it, causing major destruction.

Jessica Lynn Watsula also died in the flood. Again, as the Baltimore Sun reports, she was a 35-year-old mother who lived in Lebanon, PA, and had gone to Portalli's in Ellicott City that night with three women for a girls' night out.

Watsula dropped off her 10-year-old daughter at her brother's home and drove two hours from Pennsylvania for dinner and painting Saturday in Ellicott City—a chance to share an evening with her sister-in-law and two other relatives.

As the four women left Portalli's Italian restaurant on Main Street in the historic district, a wave of flood water began to sweep their car away. They got out and clung to a telephone pole as waist-high water rushed over them.

Watsula was swept away and died in the flood.

As we mourn the loss of Joseph Blevins and Jessica Watsula, let me thank the citizens of Ellicott City who undoubtedly saved many lives with their heroic actions during this historic and deadly flood.

I am pleased that our congressional delegation has moved quickly to facilitate the emergency help for families, communities, homeowners, and small businesses to recover from this disaster.

I want to recognize and praise the Federal agencies who stepped up to the plate and worked hand-in-hand with our State and local officials.

Let me start by thanking the Small Business Administration and specifically SBA Administrator Maria Contreras-Sweet for her tremendous help to the people of Ellicott City. The SBA's survey of Ellicott City found more than the 25 structures—with 40 percent or more of uninsured damage—required to recommend an SBA physical declaration. At least 60 homeowners, renters, and businesses in Ellicott City and surrounding areas sustained major damage or were destroyed. More than 80 structures sustained minor damage as well.

In this case, the Federal disaster declaration from the SBA was necessary to ensure Howard County business owners got the physical disaster loan assistance and economic injury disaster

loan assistance they need to repair or replace real estate, personal property, equipment, or inventory damaged or destroyed in the disturbance. I know many of these shopowners. These are not chains; these are small business people who have set up their own unique businesses providing retail services in a way that reminds us of how retail used to be in this country. Main Street in Ellicott City is Main Street America. These people are very resilient, but when you have this type of damage and you know how long it is going to be before you can return the structure to its use, it requires a helping hand.

I was pleased that the SBA came through for the citizens of Ellicott City by approving a formal disaster declaration which will allow the homeowners, businesses, and nonprofit organizations impacted by this epic storm and resultant floodwaters to apply for economic injury disaster loans, which provide low-interest assistance to help businesses meet their financial obligations and pay ordinary and necessary operating expenses.

The SBA has repeatedly proven its willingness and ability to help Marylanders struck by crisis. I express my sincere thanks to the SBA for the assistance extended to our neighbors in need, and I will continue to work with Team Maryland, including Senator MIKULSKI and Congressman CUMMINGS, to identify additional resources to aid Ellicott City. The Maryland delegation has come together to support the State's request for a Federal disaster declaration for Howard County after the deadly and devastating flood in Ellicott City.

Given the massive impact this flooding had on our State and our local resources, I have joined my colleagues in the Maryland delegation in writing a letter to the President urging him to approve the Federal disaster declaration at the request of our Governor, Larry Hogan.

I also acknowledge the extraordinary help from officials from Region III of the Federal Emergency Management Agency and in particular MaryAnn Tierney. Region III offices are headquartered in Philadelphia but include the State of Maryland. So I appreciate Administrator Tierney coming down for a site visit to oversee the joint preliminary assessment. She was there immediately. I met with her. She understood the urgency and the importance of being on the ground. I was pleased to have the opportunity to meet with her and others during her site visit to Ellicott City. I thank her for her coordination with State and local officials in responding to this disaster.

FLOWER BRANCH APARTMENTS EXPLOSION AND FIRE IN SILVER SPRING, MARYLAND

Mr. President, I also want to share with my colleagues another major disaster that occurred in Maryland over the Senate recess. On August 10, a massive explosion and fire took place at the Flower Branch Apartments in Silver Spring, MD. Seven individuals died in the catastrophe, which caused dozens of injuries and displaced over 100 residents.

I was at this scene also. We lost life. People lost their lives, and I am going to mention their names. I was surprised to find that there were survivors when I took a look at the amount of damage that was done by this explosion. The first responders showed me parts of the building that were found hundreds of yards away, mangled by the force of the explosion. There was immediately a fire that consumed the rest of the premises. As the Washington Post reported, the destruction was so devastating that authorities were unable to immediately determine how many people died. There was difficulty in making identifications.

Among the victims were two little boys, Deibi Morales and Fernando Hernandez, who had become friends as their mothers undertook new lives in the United States; a couple, Augusto Jimenez and Maria Castellon, who built a house-cleaning business; and a retired painter, Saul Paniagua, who doted on his grandchildren. We mourn all their lives, and we extend our deepest condolences to their families.

I toured this site recently with Montgomery County Executive Ike Leggett and other Federal, State, and local officials, including officials from the Montgomery County, MD, Fire and Rescue Service. Our hearts go out to the families who have been impacted by this horrible tragedy in Montgomery County.

I want to thank the first responders, State and local officials, as well as a wide range of nonprofit, faith-based and community groups who have answered the call to help victims, families, and loved ones begin to put their pieces back together as best they can. It was heartwarming to see the community outpouring to help those who were homeless immediately as a result of this disaster and to provide whatever they could.

They provided help to the first responders. The temperature was over 100 degrees during the period of time this occurred. There were oppressive temperatures and very difficult working conditions. The community came together to help the first responders. We had a team come in from out of town who is expert in this type of accident to help us in dealing with this tragedy.

I thank everybody for their help in trying to do what we could to help those who are fighting and helping to locate the survivors and to those who were victimized by this explosion.

At the Federal level, I commend the work of the Bureau of Alcohol, Tobacco, Firearms and Explosives in helping with the investigation of this massive explosion and fire.

I am pleased that the National Transportation Safety Board has launched a formal investigation into this incident, and that is because there is an expected gas line issue involved in the explosion. I am hopeful that the National Transportation Safety Board investigation will uncover the causes of the explosion and fire and hold individuals accountable for any wrongdoing, as well as lead to additional safety recommendations as to how to help prevent these types of devastating explosions in the future.

We should also examine our outreach and education efforts to the immigrant community to make sure that all residents are aware of the rights and government services available to them. This community is an immigrant community. For many, English is not their first language. It was an additional challenge to make sure they understood that we were there to help and that we wanted to make sure we did everything we could to make sure they were properly taken care of.

Again, I thank the Federal, State, and local government agencies that helped the citizens of Ellicott City and Silver Spring respond to these terrible disasters. Working with our nonprofits and faith-based communities, we can recover and rebuild from these tragedies.

As I said in the beginning, this is just another example of why it is critically important that we do our job here and that we pass the necessary appropriations bills so that our Federal partners can help our State and local governments help those who are victimized by these types of disasters, that they knew they have the Federal agencies fully tooled, fully budgeted to help them respond to these tragedies.

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

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

ENDING U.S. AID USED FOR PALESTINIAN ACTS OF TERRORISM

Mr. COATS. Mr. President, in June I spoke on the floor about the appalling practice of the Palestinian Authority to reward terrorists and encourage more terrorism against Israeli citizens and Americans. My purpose then was to draw attention to these payments and especially the fact that U.S. taxpayer money was being used in this disgusting way. I had hoped that others would share my outrage. Unfortunately, that has not yet occurred, although I think it will.

Already, the country of Norway has raised this issue through its Foreign Minister. Just recently, a German parliamentarian of the Green Party raised this issue. Countries are becoming aware of the fact that they are subsidizing terrorist acts by Palestinians against Jews and against Americans in Israel and that aid money which is going to that country from our countries—from a number of foreign countries—is being used for that purpose.

Let me give some of the facts regarding that. I want to repeat these. Some of this is a repeat of what I said in June, but I think this is so unconscionable, such inhumane behavior that we are subsidizing, that we need to understand what it is and we need to take action to make sure this does not continue.

Since 1998, the Palestinian Authority, which I will refer to as the PA, has been honoring and supporting Palestinian terrorists serving criminal sentences in Israeli prisons and rewarding the families of those terrorists, those who have committed these criminal acts, rewarding their families with financial support based on the severity of the crime.

As we have learned through some documentation obtained, this system has now been formalized and expanded by President Abbas's Presidential directives. Palestinian terrorist prisoners are regarded by the PA as patriotic fighters, as heroes, and actually as employees of the government of the Palestinian Authority. While in prison, they and their families are paid premium salaries and given extra benefits as rewards for their terrorist actions. When they are released from custody, the terrorists then become civil service employees. Shockingly, monthly salaries for both incarcerated and released prisoners are on a sliding scale, depending on the severity of the crime and the length of the prison sentence. Thus, the more heinous the crime, the longer the sentence, and a longer sentence entitles the criminal and his family to a much higher premium salary. For example, a Palestinian prisoner with a 5-year sentence because they committed a criminal act against an Israeli or an American citizen or someone who is not a Palestinian receives about $500 per month, whereas a more serious criminal, say serving a 25-year sentence, perhaps for murder, receives $2,500 a month. It is an incentive to do an evermore criminal, heinous act against a human being. They are paid on a sliding scale basis. That, by the way, is six times the average income of a Palestinian worker. Where else in the world does a prisoner receive such benefits that actually increase with the severity and violence of the crime? U.S. Federal prisoners, for instance, earn between 35 cents and $1.15 per hour and certainly not on a sliding scale and certainly not to that level.

In May of 2014, Palestinian President Mahmoud Abbas issued a Presidential decree that moved this payment system from the PA to the PLO, the Palestinian Liberation Organization. The openly acknowledged reason for this shift was to sidestep the increasingly critical scrutiny of this payment system by foreign governments—including us, the United States—that are contributing so much of the money that keeps the PA afloat. So they were receiving criticism, and there were inquiries by countries providing aid, including ours, including our State Department, and including some legislation that was enacted by the Congress. They created a shell game. They simply took the money that was given to the Palestinian Authority, and because there was criticism of their use of it as to these payments, they shifted it to the PLO through a shell game process that they thought we would not discover, and we did. Fortunately, we did.

Unfortunately, given these facts, given the fact that we now know what is happening with American taxpayer dollars and some of our allies' taxpayer dollars, there should not be any question in terms of what is happening and what we ought to do, but apparently many of our leaders have been intentionally turning a blind eye to this practice in the hopes that we will ignore what is going on.

This nefarious scheme has been going on now for 18 years and almost no one has been saying anything about it. That is why I am on the floor today, that is why I was on the floor in June, and that is why I will be on the floor again to continue to bring these facts to light so we can take action to prevent this from happening.

Where is the outrage—outrage over the fact that a government is deliberately encouraging and financially rewarding its citizens to engage in a criminal act.

This administration has explicitly avoided criticism of the PA on this matter, and it is ignoring the misuse of taxpayer money and helping the PA reward its terrorists to honor its martyrs. It is time they stood up, acknowledged the facts, and put an end to this. How can this silence be consistent with our antiterrorist efforts and counterterrorist efforts? How can this silence be ignored?

One answer is that the administration has ignored the misuse of taxpayer dollars simply because it doesn't want to stir the pot. There are problems in the Middle East. We are dealing with a number of them. I am just speculating, but maybe the conclusion is let's not raise another issue that could cause further conflict in the Middle East.

Yet there are worse things here than just silence because not only does the State Department decline to actively oppose these terrorist payments, they even offer false excuses for the outrage, excuses no rational person would believe. For instance, the Department of State's Bureau of Counterterrorism said in a recent report that this payment system was ''an effort to reintegrate [released prisoners] into society and prevent recruitment by hostile political factions.'' This is simply an absurd interpretation of the terrorist rewards programs, and its far more sinister motives are obvious to anyone who is paying attention.

At the same time, we must admit that this payment scheme has gotten little or no attention in the Senate. For 18 years, the PA has been using American taxpayer money to reward terrorists. Yet until I spoke about it in June, I am not aware this subject has even come up on the Senate floor in any of the recent years. We should be holding hearings on this issue in appropriate Senate committees, as there have been recently in the House of Representatives, and thank goodness for that. More of my colleagues should be demanding that we stop financing such a scheme and we should enact legislation to impose that solution, if necessary.

I can only speculate why outside groups that support Israel are also hesitant to press Congress to take action. Some may be reluctant to impose more pressure on a financially weak and dependent PA, believing that it would deprive Abbas of what little remains of his authority and status as a negotiating partner, thus making a negotiated settlement even less likely.

Even some Israeli officials may share this view and have worked for years to act as a brake on efforts by Congress to cut off aid, presumably to preserve the PA's stability as a West Bank security provider. Well, we have seen where that has gone—nowhere.

Despite possible consequences, we simply cannot give the PA a pass to support, to condone, and even reward terrorism, no matter what the consequences might be. The Palestinian Authority does not deserve immunity just because of its fragility. These payments provide rewards and motivations for brutal terrorists, plain and simple. To provide U.S. taxpayer money to Abbas and his government so they can treat terrorists as heroes or glorious martyrs is morally unacceptable.

To tolerate such an outrage because of concern for Abbas's political future or preserving the PA's security role amounts to self-imposed extortion. If the PA's fragile financial condition requires U.S. assistance, then it is their policy—not our policy—that needs to change.

We need an immediate response to this outrage.

First, I am working with my colleagues to end American financial support for incarcerated terrorists or the families of these so-called martyrs. We will identify the amount of money that flows from the PA to the PLO for this purpose and cut U.S. assistance by that amount, at the very least.

Legislation to that effect is now in both the House and the Senate versions of appropriations bills, and we must work together to ensure that this language survives any future omnibus or continuing resolutions and is repeated in future appropriations bills.

If this partial cutoff of U.S. aid is not sufficient to motivate the Palestinian Authority to end this immoral system of payments to terrorists, we should propose a complete suspension of financial assistance until they change their policy.

I am aware that suspending assistance to the Palestinians will have other consequences that we and Israel

will have to address, but I believe the pressure that we and other like-minded governments could apply to this matter will bring President Abbas and other Palestinian officials to their senses.

In any case—whether it does that or not—the moral imperative is clear: Payments that reward and encourage terrorism must be stopped and must be stopped now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

PRESCRIPTION DRUG PRICES

Ms. KLOBUCHAR. Mr. President, I rise to bring attention to an urgent issue affecting all Americans. Actually, the No. 1 issue I heard about when I was home—and especially at our State fair, which, by the way, is the biggest State fair in the country because we don't count Texas because they are open for a month. But there were 2 million people, a record crowd, 1.9 million to be exact.

I went out there most of the days, and I was able to talk to folks right where they were. The issue they are talking about is the high cost of prescription drugs in our country. The price of insulin has tripled in the last decade. The price of the infectious disease drug Daraprim has increased 5,000 percent overnight. The antibiotic Doxycycline went from $20 a bottle to nearly $2,000 a bottle in just 6 months. Of course, the price for an EpiPen—which received so much attention over the last few weeks, which is used to treat life-threatening allergies, my daughter carries one wherever she goes—shot up nearly 500 percent since 2007.

It seems every week we hear another disturbing report of drug companies focused on profits. According to a 2016 Reuters report, prices for 4 of the Nation's top 10 drugs increased more than 100 percent since 2011. The report also shows that sales for those 10 drugs went up 44 percent between 2011 and 2014, even though they were prescribed 22 percent less.

I continue to hear from people across my State and the Nation about the burdensome cost of prescription drugs. There are heartbreaking stories about huge pricetags that are stretching families' budgets to a breaking point. This is just an example. I brought these examples home with me from the State fair and then brought them to Washington. These are from just a few days at our State fair booth, where people came up and filled out cards about their stories of increasing drug prices. These are just a few of the emails we have received since August 25 and calls we have received in our office every single day.

For example, take the Dwyer family from Cambridge, MN. At 11 years old, Abby was diagnose with a rare form of leukemia. A few years later, her older brother Aaron was diagnosed with stage III lymphoma. Thankfully, both Abby and Aaron are doing much better, but the family faced astronomical out-of-pocket expenses during their treatment. Abby is on a drug with an average wholesale price in the United States of $367 per day, which is double the average price in other countries.

Another example is a family from Elk River, MN. Due to their son's allergies, they must buy four EpiPens a year—two for home, one for school, and one for daycare. That is not overdoing it. I can tell you, having had a child with allergies since she was 4 years old, you don't just buy one. You have to buy one for school, then you also have to maybe buy one for grandma's house, and then one gets lost—so you end up not buying just one EpiPen. In reality, most families are buying four to six, which are two packs, three packs, sometimes even four packs. This family from Elk River, MN, buys four EpiPens a year: two for home, one for school, and one for daycare.

This year the family paid $533 for a two-pack, even after using Mylan's coupon. They shouldn't be forced to spend over $1,000 each year just to make sure their son is safe every single day.

I recently heard from a family in Lakeville, MN, whose daughter was diagnosed with type 1 diabetes. She needs insulin on a daily basis. This means paying $100 a month for Humalog, which is a fast-acting form of insulin. This significant financial burden is on top of all the other costs they pay for their daughter's diabetes, including test strips, an insulin pump, and a glucose monitor.

Unfortunately, these families are not alone. A recent study showed that one out of four Americans whose prescription drug costs went up said they were unable to pay their bills. One out of five were forced to skip doses of their medication. Seven percent of people even missed a mortgage payment due to rising prescription drug costs. That is just not right, and our country must do better.

I think one of the most frustrating things about it, having heard about the EpiPen—all because of my role with this all during the last few weeks—is that I got screen shots of photos of this exact same product in Australia for $150 from someone who saw it online.

In Great Britain, I was on a show broadcast out of Europe, and there the host had it right there on the screen at 150 bucks. In fact, the Canadian prices—Minnesota being so close to Canada—are, on average, 50 percent of American drugs across the board.

Of course, the burden extends beyond patients, the States, and the Federal Government. Programs such as Medicare, Medicaid, and the State Children's Health Insurance Program, or SCHIP, paid roughly 41 percent of the Nation's prescription drug costs. When drug prices increase with abandon, American taxpayers are left footing the bill. So people who think, well, I don't need one of those EpiPens, they are paying for it because Medicaid is buying them because SCHIP is buying them and because Medicare is buying them.

Just last week, we learned that the company that manufacturers EpiPen and perhaps other companies have found ways to make taxpayers pay even more. Mylan marketed EpiPen like a brand-name drug, right? We heard about it this week because they just—and we will appreciate that—introduced a generic version. However, their other version, their marketing version, controlled at least 85 percent of the market. They would claim they were having some innovations, and that is how they justified that enormous price increase from $100 to about $600 from 2009 to the present.

However, through the Medicaid Program—so, remember, they are marketing it not as a generic. Everyone knew that because they just introduced a generic. Well, in the Medicaid Drug Rebate Program they wrongly classified—we found out this week, when I sent a letter with Senator GRASSLEY and Senator BLUMENTHAL, that they wrongly classified EpiPen as a generic drug to the government. To the government, they claimed it was a generic drug. This classification means that Mylan has been paying lower rebates to Medicaid, increasing the burden on taxpayers.

So you think, OK, misclassification, what does that mean? Well, I can tell you what that means.

In Minnesota alone—because I specifically asked about Minnesota—in 1 year, my State overpaid an estimated $4.3 million. Why don't we multiply that out by all the States in the Union and all the years it has been happening? At this point, we do not know the total amount taxpayers have overpaid on EpiPen or how many other drugs from other companies are misclassified. That is why I have called on the Department of Health and Human Services to conduct a nationwide investigation to determine how much the misclassification of, first, EpiPen has cost States and the Federal Government, and, two, to identify other misclassified drugs from other companies.

Take these examples from the Canadian International Pharmacy Association. In the United States, a 90-day supply of ABILIFY, a drug used to treat depression and other mental health disorders, costs $2,621. In Canada, a 90-day supply of the exact same drug is only $467, which is over 80 percent cheaper.

So you see these examples of these high-priced drugs. I think one of the things we need to do—and I don't know how those are classified—is to see how these are being classified for Medicaid purposes.

Working with the Department of Justice, HHS should use all the tools it has to recover any overpayments. We have asked specifically about EpiPen. Well, Mylan paid almost $120 million—I don't think this has been that well

known—back in 2009 to correct a misclassification of drugs. That was in 2009. Now we find out with EpiPen, which is about 10 percent of their profits, that this has been misclassified for years and years and years.

Misclassification is just one way the government and, as a result, taxpayers are paying more than necessary for prescription drugs. One thing is absolutely clear: We must act now to make the cost of prescription drugs more affordable for all Americans. There is not one silver bullet that will fix the problem across the board, but there are some commonsense solutions to address the problem. Today I am going to offer four such solutions, any one of which would provide real relief, but the best way is to do all of them.

The first is this. I mentioned Canada a few times. In fact, I just mentioned some of the Canadian prices for the drugs. In Minnesota we can see Canada from our porch. They spend a lot less money than we do on prescription drugs. As I mentioned, last year average prescription drug prices in Canada were less than half as expensive as they were in the United States—a price gap that has expanded significantly over the last 10 years. I mentioned a few of them—Abilify. There is Celebrex, an anti-inflammatory drug, which costs $884 in the United States for a 90-day supply. In Canada it is $180. That is nearly 80 percent less. I mentioned EpiPen, at $623. Of course, now we are going to get the rebate and the generic introduced after a public outcry, which is not the way it should be working. A two-pack in Canada costs 62 percent less, at $237.

These staggering differences are why I introduced bipartisan legislation with Republican Senator JOHN MCCAIN to allow Americans to safely import prescription drugs from Canada. The Safe and Affordable Drugs from Canada Act would require the FDA to establish a personal importation program that would allow Americans to import a 90-day supply of prescription drugs from an approved Canadian pharmacy.

Now, there may be other safe drug suppliers in other countries. I think we know that. But we thought, in order to get the noise down, let's focus on one country, our neighbor and one of our best trading partners, and why not just go with the friendly people of Canada for an experiment to see how this works to allow some competition by allowing these drugs in from Canada.

To provide needed safeguards, the FDA would publish an online list of approved Canadian pharmacies so people know where they can purchase safe drugs. These approved pharmacies would need to have both a brick-and-mortar and an online presence, and they must have been in business for at least 5 years. Also, these pharmacies would not be permitted to resell products purchased outside of Canada. The drugs from Canada would need to be dispensed by a licensed pharmacist and be required to have the same active ingredient, route of administration, and dosage form and strength as an FDA-approved drug.

There would also be safeguards to ensure that the personal importation program is not subject to abuse. Patients must have a valid prescription from a doctor. Certain types of drugs, including controlled substances, would not be permitted.

This is a safe and commonsense step that would save families real money and inject greater competition. We are about competition in this country. That is how we bring prices down. We have a friendly neighbor to the north that clearly has lower priced drugs than ours, and that is why Senator MCCAIN and I have joined, along with Senators SUSAN COLLINS and ANGUS KING of Maine and many others, to say: Let's do this. That is one solution.

A second solution is this: Pay for delay. This is of one of those things that, when I told our citizens in Minnesota about this at our State fair, they could not believe it. Beyond the drug importation legislation, we can crack down on illegal pay-for-delay deals that prevent less expensive generic drugs from entering the market.

Pay-for-delay agreements occur when a brand-name drug company—a pharmaceutical company—pays a generic drug competitor—a potential competitor—not to sell its products. This is going on in the United States of America.

My booth at the State fair is next to Bob's Snake Zoo, and sometimes people come out yelling and screaming because they get a little scared from the snakes, but this is scarier than that. In fact, pharma companies are paying generic companies to keep their products out of the marketplace.

That is why I have introduced the Preserve Access to Affordable Generics Act with Republican Senator CHUCK GRASSLEY of Iowa. This gives the Federal Trade Commission greater ability to block these anti-competitive agreements.

By allowing generic drugs to enter the market more quickly, the government would save money through the purchase of lower cost generic substitutes. That is why it is estimated that limiting these sweetheart deals would generate over $2.9 billion in budget savings over 10 years and save American consumers billions on their prescription drug costs.

Who can be against this? You literally have two competitors, one accepting money and one paying them off to keep their products off the market. The Supreme Court heard a case which made some difference. The SEC has a bunch of open cases, but it has been agreed at hearing after hearing that Senator GRASSLEY and I have held that this would be a smart thing to do. Remember, it would save the government $2.9 billion, but it would also save the consumers.

The third good idea is allowing Medicare to negotiate prices. This is another thing where Minnesotans and Americans cannot believe this is the case, but in fact the combined incredible market power of the seniors of America has not been unleashed in terms of getting good deals for the seniors of America.

Under current law, prescription drugs for Medicare beneficiaries are provided through private prescription drug plans. The plans are responsible for crafting benefit packages and negotiating with pharmaceutical companies for prices and discounts. The Department of Veterans Affairs and Medicaid can currently negotiate drug prices with pharmaceutical companies, but the law bans Medicare from doing so. This makes no sense, and it is a bad deal not just for our seniors but for all taxpayers.

That is why I introduced the Medicare Prescription Drug Price Negotiation Act. This legislation would allow Medicare to directly negotiate with drug companies for price discounts. The Federal Government would leverage its large market share to negotiate better prices for more than 30 million seniors—that is market power—covered under Medicare Part D.

Last and finally, there is the CREATES Act. I worked on this bill with Senator PATRICK LEAHY, Senator GRASSLEY, and Senator MIKE LEE to introduce the bipartisan Creating and Restoring Equal Access to Equivalent Samples Act. That is a mouthful, but what it would do is to put an end to strategies that delay generic competition and cost American consumers billions of dollars.

To receive approval from the Food and Drug Administration, a generic must test its products against the brand name product to establish equivalence. You would want that. Without access to brand name samples, there can be no generic product.

For a long time, generic companies would simply buy these samples from a wholesaler. Now, some brand name companies prevent generic companies from obtaining samples, or the brand name company simply refuses to negotiate safety protocols with the generic company. In either case, the longer the brand name company can delay the generic company's approval, the longer the brand name maintains its monopoly.

The CREATES Act would allow a generic drug manufacturer facing one of these delay tactics to bring an action in Federal court in order to obtain the needed samples or stop a branded company from dragging its heels on negotiating safety protocols. The bill would also allow a Federal judge to award damages in order to deter future delaying conduct.

The Congressional Budget Office estimates that this bill would save the government $2.9 billion over 10 years. The savings to consumers and private insurance companies would likely be far greater.

So let's review this, as my colleagues come to the floor. Solution No. 1 is to

allow for safe drugs from Canada. It would bring down the prices and would bring in competition. This is a bipartisan bill—Democrats and Republicans—that I have with Senator JOHN MCCAIN.

Solution No. 2 is to allow for more generic competition by passing the CREATES Act, which I just mentioned. That bill is with Senators LEAHY, GRASSLEY, LEE, and myself. That is a bipartisan bill that allows for samples to go quickly to the generic companies so they can actually create the drugs that will compete and bring the prices down.

Solution No. 3 is to stop those pay-for-delay deals that are unbelievable. That would bring in, according to CBO estimates, $2.9 billion over 10 years, by saying to the generics and the pharma companies: You can't pay each other to stop competition. Competition helps consumers.

And here is the final idea, which I think is the biggest idea: negotiation under Medicare Part D. This would finally take the kind of negotiation we see at the Veterans Administration, which has brought down the prices for the veterans of America, and harness the bargaining power of 39 million seniors so that we get better prices.

These are four ideas, and three of them have Democratic and Republican sponsors. I want to vote on these proposals because I believe, based on what I saw at our State fair booth—again, with just a few days of the cards we received—that these anticompetitive practices have to stop and we need to bring down the prices of prescription drugs for the hardworking Americans in this country.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, being one of the managers of the bill, the WRDA bill that we are all anxious to consider, along with Senator BOXER—she and I as well as the leadership, are in agreement, that we should take this bill and consider it. I do have a talk I want to give concerning the bill but with the understanding that I have been asking for amendments to come forward from the Republicans primarily. She has done the same with Democrats. I believe there are a number of amendments that have come forward. However, the way we are going to run this is that any amendments that are going to be considered, No. 1, must be germane and, No. 2, have to be acceptable by both managers of the bill—Senator BOXER and myself.

With that, I ask that we move forward on this bill and yield to the leadership.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am in full agreement with the remarks of my chairman, Senator INHOFE. Once again, I think we have proven we can get this done. We can get infrastructure done. I think the way the agreement came together with the two leaders is excellent. We are going to go to the bill and any amendments have to be looked at by the two managers, and we have to agree before those amendments go into the managers' package.

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, we have given everyone our amendments. There are seven. I think that everything can be worked out on all of them. There is one that is relevant to the underlying legislation that is offered by the Senator from Connecticut, Mr. BLUMENTHAL. I am not sure that I want to go into this deal where both of you have to approve that amendment. I think he should at least be allowed to have a vote. We have agreed that a half-hour debate on it is plenty, at least on that one. If you can't work something out, I want to have a vote on Blumenthal. That doesn't sound unreasonable. On six of them, Senator BOXER can do what she thinks is appropriate. On Blumenthal, if you can't work something out to his satisfaction, I want a half-hour debate and a vote on it.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I think we have a broad bipartisan agreement here that we would like to pass the bill. Nobody wants to be unreasonable. We have heard from both the chairman and the ranking member that whatever interest there is in the bill is related to the bill. What I am going to propound here is an opportunity for us to get onto the bill and to move forward. I think this is as close to a good-faith situation as I can imagine, and I hope we trust each other enough to go forward and complete a bill that almost everybody seems to be in favor of. I don't know how to reassure my good friend, the Democratic leader, but I hope I have.

Mr. REID. Mr. President, I do not understand why we can't have the two managers agree that they will do their best to work out these amendments of ours and of theirs. But if we can't, I want to at least have a vote, and you can vote it down if you have to, but I want to make sure that Blumenthal is protected. If we can't work something out, then we have a vote on it—one vote.

Mr. MCCONNELL. All I would say is there may well be some votes. I would recommend people talk to the chairman and the ranking member, and let's process the bill.

Mr. REID. Why can't we have a vote on Blumenthal? That is all—one vote, 30 minutes. If you work it out to satisfaction, we don't need to have that vote. What could be more reasonable than that?

Mrs. BOXER. Mr. President, my understanding about this amendment is that it is a jurisdictional dispute between Democratic Senators. I think the best way to go is to see if we, Jim and I, can do what we have done before when we have had conflict among our colleagues. We worked it out with Senators on the other side of the aisle last time we did WRDA. We should have a chance. I don't think that——

Mr. REID. If I can interrupt my friend from California——

Mrs. BOXER. I will stop.

Mr. REID. I don't object. Let's go ahead with the bill.

Mr. MCCONNELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The motion to proceed to S. 2848.

Mr. MCCONNELL. I know of no further debate on the motion to proceed.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to proceed.

The motion was agreed to.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendment, as follows:

(The parts of the bill intended to be stricken are shown in black brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2848

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 ''Water Resources Development Act of 2016''.

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

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

SEC. 3. LIMITATIONS.

Nothing in this Act—

(1) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(2) supersedes or authorizes any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(3) affects any water right in existence on the date of enactment of this Act;

(4) preempts or affects any State water law or interstate compact governing water; or

(5) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within the State.

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

''(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.''.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h–1), is amended—

(1) in the first sentence—

(A) by striking ''Whenever any'' and inserting the following:

''(a) IN GENERAL.—Whenever any'';

(B) by striking ''a flood-control project duly adopted and authorized by law'' and inserting ''an authorized water resources development study or project,''; and

(C) by striking ''such work'' and inserting ''such study or project'';

(2) in the second sentence—

(A) by striking ''The Secretary of the Army'' and inserting the following:

''(b) REPAYMENT.—The Secretary of the Army''; and

(B) by striking ''from appropriations which may be provided by Congress for flood-control work'' and inserting ''if specific appropriations are provided by Congress for such purpose''; and

(3) by adding at the end the following:

''(c) DEFINITION OF STATE.—In this section, the term 'State' means—

''(1) a State;

''(2) the District of Columbia;

''(3) the Commonwealth of Puerto Rico;

''(4) any other territory or possession of the United States; and

''(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).''.

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

''(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

''(2) acceptance of the materials and services or funds is in the public interest.''; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking ''Not later than 60 days after initiating an activity under this section,'' and inserting ''Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section,''; and

(B) by striking ''a report'' and inserting ''an annual report''.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

[SEC. 1006. MUNITIONS DISPOSAL.

[Section 1027(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2(b)) is amended by striking ''funded'' and inserting ''reimbursed''.]

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting '', at full Federal expense,'' after ''The Secretary may''; and

(2) in subsection (b), by striking ''funded'' and inserting ''reimbursed''.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) USER FEES.—

''(1) COLLECTION OF FEES.—

''(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

''(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

''(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

''(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

''(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

''(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.''.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the ''Rivers and Harbors Act of 1899''), is amended—

(1) by striking ''That it shall not be lawful'' and inserting the following:

''(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful''; and

(2) by adding at the end the following:

''(b) LOCAL FLOOD PROTECTION WORKS.—Permission under subsection (a) for alterations to a Federal levee, floodwall, or flood risk management channel project [and associated features] may be granted by a District Engineer of the Department of the Army [or an authorized representative.]

''(c) CONCURRENT REVIEW.—

''(1) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

''(2) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in paragraph (1), the Chief of Engineers shall, to the maximum extent practicable—

''(A) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

''(B) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(ii) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).''.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than $4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) USE OF CONTRIBUTED FUNDS IN ADVANCE OF APPROPRIATIONS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ''Flood Control Act of 1936''), is amended by striking ''funds appropriated by the United States for''.

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

''(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

''(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the 'Flood Control Act of 1936'); and

''(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).''.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary shall review proposals to increase the quantity of available supplies of water through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of a reservoir owned by the Corps of Engineers;

(2) diversion of water released from a reservoir owned by the Corps of Engineers—

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Corps of Engineers;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed or approved, as appropriate, under—

(1) sections 203 and 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232);

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriation Act of 1899'') (33 U.S.C. 408).

(d) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal under subsection (a) shall be provided by an entity other than the Federal Government.

(2) COST ALLOCATION.—A non-Federal entity shall only be required to pay to the Secretary the separable costs associated with operation and maintenance of a dam that are necessary to implement a proposal under subsection (a).

(e) CONTRIBUTED FUNDS.—The Secretary may receive from a non-Federal interest funds contributed by the non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(f) STUDIES AND ENGINEERING.—

(1) IN GENERAL.—On request by an appropriate non-Federal interest and subject to paragraph (2), the Secretary may—

(A) undertake all necessary studies and engineering for construction of a proposal approved by the Secretary under this section; and

(B) provide technical assistance in obtaining all necessary permits for the construction.

(2) REQUIREMENT.—Paragraph (1) shall only apply if the non-Federal interest contracts with the Secretary to provide funds for the studies, engineering, or technical assistance for the period during which the studies and engineering are being conducted.

(g) EXCLUSION.—This section shall not apply to reservoirs owned and operated by the Corps of Engineers in—

(1) the Upper Missouri River;

(2) the [Apalachicola-Chattahoochee] *Apalachicola-Chattahoochee-Flint* river system; and

(3) the Alabama-Coosa-Tallapoosa river system.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

''(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

''(1) the types and number of restoration activities to be conducted;

''(2) the physical action to be undertaken to achieve the restoration objectives of the project;

''(3) the functions and values that will result from the restoration plan; and

''(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

''(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).''.

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting ''regardless of the cost incurred by the non-Federal interest,'' before ''shall not''; and

(2) by striking ''costs'' and inserting ''value''.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including [design and development] *research, design, and development* of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures; [and]

(3) lengthening the useful life of the infrastructure*; and*

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

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

''(D) include measures to protect or restore habitat connectivity''; and

(B) in paragraph (6)(C), by striking ''impacts'' and inserting ''impacts, including impacts to habitat connectivity''; and

(2) by adding at the end the following:

''(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.''.

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' after ''Indian tribe''.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking ''project or separable element'' each place it appears and inserting ''project, separable element, or discrete segment'';

(2) by striking ''project, or separable element thereof,'' each place it appears and inserting ''project, separable element, or discrete segment of a project'';

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C),

respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through ''In this section, the'' and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) DISCRETE SEGMENT.—The term 'discrete segment', with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

''(2) WATER RESOURCES DEVELOPMENT PROJECT.—The'';

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''project, or separate element thereof'' and inserting ''project, separable element, or discrete segment of a project''; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking ''project'' and inserting ''project, separable element, or discrete segment'';

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking ''project, or a separable element of a water resources development project,'' and inserting ''project, separable element, or discrete segment of a project''; and

(C) by adding at the end the following:

''(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.''.

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(C) RAIL CARRIER.—The term 'rail carrier' has the meaning given the term in section 10102 of title 49, United States Code.'';

(2) in paragraph (2), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier'';

(3) in paragraph (3), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier''; and

(4) in paragraph (5), by striking ''and natural gas companies'' and inserting '', natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws''.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

''(2) INCLUSIONS.—Activities under paragraph (1) may include—

''(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

''(B) research, development, training, and other forms of technology transfer and exchange; and

''(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.''.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

''(4) MITIGATION BANKS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration of the entire amount of potential credits available at in-kind, in-basin mitigation banks and in-lieu fee programs for water resource development project feasibility studies.

''(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

''(i) has an approved mitigation banking instrument; and

''(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.''.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

''(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.''.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking ''$1,000,000'' and inserting ''$5,000,000''; [and]

(2) by [inserting] striking ''accumulated snags and other debris'' and inserting ''accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel''*; and*

(3) by striking ''or flood control'' and inserting '', flood control, or recreation''.

[SEC. 1026. OYSTER AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the oyster aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number, structure, funding, and regulation of oyster hatcheries in each State;

(3) the number of oyster aquaculture leases in place in each relevant district of the Corps of Engineers;

(4) the period of time required to secure an oyster aquaculture lease from each relevant jurisdiction; and

(5) the experience of the private sector in applying for oyster aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) Puget Sound.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).]

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting ''remove existing vegetation or'' after ''the Secretary shall not''; and

(2) by striking ''as a condition or requirement for any approval or funding of a project, or any other action''.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting '', a group of States, or a regional or national consortia of States'' after ''working with a State''; and

(2) by striking ''located within the boundaries of such State''.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting ''restore or'' before ''prevent the loss''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Development Act of 2016''; and

(ii) in subparagraph (A)(ii), by striking ''that—'' and all that follows through ''(II)'' and inserting ''that''; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For'' and inserting the following:

''(1) IN GENERAL.—For''; and

(D) by adding at the end the following:

''(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

''(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

''(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041) or any subsequent Act; and

''(ii) that meet the criteria described in paragraph (1); and

''(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.''.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term ''claimant tribes'' means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term ''Department'' means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term ''human remains'' means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law or law of the State of Washington, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) CORPS OF ENGINEERS.—The Corps of Engineers shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. REVIEW OF CORPS OF ENGINEERS ASSETS.

Section 6002(b) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349) is amended by adding at the end the following:

''(6) The extent to which the property has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.''.

SEC. 1032. REVIEW OF RESERVOIR OPERATIONS.

(a) IN GENERAL.—The Secretary, in consultation with the heads of other Federal agencies, as appropriate, shall review the operation of a reservoir, including the water control manual and rule curves, using the best available science, including improved weather forecasts and run-off forecasting methods in any case in which the Secretary receives a request for such a review from a non-Federal entity.

(b) PRIORITY.—In conducting reviews under subsection (a), the Secretary shall give priority to reservoirs—

(1) located in areas with prolonged drought conditions; and

(2) for which no such review has occurred during the 10-year period preceding the date of the request.

(c) DESCRIPTION OF BENEFITS.—In conducting the review under subsection (a), the Secretary shall determine if a change in operations, including the use of improved weather forecasts and run-off forecasting methods, will enhance 1 or more existing authorized project purposes, including—

(1) flood risk reduction;

(2) water supply;

(3) recreation; and

(4) fish and wildlife protection and mitigation.

(d) CONSULTATION.—In carrying out a review under subsection (a) and prior to implementing a change in operations under subsection (f), the Secretary shall consult with all affected interests, including—

(1) non-Federal entities responsible for operations and maintenance costs of a Federal facility;

(2) individuals and entities with storage entitlements; and

(3) local agencies with flood control responsibilities downstream of a facility.

(e) RESULTS REPORTED.—Not later than 90 days

⟦(d) RESULTS REPORTED.—Not later than 90 days⟧ after completion of a review under this section, the Secretary shall post a report on the Internet regarding the results of the review.

⟦(e)⟧*(f)* MANUAL UPDATE.—As soon as practicable, but not later than 3 years after the date on which a report under subsection ⟦(d)⟧ *(e)* is posted on the Internet, pursuant to the procedures required under existing authorities, if the Secretary determines based on that report that using the best available science, including improved weather and run-off forecasting methods, improves 1 or more existing authorized purposes at a reservoir, the Secretary shall—

(1) incorporate those methods in the operation of the reservoir; and

(2) as appropriate, update or revise operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, and operational agreements with non-Federal entities.

⟦(f)⟧*(g)* FUNDING.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to fund all or a portion of the cost of carrying out a review under subsection (a) or an update or revision of operational documents under subsection ⟦(e)⟧ *(f)*, including any associated environmental documentation.

⟦(g)⟧*(h)* EFFECT.—

(1) MANUAL UPDATES.—An update under subsection ⟦(e)(2)⟧ *(f)(2)* shall not interfere with the authorized purposes of a project.

(2) EFFECT OF SECTION.—Nothing in this section—

(A) authorizes the Secretary to carry out any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act; or

(B) affects or modifies any obligation of the Secretary under Federal or State law.

⟦(h)⟧*(i)* EXCLUSION.—This section shall not apply to reservoirs owned and operated by the Corps of Engineers in—

(1) the Upper Missouri River;

(2) the ⟦Apalachicola-Chattahoochee⟧ *Apalachicola-Chattahoochee-Flint* river system; and

(3) the Alabama-Coosa-Tallapoosa river system.

SEC. 1033. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through ''Subject to subsection (b)'' and inserting the following:

''(a) APPLICATION OF CREDIT.—

''(1) IN GENERAL.—Subject to subsection (b)''; and

(B) by adding at the end the following:

''(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.'';

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1034. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1254) is amended by adding at the end the following:

''(5) TIME LIMIT.—

''(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

''(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

''(i) an identification of any outstanding information that is needed to make a final decision;

''(ii) the date by which the information referred to in clause (i) shall be obtained; and

''(iii) the date by which the Secretary will make a final decision on the request.''.

SEC. 1035. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 1036. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection

(a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1037. FEASIBILITY STUDIES AND WATERSHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

''(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.''.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through ''The Secretary'' and inserting the following:

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary''; and

(2) by adding at the end the following:

''(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first $100,000 of the feasibility study shall be a Federal expense.''.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end '', except that the first $100,000 of the assessment shall be a Federal expense''.

SEC. 1038. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking ''measures'' and all that follows through ''project'' and inserting ''measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project''; and

(2) by adding at the end the following:

''(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).''.

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

''(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

''(A) the non-Federal share of future operation and maintenance under this subsection; or

''(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121).''.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''The target total'' and inserting ''Except as provided in subsection (c), the target total'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

''(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

''(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.''.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 158) (referred to in this section as the ''Site'') may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)) is amended by adding at the end the following:

''(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

''(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).''.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended—

(1) by striking ''2022'' and inserting ''2025''; and

(2) by striking ''2012'' and inserting ''2015''.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)(4)(A), by striking ''Code of Federal Regulation'' and inserting ''Code of Federal Regulations''; and

(2) in subsection (f)—

(A) in paragraph (1), by striking ''2018'' and inserting ''2025''; and

(B) in paragraph (3)—

(i) by striking ''2015 through 2018'' and inserting ''2016 through 2020''; and

(ii) by striking ''2019 through 2022'' and inserting ''2021 through 2025''.

SEC. 2011. HARBOR DEEPENING.

[Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—]

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193)'';

(2) in subparagraph (B), by striking ''45 feet'' and inserting ''50 feet''; and

(3) in subparagraph (C), by striking ''45 feet'' and inserting ''50 feet''.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking ''45 feet'' and inserting ''50 feet''.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term ''inland Mississippi River'' means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT.—The term ''shallow draft'' means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized

widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section $25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1273) is amended by adding at the end the following:

''(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.''.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting ''in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project'' after ''community''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or of a community that is located in the region to be served by the project and that will rely on the project'' after ''community'';

(B) in paragraph (4), by striking ''local population'' and inserting ''regional population to be served by the project''; and

(C) in paragraph (5), by striking ''community'' and inserting ''local community or to a community that is located in the region to be served by the project and that will rely on the project''.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) COST LIMITATIONS.—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) AGREEMENT.—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) PROVISION OF EQUIPMENT.—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

[(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are directly related to the operation and maintenance of a dredge, based on the period of time the dredge is used in the performance of work for the Federal Government during a given fiscal year, are eligible for reimbursement under this section.]

(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) [MONITORING] AUDIT.—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

[SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)(A)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) identifies, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.''.]

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

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

(2) by inserting after subparagraph (A) the following:

''(B) ADDITIONAL REQUIREMENT.—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.''.

SEC. 2017. DREDGED MATERIAL.

(a) IN GENERAL.—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) ADDITIONAL COSTS.—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) IN GENERAL.—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

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

''(3) DEFINITION OF NONSTRUCTURAL ALTERNATIVES.—In this subsection, 'nonstructural alternatives' includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.''; and

(2) by adding at the end the following:

''(d) INCREASED LEVEL OF PROTECTION.—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

''(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

''(A) the authority under this section has been used more than once at the same location;

''(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

''(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

''(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

''(e) NOTICE.—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).''.

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.—

(1) IN GENERAL.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) COST-SHARING.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) in subsection (a), by striking ''if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified'';

(2) in subsection (b)—

(A) by striking ''This section'' and inserting the following:

''(1) IN GENERAL.—This section''; and

(B) by adding at the end the following:

''(2) REQUIREMENT.—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).'';

(3) in subsection (c)(1), by striking ''The non-Federal'' and inserting ''Notwithstanding subsection (b)(2), the non-Federal''; and

(4) by adding at the end the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000.''.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary is responsible, as of the date of enactment of this Act, for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; and

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

''(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

''(A) IN GENERAL.—The term 'eligible high hazard potential dam' means a non-Federal dam that—

''(i) is located in a State with a State dam safety program;

''(ii) is classified as 'high hazard potential' by the State dam safety agency in the State in which the dam is located;

''(iii) has an emergency action plan approved by the relevant State dam safety agency; and

''(iv) the State in which the dam is located determines—

''(I) fails to meet minimum dam safety standards of the State; and

''(II) poses an unacceptable risk to the public.

''(B) EXCLUSION.—The term 'eligible high hazard potential dam' does not include—

''(i) a licensed hydroelectric dam; or

''(ii) a dam built under the authority of the Secretary of Agriculture.'';

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

''(10) NON-FEDERAL SPONSOR.—The term 'non-Federal sponsor', in the case of a project receiving assistance under section 8A, includes—

''(A) a governmental organization; and

''(B) a nonprofit organization.'' and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

''(12) REHABILITATION.—The term 'rehabilitation' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.''.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

''SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

''(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

''(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

''(1) repair;

''(2) removal; or

''(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

''(c) AWARD OF GRANTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

''(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

''(2) GRANT.—

''(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

''(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

''(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

''(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

''(i) 12.5 percent of the total amount of funds made available to carry out this section; or

''(ii) $7,500,000.

''(d) REQUIREMENTS.—

''(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

''(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

''(A) participate in, and comply with, all applicable Federal flood insurance programs;

''(B) have in place a hazard mitigation plan that—

''(i) includes all dam risks; and

''(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552);

''(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

''(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

''(i) acts in accordance with the State dam safety program; and

''(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

''(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

''(e) FLOODPLAIN MANAGEMENT PLANS.—

''(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

''(A) is in place; or

''(B) will be—

''(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

''(ii) implemented not later than 1 year after the date of completion of construction of the project.

''(2) INCLUSIONS.—A plan under paragraph (1) shall address—

''(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

''(B) plans for flood fighting and evacuation; and

''(C) public education and awareness of flood risks.

''(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

''(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

''(g) FUNDING.—

''(1) COST SHARING.—

''(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

''(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

''(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

''(A) EQUAL DISTRIBUTION.—⅓ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

''(B) NEED-BASED.—⅔ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

''(i) the number of eligible high hazard potential dams in the State; bears to

''(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

''(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

''(1) to rehabilitate a Federal dam;

''(2) to perform routine operation or maintenance of a dam;

''(3) to modify a dam to produce hydroelectric power;

''(4) to increase water supply storage capacity; or

''(5) to make any other modification to a dam that does not also improve the safety of the dam.

''(i) CONTRACTUAL REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than $1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

''(A) chapter 11 of title 40, United States Code; or

''(B) an equivalent qualifications-based requirement prescribed by the relevant State.

''(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal years 2017 and 2018;

''(2) $25,000,000 for fiscal year 2019;

''(3) $40,000,000 for fiscal year 2020; and

''(4) $60,000,000 for each of fiscal years 2021 through 2026.''.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term ''Gulf States'' means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking ''$50,000,000'' and inserting ''$75,000,000''.

(b) WATERCRAFT INSPECTION STATIONS, COLUMBIA RIVER BASIN.—Section 104(d) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)) is amended—

(1) in paragraph (1), by striking ''stations in the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington'' and inserting ''stations to protect the Columbia River Basin''; and

(2) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) the Governor of each State in which a station is established under paragraph (1);''.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term ''report'' means the final report of the Portland District, Corps of Engineers, entitled ''Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing'' and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance [to relocate to] *on* land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100–581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) *for* the number of families [identified] *estimated in the report* as having received no relocation assistance [in the report.]

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87–874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term ''sediment management plan'' means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) CONTRIBUTED FUNDS.—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) GUIDANCE.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) PARTNERSHIP WITH THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) LEAD AGENCY.—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) SNOWPACK AND DROUGHT MONITORING.—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1311) is amended by adding at the end the following:

''(5) LEAD AGENCY.—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).''.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2675) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) PILOT PROGRAM.—

(1) AUTHORIZATION.—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend $30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) SUNSET.—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking ''$60,000,000'' and inserting ''$100,000,000''.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1316) is amended by inserting ''at Federal expense'' after ''study''.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking ''2019'' and inserting ''2024''.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) IN GENERAL.—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data, including the Upper Mississippi River Comprehensive Plan authorized in section 429 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 326).

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1113) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''PILOT PROJECTS'' and inserting ''PROJECTS'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''the pilot''; and

(ii) in subparagraph (B)—

(I) in clause (i), in the matter preceding subclause (I), by striking ''the pilot'';

(II) in subclause (I), by inserting '', Salton Sea Authority, or other non-Federal interest'' before the semicolon at the end; and

(III) in subclause (II), by striking ''pilot'';

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking ''pilot''; and

(D) in paragraph (3)—

(i) by striking ''pilot'' each place it appears; and

(ii) by inserting '', Salton Sea Authority, or other non-Federal interest'' after ''State''; and

(2) in subsection (c), by striking ''pilot''.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102–580; 113 Stat. 336) is amended—

(1) by inserting ''Berkeley'' before ''Calhoun''; and

(2) by striking ''Orangeberg, and Sumter'' and inserting ''and Orangeberg''.

SEC. 4013. COASTAL RESILIENCY.

[Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—]

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials;''.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86'' N ., by long. 93°46'16.82'' W., and ends at lat. 32° 31'22.79'' N., by long. 93° 45' 2.47'' W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER LOCK AND DAM 3, OHIO AND MUHLENBERG COUNTIES, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 3 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015 shall be transferred under this subsection, and the land shall no longer be a portion of the Green River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 416; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Rochester Dam Regional Water Commission by quitclaim deed and without consideration, all right, title, and interest of the United States in 3 adjacent parcels of land situated on the Ohio County side of the Green River together with any improvements on the land.

(3) LANDS TO BE CONVEYED.—

(A) IN GENERAL.—The 3 adjacent parcels of land to be conveyed under this subsection total approximately 6.72 acres of land in Ohio County, with all 3 parcels being associated with the deauthorized Green River Lock and Dam 3.

(B) USE.—The 3 parcels of land described in subparagraph (A) may be used by the Rochester Dam Regional Water Commission in such a manner as to ensure a water supply for local communities.

(4) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(f) GREEN RIVER LOCK AND DAM 5, BUTLER AND WARREN COUNTIES, KENTUCKY.—

(1) IN GENERAL.—If the Secretary determines that the Corps of Engineers will not oversee and conduct the removal of the lock and dam structure for Green River Lock and Dam 5 deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, the lock and dam structure and associated land shall be transferred through established General Services Administration procedures to another entity for the express purposes of—

(A) removing the structure from the river at the earliest feasible time; and

(B) making the land available for conservation and public recreation and river access in the future.

(2) DEAUTHORIZATION.—On a transfer under paragraph (1), the land described in that paragraph shall no longer be a portion of the Green River project for navigation, authorized by the first section of the Act of July 13, 1892 (27 Stat. 105; chapter 158).

(g) GREEN RIVER LOCK AND DAM 6, EDMONSON COUNTY, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 6 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be transferred under this subsection and the land shall no longer be a portion of the Green River project for navigation, authorized by the first section of the Act of June 13, 1902 (32 Stat. 359; chapter 1079).

(2) TRANSFER.—

(A) TRANSFER TO DEPARTMENT OF THE INTERIOR.—Subject to this subsection, the Secretary shall transfer to the Department of Interior, Mammoth Cave National Park, by quitclaim deed and without consideration, all right, title, and interest of the United States in the 4.19 acre parcel of land situated on left descending bank (south side) of the Green River together with any improvements on the land.

(B) TRANSFER TO THE COMMONWEALTH OF KENTUCKY.—Subject to this subsection, the Secretary shall transfer to the Commonwealth of Kentucky, Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and interest of the United States in the 18.0 acre parcel of land on the right descending bank (north side) of the river and the deauthorized lock and dam structure.

(3) LAND TO BE CONVEYED.—

(A) IN GENERAL.—The 2 parcels of land to be conveyed under this subsection, located on each side of the Green River and associated with the deauthorized Green River Lock and Dam 6 in Edmonson County, Kentucky, include—

(i) a parcel consisting of approximately 4.19 acres of land; and

(ii) a parcel consisting of approximately 18.0 acres of land and the deauthorized lock and dam structure.

(B) USE.—

(i) MAMMOTH CAVE NATIONAL PARK.—The 4.19-acre parcel of land described in subparagraph (A)(i) shall be used for established purposes of Mammoth Cave National Park.

(ii) DEPARTMENT OF FISH AND WILDLIFE RESOURCES.—The 18.0-acre parcel of land and deauthorized lock and dam structure described in subparagraph (A)(ii) may—

(I) be used for the purposes of removal of the deauthorized structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(II) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in subclause (I), be transferred to county or local governments or private conservation entities for continued public green space utilization as described in subclause (I).

(4) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(h) BARREN RIVER LOCK AND DAM 1, WARREN COUNTY, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Barren River Lock and Dam 1 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be conveyed under this subsection and the land shall no longer be a portion of the Barren River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased by and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 416; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Commonwealth of Kentucky, Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and interest of the United States in 1 parcel of land situated on the right bank of the Barren River together with any improvements on the land.

(3) LAND TO BE CONVEYED.—

(A) IN GENERAL.—The parcel of land to be conveyed under this subsection includes approximately 16.63 acres of land, located on the right bank of the Barren River and associated with the deauthorized Barren River Lock and Dam 1 in Warren County, Kentucky.

(B) USE.—The parcel of land described in subparagraph (A) may—

(i) be used by the Commonwealth of Kentucky for the purposes of removal of structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(ii) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in clause (i), be transferred to county or local governments or private conservation entities for continued public green space utilization as described in clause (i).

(4) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(i) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term ''flowage easement'' means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above

elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River, County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the ''Port of Cascade Locks Business Park'' subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(j) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the ''River and Harbors Appropriation Act of 1899'') (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(k) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89–789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United Sates in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, $31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63–76–C–0106 as of the date of enactment of this Act.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: $116,116,000 Non-Federal: $135,836,000 Total: $251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: $16,700,000 Non-Federal: $0 Total: $16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: $0 Non-Federal: $0 Total: $0
5. FL	Port Everglades	June 25, 2015	Federal: $220,200,000 Non-Federal: $102,500,000 Total: $322,700,000
6. AK	Little Diomede	August 10, 2015	Federal: $26,015,000 Non-Federal: $2,945,000 Total: $28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: $224,300,000 Non-Federal: $269,000,000 Total: $493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: $29,062,000 Non-Federal: $3,255,000 Total: $32,317,000

[(2) FLOOD RISK MANAGEMENT.—]

[A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: $18,314,000 Non-Federal: $9,861,000 Total: $28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: $207,036,000 Non-Federal: $111,481,000 Total: $318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: $15,440,100 Non-Federal: $8,313,900 Total: $23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: $24,584,000 Non-Federal: $13,238,000 Total: $37,822,000
5. NC	Princeville	February 23, 2016	Federal: $14,001,000 Non-Federal: $7,539,000 Total: $21,540,000]

(2) FLOOD RISK MANAGEMENT.—

A. State	*B. Name*	*C. Date of Report of Chief of Engineers*	*D. Estimated Costs*
1. TX	*Leon Creek Watershed, San Antonio*	*June 30, 2014*	*Federal: $18,314,000* *Non-Federal: $9,861,000* *Total: $28,175,000*
2. MO, KS	*Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City*	*January 27, 2015*	*Federal: $207,036,000* *Non-Federal: $111,481,000* *Total: $318,517,000*
3. KS	*City of Manhattan*	*April 30, 2015*	*Federal: $15,440,100* *Non-Federal: $8,313,900* *Total: $23,754,000*

A. State	*B. Name*	*C. Date of Report of Chief of Engineers*	*D. Estimated Costs*
4. KS	*Upper Turkey Creek Basin*	*December 22, 2015*	*Federal: $24,584,000* *Non-Federal: $13,238,000* *Total: $37,822,000*
5. NC	*Princeville*	*February 23, 2016*	*Federal: $14,001,000* *Non-Federal: $7,539,000* *Total: $21,540,000*
6. CA	*West Sacramento*	*April 26, 2016*	*Federal: $776,517,000* *Non-Federal: $414,011,000* *Total: $1,190,528,000*
7. CA	*American River Watershed Common Features*	*April 26, 2016*	*Federal: $876,478,000* *Non-Federal: $689,272,000* *Total: $1,565,750,000*

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: $13,733,850 Initial Non-Federal: $7,395,150 Initial Total: $21,129,000 Renourishment Federal: $16,371,000 Renourishment Non-Federal: $16,371,000 Renourishment Total: $32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: $9,218,300 Initial Non-Federal: $4,963,700 Initial Total: $14,182,000 Renourishment Federal: $15,390,000 Renourishment Non-Federal: $15,390,000 Renourishment Total: $30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: $24,263,000 Initial Non-Federal: $13,064,000 Initial Total: $37,327,000 Renourishment Federal: $114,728,000 Renourishment Non-Federal: $114,728,000 Renourishment Total: $229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: $14,040,000 Initial Non-Federal: $7,560,000 Initial Total: $21,600,000 Renourishment Federal: $41,215,000 Renourishment Non-Federal: $41,215,000 Renourishment Total: $82,430,000
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: $466,760,000 Non-Federal: $251,330,000 Total: $718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	March 29, 2016	Initial Federal: $20,166,000 Initial Non-Federal: $10,858,000 Initial Total: $31,024,000 Renourishment Federal: $68,215,000 Renourishment Non-Federal: $68,215,000 Renourishment Total: $136,430,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: $199,393,000 Non-Federal: $107,694,000 Total: $307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: $69,521,000 Non-Federal: $104,379,000 Total: $173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: $976,375,000 Non-Federal: $974,625,000 Total: $1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: $19,143,000 Non-Federal: $10,631,000 Total: $29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: $12,782,000 Non-Federal: $6,882,000 Total: $19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: $375,773,000 Non-Federal: $980,835,000 Total: $1,356,608,000

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $96,880,750 Estimated Non-Federal: $52,954,250 Total: $149,835,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,537,000 Estimated Non-Federal: $11,512,000 Total: $46,049,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $311,269,000 Estimated Non-Federal: $311,269,000 Total: $622,538,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking ''(25 U.S.C. 450b))'' each place it appears and inserting ''(25 U.S.C. 250b)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)''; and

(2) by adding at the end the following:

''(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

''(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

''(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.''.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86–645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the

Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPILLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106–53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89–298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99–662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) CINCINNATI, OHIO.—

(1) IN GENERAL.—The Secretary shall review the ecosystem restoration and flood risk reduction components of the Central Riverfront Park Master Plan, dated December 1999, for the purpose of determining whether or not the study, and the process under which the study was developed, each comply with Federal law (including regulations) applicable to feasibility studies for water resources development projects.

(2) RECOMMENDATION.—Not later than 180 days after reviewing the Master Plan under paragraph (1), the Secretary shall submit to Congress—

(A) the results of the review of the Master Plan, including a determination of whether any project identified in the plan is feasible;

(B) any recommendations of the Secretary related to any modifications to section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) necessary to carry out any projects determined to be feasible.

(t) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(u) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the ''Flood Control Act of 1936''), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(v) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(w) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(x) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of the Center for Economic Development and Research of the University of North Texas entitled ''Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas'' and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89–298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447;

118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled ''Final Supplemental No. 1'' is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed $520,000,000, of which not more than $5,500,000 may be expended to carry out recreation features of the project.

(y) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89–195 (16 U.S.C. 459f–7) (commonly known as the ''Assateague Island National Seashore Act'') for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(z) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WateReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns $0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns $0.93 in Federal tax revenue.

(B) A combined $34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate $7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in $32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every $1,000,000 in State revolving loan fund spending generates 16 ½ jobs.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.

(3) An increase in economic output:

(A) Every $1,000,000 in State revolving loan fund spending results in $2,950,000 in output for the economy of the United States.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate $102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1))—

(A) by striking ''(not'' and inserting ''(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not''; and

(B) by inserting before the period at the end the following: ''or to replace or rehabilitate aging treatment, storage, or distribution facilities of public water systems or provide for capital projects (excluding any expenditure for operations and maintenance) to upgrade the security of public water systems''; and

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

''(C) SALE OF BONDS.—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.''.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

''(A) DEFINITION OF RESTRUCTURING.—In this paragraph, the term 'restructuring' means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

''(B) PRIORITY SYSTEM.—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

''(i) address the most serious risk to human health;

''(ii) are necessary to ensure compliance with this title (including requirements for filtration);

''(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

''(iv) improve the sustainability of systems.

''(C) WEIGHT GIVEN TO APPLICATIONS.—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

''(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

''(I) an inventory of assets, including a description of the condition of the assets;

''(II) a schedule for replacement of assets;

''(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

''(IV) a review of options for restructuring the public water system;

''(ii) demonstration of consistency with State, regional, and municipal watershed plans;

''(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

''(iv) approaches to improve the sustainability of the system, including—

''(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

''(II) use of reclaimed water;

''(III) actions to increase energy efficiency; and

''(IV) implementation of source water protection plans.''; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking ''periodically'' and inserting ''at least biennially''.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended—

(1) in the first sentence, by striking ''up to 4 percent of the funds allotted to the State under this section'' and inserting '', for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of $400,000, ⅕ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year,''; and

(2) by striking ''1419,'' and all that follows through ''1993.'' and inserting ''1419.''.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: ''(including implementation of source water protection plans)''.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

''(s) NEGOTIATION OF CONTRACTS.—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

''(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

''(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).''.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

''SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

''(a) DEFINITION OF UNDERSERVED COMMUNITY.—In this section:

''(1) IN GENERAL.—The term 'underserved community' means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

''(2) INCLUSIONS.—The term 'underserved community' includes a local political subdivision that, as determined by the Administrator—

''(A) does not have household drinking water or wastewater services; and

''(B) has a drinking water system that fails to meet health-based standards under this Act, including—

''(i) a maximum contaminant level for a primary drinking water contaminant;

''(ii) a treatment technique violation; and

''(iii) an action level exceedance.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist community water systems in meeting the requirements of this Act.

''(2) INCLUSIONS.—Projects and activities under paragraph (1) include—

''(A) infrastructure investments necessary to comply with the requirements of this Act,

''(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

''(C) programs to provide water quality testing.

''(c) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section—

''(1) is—

''(A) a community water system as defined in section 1401; or

''(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); and

''(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

''(A) to be a disadvantaged community;

''(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

''(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

''(d) PRIORITY.—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

''(e) LOCAL PARTICIPATION.—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

''(f) COST SHARING.—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

''(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

''(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

''(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

''(g) WAIVER.—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $230,000,000 for fiscal year 2017; and

''(2) $300,000,000 for each of fiscal years 2018 through 2021.''.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

''SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a community water system;

''(B) a system located in an area governed by an Indian Tribe;

''(C) a nontransient noncommunity water system;

''(D) a qualified nonprofit organization, as determined by the Administrator; and

''(E) a municipality or State, interstate, or intermunicipal agency.

''(2) LEAD REDUCTION PROJECT.—

''(A) IN GENERAL.—The term 'lead reduction project' means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

''(i) replacement of publicly owned lead service lines;

''(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

''(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

''(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

''(B) LIMITATION.—The term 'lead reduction project' does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

''(3) LOW-INCOME.—The term 'low-income', with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

''(4) MUNICIPALITY.—The term 'municipality' means—

''(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

''(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

''(b) GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

''(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

''(A) the source of lead in water for human consumption; and

''(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

''(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

[''(A) demonstrates that the eligible entity is unable to fund the proposed lead reduction project through other sources of funding; and**]**

''(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

''(B) proposes to—

''(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

''(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

''(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

''(4) COST SHARING.—

''(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

''(B) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

''(5) LOW-INCOME ASSISTANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

''(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

''(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

''(A) notify customers of the replacement of any publicly owned portion of the lead service line;

''(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

''(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

''(i) the cost of replacement; and

''(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

''(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

''(E) demonstrate that the eligible entity has considered multiple options for reducing lead in drinking water, including an evaluation of options for corrosion control.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000 for each of fiscal years 2017 through 2021.''.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.'';

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking ''Administrator or'' and inserting ''Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,''; and

(II) by inserting ''and the appropriate State and county health agencies'' after ''1413'';

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

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

''(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

''(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

''(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

''(B) RESULTS OF LEAD MONITORING.—

''(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

''(I) any person that is served by the public water system; or

''(II) the local or State health department of a locality or State in which the public water system is located.

''(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

''(I) press release; or

''(II) other form of communication, including local media.

''(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.''.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1)(C), by striking ''paragraph (2)(E)'' and inserting ''paragraph (2)(F)'';

(2) in paragraph (2)(B)(i)(II), by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

(3) in paragraph (3)(B), in the first sentence, by striking ''(D)'' and inserting ''(E)''.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g–3) is amended by adding at the end the following:

''(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

''(1) IN GENERAL.—As a condition on the receipt of funds under this Act, the Administrator shall require electronic submission of available compliance monitoring data, if practicable—

''(A) by public water systems—

''(i) to the Administrator; or

''(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

''(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator.

''(2) CONSIDERATIONS.—In determining whether the condition referred to in paragraph (1) is practicable, the Administrator shall consider—

''(A) the ability of a public water system or State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

''(B) information system compatibility;

''(C) the size of the public water system; and

''(D) the size of the community served by the public water system.''.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j–24) is amended by striking subsection (d) and inserting the following:

''(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CHILD CARE PROGRAM.—The term 'child care program' has the meaning given the term 'early childhood education program' in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(B) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' means—

''(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

''(iii) an operator of a child care program facility.

''(2) ESTABLISHMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

''(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

''(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

''(ii) any direct implementation area.

''(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—A State or local educational agency that receives a grant under this subsection may use grant funds for the voluntary testing described in paragraph (2)(A).

''(B) LIMITATION.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

''(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

''(A) expend grant funds in accordance with—

''(i) the guidance of the Environmental Protection Agency entitled '3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance' and dated October 2006 (or any successor guidance); or

''(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

''(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

''(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

''(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2017 through 2021.''.

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j–25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

(A) reduce water use;

(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

(C) conserve energy used to pump, heat, transport, and treat water; and

(D) preserve water resources for future generations.

(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

(A) irrigation technologies and services;

(B) point-of-use water treatment devices;

(C) plumbing products;

(D) reuse and recycling technologies;

(E) landscaping and gardening products, including moisture control or water enhancing technologies;

(F) xeriscaping and other landscape conversions that reduce water use;

(G) whole house humidifiers; and

(H) water-efficient buildings or facilities.

(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary, shall—

(1) establish—

(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

(3) preserve the integrity of the WaterSense label by—

(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

(B) overseeing WaterSense certifications made by third parties;

(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

(5) in revising a WaterSense specification—

(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

(B) solicit comments from interested parties and the public prior to any changes;

(C) as appropriate, respond to comments submitted by interested parties and the public; and

(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately $384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at $64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

(1) individual wells;

(2) shared wells; and

(3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through ''subject to subsection (g), the Administrator may'' in paragraph (2) and inserting the following:

''(a) AUTHORITY.—The Administrator may—

''(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

''(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

''(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

''(2) subject to subsection (g),'';

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''; or'';

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

''(e) ADMINISTRATIVE REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

''(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

''(1) $250,000,000 for fiscal year 2017;

''(2) $300,000,000 for fiscal year 2018;
''(3) $350,000,000 for fiscal year 2019;
''(4) $400,000,000 for fiscal year 2020; and
''(5) $500,000,000 for fiscal year 2021.
''(g) ALLOCATION OF FUNDS.—
''(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—
''(A) in accordance with the priority criteria described in subsection (b); and
''(B) with additional priority given to proposed projects that involve the use of—
''(i) nonstructural, low-impact development;
''(ii) water conservation, efficiency, or reuse; or
''(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.
''(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—
''(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and
''(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—
''(i) conducted under section 210; and
''(ii) included in a report required under section 516(b)(1)(B).''; and
(4) by striking subsection (i).

[SEC. 7202. SMALL TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 222. TECHNICAL ASSISTANCE FOR SMALL TREATMENT WORKS.

''(a) DEFINITIONS.—In this section:
''(1) QUALIFIED NONPROFIT TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit technical assistance provider' means a nonprofit organization that, as determined by the Administrator—
''(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and
''(B) the small treatment works in the State finds to be the most beneficial and effective.
''(2) SMALL TREATMENT WORKS.—The term 'small treatment works' means a publicly owned treatment works serving not more than 10,000 individuals.
''(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit technical assistance providers to provide to owners and operators of small treatment works onsite technical assistance, circuit-rider technical assistance programs, multistate, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.
''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2017 through 2021.''.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—
(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—
(A) in subsection (d)—
(i) in the matter preceding paragraph (1), by inserting ''and as provided in subsection (e)'' after ''State law'';
(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and
(iii) by inserting after subsection (d) the following:
''(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit technical assistance providers (as defined in section 222) to provide technical assistance to public water systems serving not more than 10,000 individuals in the State.''.
(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking ''section 603(h)'' and inserting ''section 603(i)''.**]**

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

''(a) DEFINITIONS.—In this section:
''(1) MEDIUM TREATMENT WORKS.—The term 'medium treatment works' means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.
''(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit medium treatment works technical assistance provider' means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.
''(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit small treatment works technical assistance provider' means a nonprofit organization that, as determined by the Administrator—
''(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and
''(B) the small treatment works in the State finds to be the most beneficial and effective.
''(4) SMALL TREATMENT WORKS.—The term 'small treatment works' means a publicly owned treatment works serving not more than 10,000 individuals.
''(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.
''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—
''(1) for grants for small treatment works technical assistance, $15,000,000 for each of fiscal years 2017 through 2021; and
''(2) for grants for medium treatment works technical assistance, $10,000,000 for each of fiscal years 2017 through 2021.''.
(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—
(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—
(A) in subsection (d)—
(i) in the matter preceding paragraph (1), by inserting ''and as provided in subsection (e)'' after ''State law'';
(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and
(iii) by inserting after subsection (d) the following:
''(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works in the State.''.
(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking ''section 603(h)'' and inserting ''section 603(i)''.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:
''(s) INTEGRATED PLAN PERMITS.—
''(1) DEFINITIONS.—In this subsection:
''(A) GREEN INFRASTRUCTURE.—The term 'green infrastructure' means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspirate stormwater and reduce flows to sewer systems or to surface waters.
''(B) INTEGRATED PLAN.—The term 'integrated plan' has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated May 2012.
''(C) MUNICIPAL DISCHARGE.—
''(i) IN GENERAL.—The term 'municipal discharge' means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection(p).
''(ii) INCLUSION.—The term 'municipal discharge' includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.
''(2) INTEGRATED PLAN.—
''(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.
''(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—
''(i) a combined sewer overflow;
''(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;
''(iii) a municipal stormwater discharge;
''(iv) a municipal wastewater discharge; and
''(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.
''(3) COMPLIANCE SCHEDULES.—
''(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a

schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

''(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

''(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

''(4) EXISTING AUTHORITIES RETAINED.—

''(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

''(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c).

''(5) CLARIFICATION OF STATE AUTHORITY.—

''(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

''(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.''.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The municipal ombudsman shall—

(A) provide technical assistance to municipalities seeking to comply with the requirements of laws implemented by the Environmental Protection Agency; and

(B) provide information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(c) MUNICIPAL ENFORCEMENT.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

''(h) IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.—

''(1) IN GENERAL.—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

''(2) MODIFICATION.—Any municipality under an administrative order under subsection (a) or settlement agreement under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.''.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

''SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

''(a) IN GENERAL.—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

''(b) DUTIES.—The Administrator shall ensure that the Office of Water—

''(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

''(2) coordinates efforts to increase the use of green infrastructure with—

''(A) other Federal departments and agencies;

''(B) State, tribal, and local governments; and

''(C) the private sector.

''(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

''(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

''(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

''(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

''(1) reducing water pollution;

''(2) protecting water resources;

''(3) complying with regulatory requirements; and

''(4) achieving other environmental, public health, and community goals.''.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

(1) AFFORDABILITY.—The term ''affordability'' means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) FINANCIAL CAPABILITY.—The term ''financial capability'' means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term ''guidance'' means the guidance published by the Administrator entitled ''Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development'' and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled ''Financial Capability Assessment Framework'' and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) UPDATING.—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114–70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance.

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) CONSULTATION.—Any guidance issued to replace the guidance shall be developed in consultation with interested parties.

(e) PUBLICATION AND SUBMISSION.—On completion of the updating of guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the updated guidance.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended by striking ''Any activity undertaken under

this section is authorized only to the extent'' and inserting ''Nothing in this section obligates the Secretary to expend funds unless''.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking ''carry out'' and inserting ''provide financial assistance to carry out''.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section 5026(6) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905(6)) is amended—

(1) by striking ''desalination project'' and inserting ''desalination project, including chloride control''; and

(2) by striking ''or a water recycling project'' and inserting ''a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion''.

(c) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary''; and

(B) by adding at the end the following:

''(B) FINANCING FEES.—On request of a community with a population of not more than 10,000 individuals, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.''; and

(2) by adding at the end the following:

''(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A).''.

(d) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

''Subtitle C—Innovative Financing Projects''.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3092) is amended by striking ''pilot'' each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

''SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.''.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

''Subtitle C—Innovative Financing Projects''.; and

(B) by striking the item relating to section 5034 and inserting the following:

''Sec. 5034. Reports on program implementation.''.

(e) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ''Water Infrastructure Investment Trust Fund'', consisting of such amounts as may be appropriated or credited to such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Water Infrastructure Investment Trust Fund amounts equivalent to the fees received in the Treasury before January 1, 2022, under subsection (f).

(c) EXPENDITURES.—Except as provided by subsection (d), amounts in the Water Infrastructure Investment Trust Fund shall be available, without further appropriation, as follows:

(1) ⟦85⟧ *50* percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) ⟦15⟧ *50* percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) INVESTMENT.—Amounts in the Water Infrastructure Investment Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this Act and the amendments made by this Act.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Water Infrastructure Investment Trust Fund may not be made available for a fiscal year unless the funds appropriated to the Clean Water State Revolving Fund through annual capitalization grants is not less than the average of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Secretary provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Water Infrastructure Investment Trust Fund and is contributing to the clean water of the United States.

(2) FEE.—

(A) IN GENERAL.—The Secretary shall provide a label for a fee of 3 cents per unit.

(B) DEPOSIT.—Amounts received by the Secretary under subparagraph (A) shall be deposited in the general fund of the Treasury.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve ''full cost'' or ''true value'' pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall transmit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources; or

(N) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be $5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section $10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking ''and'' at the end; and

(3) by inserting after paragraph (6) the following:

''(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

''(A) nonstructural alternatives;

''(B) decentralized approaches;

''(C) water use efficiency and conservation; and

''(D) actions to reduce energy consumption or extract energy from wastewater;''.

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking ''water-related phenomena'' and inserting ''water resources''; and

(B) in subparagraph (D), by striking the period at the end and inserting ''; and'';

(2) in subsection (c)—

(A) by striking ''From the'' and inserting the following:

''(1) IN GENERAL.—From the''; and

(B) by adding at the end the following:

''(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.'';

(3) by striking subsection (e) and inserting the following:

''(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

''(A) the quality and relevance of the water resources research of the institute;

''(B) the effectiveness of the institute at producing measured results and applied water supply research; and

''(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

''(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.'';

(4) in subsection (f)(1), by striking ''$12,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$7,500,000 for each of fiscal years 2017 through 2021''; and

(5) in subsection (g)(1), in the first sentence, by striking ''$6,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$1,500,000 for each of fiscal years 2017 through 2021''.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by adding at the end the following:

''(e) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize funding for research—

''(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

''(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

''(3) to improve existing reverse osmosis and membrane technology;

''(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

''(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

''(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.''.

(b) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by adding at the end the following:

''(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

''(1) in drought-stricken States and communities;

''(2) in States that have authorized funding for research and development of desalination technologies and projects;

''(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

''(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking ''$5,000,000'' and inserting ''$8,000,000''; and

(B) by striking ''2013'' and inserting ''2021''; and

(2) in subsection (b), by striking ''for each of fiscal years 2012 through 2013'' and inserting ''for each of fiscal years 2017 through 2021''.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) by striking the section designation and heading and all that follows through ''In carrying out'' in the first sentence and inserting the following:

''SEC. 9. CONSULTATION AND COORDINATION.

''(a) CONSULTATION.—In carrying out'';

(2) in the second sentence, by striking ''The authorization'' and inserting the following:

''(c) OTHER DESALINATION PROGRAMS.—The authorization''; and

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

''(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

''(A) establishes priorities for future Federal investments in desalination;

''(B) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration; and

''(C) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology.''.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Administrator, in conjunction with the Secretary of the Interior, the Secretary of Agriculture, the Director of the National Oceanic and Atmospheric Administration, and other appropriate Federal agency heads along with State and local governments, shall develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers.

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

(1) State and local governments;

(2) water utilities;

(3) scientists;

(4) institutions of higher education;

(5) relevant private entities; and

(6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

(i) public health and safety;
(ii) municipal and industrial water supply;
(iii) agricultural water supply;
(iv) water quality;
(v) ecosystem health; and
(vi) water supply planning;
(C) water management tools to reduce drought-related impacts, including—
(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;
(ii) water recycling;
(iii) groundwater clean-up and storage;
(iv) new technologies, such as behavioral water efficiency; and
(v) stormwater capture and reuse;
(D) water-related energy and greenhouse gas reduction strategies; and
(E) public education and engagement; and
(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—
(A) the establishment of planning goals;
(B) the evaluation of institutional capacity;
(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;
(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;
(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;
(F) implementation and financing issues; and
(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN CLEAN WATER STATE REVOLVING FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—
(1) in clause (iii), by striking ''or'' at the end;
(2) in clause (iv), by striking the period at the end and inserting ''; or''; and
(3) by adding at the end the following:
''(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)''.
(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:
''(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.
''(l) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—
''(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;
''(2) the barriers impacting greater use of innovative water technologies; and
''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

SEC. 7309. INNOVATION IN THE DRINKING WATER STATE REVOLVING FUND.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) (as amended by section 7105) is amended—
(1) in subsection (d)—
(A) by striking the heading and inserting ''ADDITIONAL ASSISTANCE.—'';
(B) in paragraph (1)—
(i) by striking ''Notwithstanding'' and inserting the following:
''(A) IN GENERAL.—Notwithstanding''; and
(ii) by adding at the end the following:
''(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.'';
(C) in paragraph (2)—
(i) by striking ''For each fiscal year'' and inserting the following:
''(A) IN GENERAL.—For each fiscal year''; and
(ii) by adding at the end the following:
''(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.''; and
(D) in paragraph (3), in the first sentence, by inserting '', or portion of a service area,'' after ''service area''; and
(2) by adding at the end the following:
''(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.
''(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—
''(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;
''(2) the barriers impacting greater use of innovative water technologies; and
''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:
(1) ELIGIBLE STATE.—The term ''eligible State'' means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.
(2) ELIGIBLE SYSTEM.—The term ''eligible system'' means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).
(b) STATE REVOLVING LOAN FUND ASSISTANCE.—
(1) IN GENERAL.—An eligible system shall be—
(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and
(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).
(2) AUTHORIZATION.—
(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.
(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).
(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—
(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or
(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.
(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—
(A) any funds provided under subsection (e)(1)(A); or
(B) any other loan provided to an eligible system.
(c) WATER INFRASTRUCTURE FINANCING.—
(1) SECURED LOANS.—
(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—
(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and
(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).
(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.
(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).
(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.
(e) FUNDING.—
(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—
(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of $100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12), to be available during the period of fiscal years 2016 and 2017 for the purposes described in subsection (b)(2).
(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate

to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available shall be available to provide additional grants to States to capitalize State loan funds as provided under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator $70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least $700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), $20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) CONSULTATIONS.—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114–113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: ''or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;''.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means a city exposed to lead contamination in the local drinking water system.

(2) COMMITTEE.—The term ''Committee'' means the Advisory Committee established under subsection (c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) LEAD EXPOSURE REGISTRY.—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

(i) an epidemiologist;

(ii) a toxicologist;

(iii) a mental health professional;

(iv) a pediatrician;

(v) an early childhood education expert;

(vi) a special education expert;

(vii) a dietician; and

(viii) an environmental health expert.

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) CHAIR.—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) TERMS.—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) APPLICATION OF FACA.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) RESPONSIBILITIES.—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) REPORT.—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) MANDATORY FUNDING.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) $17,500,000 to carry out subsection (b); and

(B) $2,500,000 to carry out subsection (c).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, $10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1).

(2) RECEIPT AND ACCEPTANCE.—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) RECEIPT AND ACCEPTANCE.—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) HEALTHY START PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8).

(2) RECEIPT AND ACCEPTANCE.—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) COMPREHENSIVE STRATEGY.—The term ''comprehensive strategy'' means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) GROUNDWATER.—The term ''groundwater'' means water in a saturated zone or stratum beneath the surface of land or water.

(3) PLUME.—The term ''plume'' means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term ''site'' means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

''(7) GREAT LAKES RESTORATION INITIATIVE.—

''(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the 'Initiative') to carry out programs and projects for Great Lakes protection and restoration.

''(B) FOCUS AREAS.—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

''(i) the remediation of toxic substances and areas of concern;

''(ii) the prevention and control of invasive species and the impacts of invasive species;

''(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

''(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

''(v) accountability, monitoring, evaluation, communication, and partnership activities.

''(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

''(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

''(ii) the feasibility of—

''(I) prompt implementation;

''(II) timely achievement of results; and

''(III) resource leveraging; and

''(iii) the opportunity to improve interagency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

''(D) IMPLEMENTATION OF PROJECTS.—

''(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

''(I) Federal projects; and

''(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

''(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

''(I) transfer not more than $300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

''(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

''(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

''(E) SCOPE.—

''(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

''(I) Great Lakes-wide; and

''(II) Great Lakes basin-wide.

''(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

''(I) a State water pollution control revolving fund established under title VI; or

''(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

''(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

''(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

''(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

''(G) FUNDING.—

''(i) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph $300,000,000 for each of fiscal years 2017 through 2021.

''(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

''(I) this section;

''(II) the Initiative Action Plan; or

''(III) the Great Lakes Water Quality Agreement.''.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

''SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) Lake Tahoe—

''(A) is one of the largest, deepest, and clearest lakes in the world;

''(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

''(C) is recognized nationally and worldwide as a natural resource of special significance;

''(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

''(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

''(B) contributes significantly to the economies of California, Nevada, and the United States;

''(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

''(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

''(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

''(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

''(A) high tree density and mortality;

''(B) the loss of biological diversity; and

''(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

''(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

''(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

''(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

''(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

''(A) congressional consent to the establishment of the Planning Agency with—

''(i) the enactment in 1969 of Public Law 91–148 (83 Stat. 360); and

''(ii) the enactment in 1980 of Public Law 96–551 (94 Stat. 3233);

''(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

''(C) the enactment of Public Law 96–586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

''(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

''(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

''(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

''(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

''(A) stream and wetland restoration; and

''(B) programmatic technical assistance;

''(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

''(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

''(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

''(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

''(A) renewed their commitment to Lake Tahoe; and

''(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

''(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than $1,740,000,000 to the Lake Tahoe Basin, including—

''(A) $576,300,000 from the Federal Government;

''(B) $654,600,000 from the State of California;

''(C) $112,500,000 from the State of Nevada;

''(D) $74,900,000 from units of local government; and

''(E) $323,700,000 from private interests;

''(16) significant additional investment from Federal, State, local, and private sources is necessary—

''(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

''(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

''(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

''(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least $10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

''(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

''(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

''(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

''(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

''(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.''.

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of the Army for Civil Works.

''(3) CHAIR.—The term 'Chair' means the Chair of the Federal Partnership.

''(4) COMPACT.—The term 'Compact' means the Tahoe Regional Planning Compact included in the first section of Public Law 96–551 (94 Stat. 3233).

''(5) DIRECTORS.—The term 'Directors' means—

''(A) the Director of the United States Fish and Wildlife Service; and

''(B) the Director of the United States Geological Survey.

''(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term 'Environmental Improvement Program' means—

''(A) the Environmental Improvement Program adopted by the Planning Agency; and

''(B) any amendments to the Program.

''(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term 'environmental threshold carrying capacity' has the meaning given the term in Article II of the Compact.

''(8) FEDERAL PARTNERSHIP.—The term 'Federal Partnership' means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

''(9) FOREST MANAGEMENT ACTIVITY.—The term 'forest management activity' includes—

''(A) prescribed burning for ecosystem health and hazardous fuels reduction;

''(B) mechanical and minimum tool treatment;

''(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

''(D) nonnative invasive species management; and

''(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

''(10) MAPS.—The term 'Maps' means the maps—

''(A) entitled—

''(i) 'LTRA USFS-CA Land Exchange/North Shore';

''(ii) 'USFS-CA Land Exchange/West Shore'; and

''(iii) 'USFS-CA Land Exchange/South Shore'; and

''(B) dated April 12, 2013, and on file and available for public inspection in the appropriate offices of—

''(i) the Forest Service;

''(ii) the California Tahoe Conservancy; and

''(iii) the California Department of Parks and Recreation.

''(11) NATIONAL WILDLAND FIRE CODE.—The term 'national wildland fire code' means—

''(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

''(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

''(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

''(12) PLANNING AGENCY.—The term 'Planning Agency' means the Tahoe Regional Planning Agency established under Public Law 91–148 (83 Stat. 360) and Public Law 96–551 (94 Stat. 3233).

''(13) PRIORITY LIST.—The term 'Priority List' means the environmental restoration priority list developed under section 5(b).

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

''(15) STREAM ENVIRONMENT ZONE.—The term 'Stream Environment Zone' means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

''(16) TOTAL MAXIMUM DAILY LOAD.—The term 'total maximum daily load' means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

''(17) WATERCRAFT.—The term 'watercraft' means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.''.

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking ''basin'' and inserting ''Basin''; and

(2) by adding at the end the following:

''(c) FOREST MANAGEMENT ACTIVITIES.—

''(1) COORDINATION.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

''(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

''(2) MULTIPLE BENEFITS.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

''(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

''(I) reducing forest fuels;

''(II) maintaining biological diversity;

''(III) improving wetland and water quality, including in Stream Environment Zones; and

''(IV) increasing resilience to changing water temperature and precipitation; and

''(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

''(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

''(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

''(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

''(B) provide for monitoring to ascertain the attainment of the post-program conditions.

''(d) WITHDRAWAL OF FEDERAL LAND.—

''(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

''(A) all forms of entry, appropriation, or disposal under the public land laws;

''(B) location, entry, and patent under the mining laws; and

''(C) disposition under all laws relating to mineral and geothermal leasing.

''(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

''(A) this Act; or

''(B) Public Law 96–586 (94 Stat. 3381) (commonly known as the 'Santini-Burton Act').

''(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

''(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.''.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

''SEC. 5. AUTHORIZED PROGRAMS.

''(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

''(1) is described in subsection (d);

''(2) is included in the Priority List under subsection (b); and

''(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

''(b) PRIORITY LIST.—

''(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for each program category described in subsection (d).

''(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

''(A) The 4-year threshold carrying capacity evaluation.

''(B) The ability to measure progress or success of the program.

''(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

''(D) The ability of a program to provide multiple benefits.

''(E) The ability of a program to leverage non-Federal contributions.

''(F) Stakeholder support for the program.

''(G) The justification of Federal interest.

''(H) Agency priority.

''(I) Agency capacity.

''(J) Cost-effectiveness.

''(K) Federal funding history.

''(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

''(4) FUNDING.—Of the amounts made available under section 10(a), $80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

''(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

''(d) DESCRIPTION OF ACTIVITIES.—

''(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

''(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

''(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

''(iii) Biomass programs, including feasibility assessments.

''(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

''(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

''(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

''(vii) Development of updated community wildfire protection plans by local fire districts.

''(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

''(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

''(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least $100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

''(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

''(D) COST-SHARING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

''(ii) FORM OF NON-FEDERAL SHARE.—

''(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

''(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

''(III) DOCUMENTATION.—Communities and local fire districts shall—

''(aa) maintain a record of in-kind contributions that describes—

''(AA) the monetary value of the in-kind contributions; and

''(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

''(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

''(2) INVASIVE SPECIES MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

''(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

''(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

''(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

''(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

''(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

''(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

''(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

''(G) CIVIL PENALTIES.—

''(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed $1,000 per violation.

''(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

''(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

''(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

''(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

''(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), $113,000,000 shall be made available—

''(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

''(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

''(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

''(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

''(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), $20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.''.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

''SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

''(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

''(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than $5,000,000 shall be made available to the Secretary to carry out this section.

''(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

''(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

''(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

''(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

''(2) LOCAL COOPERATION AGREEMENTS.—

''(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

''(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

''(i) describe the nature of the technical assistance;

''(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

''(iii) include cost-sharing provisions in accordance with subparagraph (C).

''(C) FEDERAL SHARE.—

''(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

''(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

''(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

''(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

''(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

''(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

''(3) use the integrated multiagency performance measures established under this section.

''(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

''(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

''(A) the program scope;

''(B) the budget for the program; and

''(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

''(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

''(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

''(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

''(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

''(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

''(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

''(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.''.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting '', Director, or Administrator'' after ''Secretary''.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3240) is amended in the third sentence by inserting ''and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce'' after ''maintain the regional plan''.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting ''and 25 square miles of land area'' after ''145,000''; and

(2) by inserting ''and 12 square miles of land area'' after ''65,000''.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

''(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

''(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

''(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

''(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

''(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts ⅔ of the costs of relocating facilities in connection with—

''(1) environmental restoration programs under sections 5 and 6; and

''(2) erosion control programs under section 2 of Public Law 96–586 (94 Stat. 3381).

''(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

''(1) provides information to the public on—

''(A) the amount of Federal funds being provided to the program; and

''(B) this Act; and

''(2) displays the visual identity mark of the Environmental Improvement Program.''.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96–586 (94 Stat. 3384) (commonly known as the ''Santini-Burton Act'') is amended—

(1) by striking ''(b) Lands'' and inserting the following:

''(b) ADMINISTRATION OF ACQUIRED LAND.—

''(1) IN GENERAL.—Land''; and

(2) by adding at the end the following:

''(2) CALIFORNIA CONVEYANCES.—

''(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States acceptable title to the non-Federal land described in subparagraph (B)(i), the Secretary—

''(i) may accept the offer; and

''(ii) not later than 180 days after the date on which the Secretary receives acceptable title to the non-Federal land described in subparagraph (B)(i), convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land that is acceptable to the State of California.

''(B) DESCRIPTION OF LAND.—

''(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

''(I) the approximately 1,981 acres of land administered by the California Tahoe Conservancy and identified on the Maps as 'Conservancy to the United States Forest Service'; and

''(II) the approximately 187 acres of land administered by California State Parks and identified on the Maps as 'State Parks to the U.S. Forest Service'.

''(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as 'U.S. Forest Service to Conservancy and State Parks'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(3) NEVADA CONVEYANCES.—

''(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

''(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

''(i) the approximately 38.68 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Van Sickle Unit USFS Inholding'; and

''(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Lake Tahoe Nevada State Park USFS Inholding'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(4) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

''(5) FUNDING.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351), $2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2) and (3).

''(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).''.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through ''The Office shall'' and inserting the following:

''(b) OFFICE.—

''(1) ESTABLISHMENT.—The Administrator shall—

''(A) continue to carry out the conference study; and

''(B) establish an office, to be located on or near Long Island Sound.

''(2) ADMINISTRATION AND STAFFING.—The Office shall'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''Management Conference of the Long Island Sound Study'' and inserting ''conference study'';

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking '', and'' and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(J) environmental impacts on the Long Island Sound watershed, including—

''(i) the identification and assessment of vulnerabilities in the watershed;

''(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

''(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

''(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;'';

(C) by striking paragraph (4) and inserting the following:

''(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;'';

(D) in paragraph (5), by inserting ''study'' after ''conference'';

(E) in paragraph (6)—

(i) by inserting ''(including on the Internet)'' after ''the public''; and

(ii) by inserting ''study'' after ''conference''; and

(F) by striking paragraph (7) and inserting the following:

''(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and'';

(3) in subsection (d)(3), in the second sentence, by striking ''50 per centum'' and inserting ''60 percent'';

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

''(f) REPORT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

''(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

''(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

''(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

''(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

''(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

''(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

''(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

''(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

''(1) an interagency crosscut budget that displays for each department and agency—

''(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

''(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

''(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

''(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

''(h) FEDERAL ENTITIES.—

''(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

''(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

''(A) enter into interagency agreements; and

''(B) make intergovernmental personnel appointments.

''(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

''(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).''.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) in subsection (g), by striking ''2011'' and inserting ''2021''; and

(B) by adding at the end the following:

''(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

''(1) the Advisory Committee; or

''(2) any board, committee, or other group established under this Act.''.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended in the matter preceding subparagraph (A) by striking ''2011'' and inserting ''2021''.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking ''under this section each'' and inserting ''to carry out this Act for a''.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) $40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) $25,000,000 for each of fiscal years 2017 through 2021.

Subtitle G—Offset

SEC. 7701. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

COMMITTEE-REPORTED AMENDMENTS WITHDRAWN

Mr. INHOFE. On behalf of the committee, I withdraw the committee-reported amendments.

The PRESIDING OFFICER. The amendments are withdrawn.

AMENDMENT NO. 4979

(Purpose: In the nature of a substitute.)

Mr. MCCONNELL. Mr. President, I call up the Inhofe-Boxer substitute amendment No. 4979.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. INHOFE, proposes an amendment numbered 4979.

Mr. MCCONNELL. 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 printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 4980 TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I call up amendment No. 4980.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 4980 to amendment No. 4979.

Mr. INHOFE. 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 make a technical correction)

Strike section 6002 and insert the following:

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be

carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $97,067,750 Estimated Non-Federal: $55,465,250 Total: $152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,860,000 Estimated Non-Federal: $11,620,000 Total: $46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $308,983,000 Estimated Non-Federal: $308,983,000 Total: $617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: $381,032,000 Estimated Non-Federal: $127,178,000 Total: $508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: $65,514,650 Estimated Non-Federal: $35,322,350 Total: $100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: $20,205,250 Estimated Non-Federal: $10,879,750 Total: $31,085,000

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent I be recognized for as much time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, first of all, let me say something about this. I would ask if Senator BOXER would like to be heard before I make some remarks on this or if we can have a colloquy, in which case I would ask a question. We have done some good things in our committee, and we have two different people who don't think alike on a lot of issues. However, we both agree that infrastructure is important. We got through a highway bill that many people said couldn't be done. It hadn't been done since 1998, and we were able to do that significantly. We got through the chemical bill, about which a lot of people said ''No, that is not going to be done,'' and yet we did.

I look at this, and we have many things right now that should go into a WRDA bill. Initially, the Water Resources Development Act was going to be coming up every 2 years. We went through a period of time when that wasn't the case. Both the minority and the majority of our committee, the Environment and Public Works Committee, have agreed that we should get back to that 2-year cycle. That is what we are doing today.

I would ask Senator BOXER: Do you agree that we have done a pretty good job on some of these and we need to keep going?

Mrs. BOXER. If I might respond to my friend through the Chair, he speaks for me on a lot of these infrastructure issues. It does shock a lot of people because they know that the most conservative, the most progressive—how could they ever get along? What I tell people is that we respect each other's points of view. When we can't agree, we don't get personal about it; we accept each other's opinion. Where we can work together, we find the sweet spot, and we have done it several times.

In terms of water infrastructure, I want to say that the people in this country have a right to have clean water. They have to have ports that work and the dredging is kept up with. They have to have ecosystem restoration where our marshlands are—we are losing them, and they are flood controlled. And many, many Corps of Engineers reports that have been done—we don't want them to sit around because, as my dear friend knows, if we don't pass WRDA, there is no authority for the Corps to move forward.

We have these projects all over. So this bill is about saving lives from floods, saving lives from lead in water. It is about major economic benefits to our Nation.

I would say, with my friend's support and my support back to him, we created this WIFIA program that we based on the TIFIA program—transportation infrastructure financing. Now we have water infrastructure financing. What this does is allow communities to leverage the funds that they have, get a very low-interest loan, and move forward and make sure that they modernize their water systems.

I am so pleased that we were able to have this agreement. This is another one of our usual ''Perils of Pauline'' where we think we are going to the bill, and then we are not. Everybody acted in good faith—Senator REID, Senator MCCONNELL, Senator INHOFE and I, and Senators from Michigan and Senators from all over the country.

As I wind down my days here, I am so honored to have this opportunity to once again work with my dear friend, and what a pleasure it is. People don't get it. They don't get the fact that we actually can set aside our differences, which are great, and come together. I know he is going to be—regardless of what happens in the election, I think the Senator is going to be I think the chairman of Armed Services. Is that correct? Maybe—or maybe ranking.

Mr. INHOFE. A lot of things have not transpired yet.

Mrs. BOXER. We don't know where he is going to land. What I want to say is that wherever he does land, it is going to be a fortunate thing for the Democrat who is his partner.

Working with Senator INHOFE has been so amazing and so productive, and this bill is a great symbol of the work we have done together. I am so thrilled. I hope that our colleagues will work with us because we want to help everybody, but we also want to make sure there are no poison pills and no crazy amendments that set us back. We will work together on that in good faith.

WATER RESOURCES DEVELOPMENT ACT

Mr. President, I rise today to speak in support of S. 2848, the Water Resources Development Act of 2016—WRDA—a bill that will repair our aging infrastructure, grow the economy, and create jobs. This legislation is the latest in a long list of bipartisan infrastructure bills produced by the

Environment and Public Works Committee. In April, this bill passed out of the EPW Committee with overwhelming support—19 to 1. We have a long track record of passing these infrastructure bills into law, and I am confident we can do it again with WRDA 2016.

This bill is desperately needed. As I have often said in recent months, the drinking water crisis in Flint, MI, puts a spotlight on our Nation's infrastructure challenges. The American Society of Civil Engineers rates the Nation's infrastructure a D-plus—hardly a grade to be proud of.

WRDA 2016 responds to our nation's infrastructure crisis. It allows additional investment to strengthen levees, dams, and navigation channels. It also addresses lead contamination in Flint and similar cities across the country that are dealing with aging lead pipes, such as Jackson, MS, Sebring, OH, and Durham, NC.

The American people have a right to expect safe, clean water when they turn on their faucets, and sadly, millions of homes across America still receive their water from crumbling pipes containing toxins such as lead. The American Water Works Association estimates that as many as 22 million people live in homes that receive water from lead service lines.

This bill begins the much-needed work to ensure safe, reliable drinking water for all Americans. It provides $100 million in State Revolving Fund loans and grants for communities with a declared drinking water emergency. It also provides more than $700 million in loans under the Water Infrastructure Finance and Innovation Act, or WIFIA, for projects to replace crumbling infrastructure. The WRDA bill helps those communities dealing with the horrible effects of lead poisoning by investing in public health programs to help families deal with the impacts. The bill also changes the law to require that communities are quickly notified if high lead levels are found in their drinking water to help prevent the mistakes made in Flint from being repeated. This bill is a comprehensive response to the national infrastructure crisis that was brought to light by the disaster in Flint.

This WRDA bill will also provide many other important benefits to the American people, local businesses, and the Nation's economy through the critical programs of the U.S. Army Corps of Engineers. For example, the bill authorizes over $12 billion for 29 Chief's Reports in 18 States. These projects address critical needs for navigation, flood risk management, coastal storm damage reduction, and ecosystem restoration.

The bill authorizes important projects to maintain vital navigation routes for commerce and the movement of goods, and builds on the reforms to the Harbor Maintenance Trust Fund, HMTF, in the 2014 WRDA bill. These include permanently extending prioritization for donor and energy transfer ports and emerging harbors, allowing additional ports to qualify for these funds, and making clear that the Corps can maintain harbors of refuge. Our ports and waterways—which are essential to the U.S. economy—moved 2.3 billion tons of goods in 2014.

In addition to providing major economic benefits, this legislation will save lives. Storms and floods in recent years have resulted in the loss of life, caused billions of dollars of damage, and wiped out entire communities. This bill will help rebuild critical levee systems around the country, including levees to protect the capital of my State and surrounding communities. WRDA also establishes a new program at FEMA to fund the repair of high hazard dams that present a public safety threat. These hazardous dams are threatening numerous communities across the Nation.

This bill authorizes and updates programs to advance the restoration of some of the nation's most iconic ecosystems, such as Lake Tahoe, the Great Lakes, Long Island Sound, the Delaware River, Chesapeake Bay, and Puget Sound. It will also help to revitalize the Los Angeles River, restore wetlands in San Francisco Bay, and provide critical habitat and improve air quality near the Salton Sea in California.

WRDA also responds to the serious challenges many of our communities are facing from ongoing drought. It expands opportunities for local communities to work with the Corps to improve operation of dams and reservoirs to increase water supplies and better conserve existing water resources.

The bill also builds on legislation I introduced called the Water in the 21st Century Act, or W21, to provide essential support for development of innovative water technologies, such as desalination and water recycling. The bill allows States to provide additional incentives for the use of innovative technologies through the State Revolving Fund programs, establishes a new innovative water technology grant program, and reauthorizes successful existing programs, such as the Water Desalination Act.

WRDA 2016 will invest in our Nation's water infrastructure, create jobs in the construction industry, protect our people from flooding, enable commerce to move through our ports, encourage innovative financing, and begin the hard work of preparing for and responding to extreme weather. WRDA 2016 is a truly bipartisan bill that benefits every region of this country.

Let me close by thanking my EPW chairman, Senator INHOFE, for his work on this bill. While we do not always agree on every issue, I am glad we were able to come together on this vital legislation to pass it out of our committee with an overwhelmingly bipartisan vote.

I urge the Senate to quickly pass this critical legislation, and the House to follow suit, so that we can send this bill to the President's desk.

With that, I yield the floor back to my friend. I thank him for yielding to me. I look forward to rolling up our sleeves and getting this done.

Mr. INHOFE. Let me thank the Senator from California. Let's continue this productivity. We have a chance to do it now on this very significant bill. We had a conversation with the leadership, and I think she and I and the leadership agree that we can have some limitations on amendments. I have been over here asking for our Members to bring amendments several times now. Actually, we started this about 3 weeks ago. I don't have them in my hands yet. I would suggest since we have this tentative agreement that all amendments would go through the managers—that is, through Senator BOXER and me—that we go ahead and say they have to be germane, and if they are not in by noon on Friday, no more amendments could come in.

It seems as though we always have to have deadlines around here to get things done. I will be proposing that after I make a few remarks, and I think our Members can depend on that being a condition.

Does that sound reasonable to the Senator?

Mrs. BOXER. It sounds very fair to me actually.

Mr. INHOFE. That's good.

Let's talk a little bit about this because yesterday I talked about what is going to happen if we don't pass a WRDA bill. Keep in mind that we have gone sometimes as long as 7 or 8 years without passing one. We are supposed to do it every 2 years, and I think this could be the time that it will become a reality.

I will repeat what I said yesterday: What will happen if we don't have a bill? I think every Member, Democrat and Republican, will be affected by this and will be concerned if we don't get this legislation passed. First of all, there are 29 navigation flood control and environmental restoration projects that will not happen unless we pass this bill. There will be no new Corps reforms that will let local sponsors improve infrastructure at their own expense. I will talk a little bit about that because it is not very often that we have a bill where we have to encourage people to let other people pay for what the government would normally be paying for. We have come to an agreement in this bill, which is a good thing, and it is a good provision.

If we don't pass the bill, there is not going to be any FEMA assistance to the States that need to rehabilitate the unsafe dams.

If we don't pass the bill, there will be no reforms to help communities address clean and safe drinking water infrastructures. I come from a State where we have a lot of small rural communities, which don't have an abundance of resources. Back when I was mayor of Tulsa, the biggest enemy I

had was unfunded mandates. The Federal Government would come along and say ''You have to do this,'' and yet we had to figure out a way to pay for it. That is what we are trying to get away from, and this bill helps us do that.

If we don't pass the bill, there will not be new assistance for innovative approaches to clean water and drinking water needs, and there will be no protection for the coal utilities from runaway coal-ash lawsuits. We have specifically addressed that.

I have to admit that there are a lot of things we worked out in this bill that Democrats like and the Republicans don't like and Republicans don't like and Democrats like, but that is how we got things done. Sooner or later there is an outcry out there for us to get things done, and this is certainly a good way to encourage these people to understand that there is hope in what we are doing.

I have some charts, and the first one I want to show is the map of the inland waterway system. There are 40 States that are directly served by ports and waterways maintained by the Corps of Engineers. This system handles over 2.3 billion tons of freight each year, and this commerce is critical to the United States.

I invite everyone to look at this chart. This is Tulsa, OK. Everyone knows where Oklahoma is. It is kind of in the middle of the United States. How many people in America know that we are navigable in Tulsa, OK? We have a navigation way that goes all the way up. We are fighting to keep the navigation way strong, and that is what this bill is all about. If you look at all of the things that are being serviced here—that is what this bill is all about. That is how far-reaching it is.

We have to keep our water transportation system operational. For example, the senior vice president of Marathon Petroleum Corporation told the Environmental Protection Committee, my committee, that they have a number of situations up and down the Ohio River where lock gates have failed to function and Marathon's barges were stopped for 50 or 60 days at the cost of millions and millions of dollars. He told us there was one lock where the gate literally fell off and took months to repair.

The second chart we have is the Ohio lock repairs. This could be anywhere, but this is what it looks like when you get down there. When we have lock problems in my State of Oklahoma, I go out there and get down there with them and look to see what we can do. But that is fairly recent in Oklahoma.

Look at the Ohio River. I can't tell you how old it is, but you can see the repairs that need to take place. This problem is not exclusive to the Ohio River. It exists in most major locks throughout the inland waterway. These projects are experiencing a slow creep of Federal inaction.

Under the current law, a local sponsor, such as a port, has to wait for the Corps to get Federal appropriations and issue Federal contracts before locks, dams, and ports can be maintained. Even when a lock gate is literally falling off, under current law, they are not allowed to use their own money to help out.

The Corps maintenance budget is stretched thin so WRDA 2016 comes up with a solution, and this is a logical solution. In WRDA, the bill that we are going to consider and will hopefully pass, we let local sponsors, such as ports, either give money to the Corps to carry out maintenance or do their own maintenance using their own dollars. This is an opportunity. These are not taxpayer dollars, but the need is so critical that there are people out there willing to do this, and we will be able to do that with the passage of this bill.

We also have to modernize our ports. We have to invest in our Nation's ports now so that American ports can handle larger post-Panamax vessels. The new vessels that are coming through the Panama Canal now are vessels that require a greater depth. Here is a comparison. The top is the post-Panamax, and the bottom is what we are using today. You can get an idea of the number of containers that they can transport.

This picture shows the current Panamax vessel on the bottom and the new post-Panamax vessel on top. As you can see, the post-Panamax vessel can handle double the cargo of their predecessor. This increase in cargo volume means cheaper shipping costs, which translates into cheaper costs for consumers, but in order to achieve this, we have to deepen our Nation's strategic ports to accommodate it. WRDA 2016, the bill we are talking about now, has a number of provisions that will ensure that we grow the economy, increase our competitiveness in the global marketplace, and promote long-term prosperity. These provisions include important harbor deepening projects for Charleston, SC, Port Everglades, FL, Brownsville, TX, and throughout America.

This chart shows the Charleston Harbor. It is authorized to be deepened under this bill. Right now it is 45 feet deep. In order to use the Panamax to come into that particular port, it has to be closer to 51 feet instead of 45 feet. What happens if that doesn't happen? If it doesn't happen, they have to go to someplace in the Caribbean where they offload the large vessel and divide it up into small vessels, which dramatically increases the costs. Anyone who is concerned about low costs has to keep in mind that this is a major opportunity not just for Charleston Harbor, but for harbors throughout the United States.

Let's talk about flood control. Let's start with the levees. The Corps built 14,700 miles of levees that protect billions of dollars of infrastructure and homes. We have some of these levees in my hometown of Tulsa, OK. The Corps projects prevent nearly $50 billion a year in damages. Many of these levees were built a long time ago, and some have recently failed.

This chart shows the Iowa River levee breach. This is a levee in Iowa that was overtopped and eventually breached by disastrous floodwaters. In many cases levees like this were constructed by the Army Corps of Engineers decades ago and no longer meet the Corps post-Katrina engineering design guidelines. Also, FEMA has decided that many of these levees don't meet FEMA flood insurance standards. Even though they own the levees, a levee district needs permission from the Corps to upgrade a levee to meet FEMA standards. Several Members of this body have told me that their local levee districts are caught up in a bureaucratic nightmare when they try to get that permission from the Corps. Well, you shouldn't have to do that. Everyone benefits from this. We are streamlining the process to allow levee districts to improve their own levees by using their own money to do it in WRDA 2016. This is nontaxpayer money, and I don't know who could oppose this effort.

There is also an issue with how the Corps rebuilds levees that have been damaged by flood. Right now the Corps will rebuild only to the preexisting level protection, which may be inadequate and may not meet FEMA standards. Einstein defined insanity as doing the same thing over and over again and expecting to have different results. To stop this insanity of wasting Federal dollars by rebuilding the same inadequate levee over and over again, WRDA 2016 allows local levee districts to increase the level of flood protection at their expense when the Corps is rebuilding a levee after a flood. No one can argue with that one.

Let's talk about dams. According to the Corps National Inventory of Dams, there are 14,726 high hazard potential dams in the United States. A high hazard potential dam is defined as a dam that will result in the loss of lives. If you look at this, this is a dam that broke. When that happens downstream, you know people are going to die. This is an area where we can't imagine that anyone would object to it.

This is a picture of a dam in Iowa that failed in June of 2010 after the area received 10 inches of rain. We can avoid disasters like this by making the necessary investments in our water resources infrastructure. By not passing WRDA, we leave communities like this one, and many others throughout the country, vulnerable to catastrophic events. WRDA 2016 helps avoid disasters like this by providing two new dam safety programs.

Keep in mind, we are talking about 14,000 high hazard potential dams—life-threatening dams—right now. One is operated by FEMA to support State dam programs, and one is operated by the Bureau of Indian Affairs to support tribes. Those are the two efforts that we are making.

Let's talk about the EPA clean water and drinking water mandates. Communities around the country are trying to keep up with more and more of the Federal mandates coming from the EPA. I had to deal with this when I was the mayor of Tulsa. It was the unfunded mandates that were the greatest problems that we had, and one of the goals I had in coming to Congress was to stop the mandates. We thought we had done that at one time. This is going to be a great help. Even though our water is much cleaner and our drinking water is much safer than it was 30 or 40 years ago, back when I was mayor of Tulsa, the EPA keeps adding more and more regulations, and these new mandates drive up our water and sewer bills to the point that they become unaffordable to many families. Under the threat of EPA penalties, communities can be forced to choose between meeting new, unfunded Federal mandates or keeping up with basic maintenance repair and replacement activities that keep our drinking water and wastewater operational.

Our seventh chart here is the Philadelphia main break that took place. If we don't maintain our infrastructure, it will fail just as this water main did in Philadelphia. If we don't replace our infrastructure, aging sewer pipes will leak and result in sewer overflows. Atlanta, Omaha, Baltimore, Cincinnati, Houston, and communities all around the country are facing these problems.

This chart shows the tunnel-boring machine for DC's $2.6 billion sewer. You can see what is involved in this project. These sewer projects are huge and very costly. For example, there is a picture of a tunnel that is being built here in DC as part of a $2.6 billion project to address sewer overflows. The WRDA bill, S. 2848, addresses these issues in two ways. It targets Federal assistance and tools that empower local governments.

As far as Federal assistance, our 2016 WRDA bill provides $70 million to capitalize WIFIA. You heard the Senator from California, Mrs. BOXER, talk about how we used TIFIA in our highway bill. We are using WIFIA in the same way. The $70 million of Federal funds can provide up to $4.2 billion in secured loans. It is something that worked in the highway bill, and it will work in this one. Those loans have gotten a match by another $4.4 billion, so there is $70 million in Federal investment that will result in some $8.6 billion in infrastructure. That is in this bill.

This funding is fully offset by reductions in DOE's Advanced Technology Vehicles Manufacturing Program. I might add that the Senator from Michigan has assured me that they are very supportive of this, in spite of the fact that that is where a lot of the manufacturing of our vehicles takes place.

While the Federal assistance in this bill is targeted, all communities need tools to fight back when EPA enforcement officials try to take control of their water and sewer system. The WRDA bill also requires the EPA to update its affordability guidance, so when EPA imposes costly sewer upgrades on a community, EPA will have to consider the real impacts on real households, including low-income households.

Finally, we talk about coal ash. That has been very controversial for a long time. WRDA includes compromise legislation that we negotiated and considered with Senator BOXER and others on the EPW Committee to authorize State permit programs to manage fly ash from coal-fired powerplants.

Coal ash is a critical ingredient in making concrete for roads and bridges. It is more durable, it is less expensive than the alternatives, and many States actually require coal ash to be used in their highway projects. When EPA's coal ash rule went into effect last October, it created huge uncertainty for both the disposal and the beneficial use of coal ash because, unlike other environmental regulations, the EPA rule is enforced through citizen lawsuits. This is something we have to stop. This bill fixes that by giving States the authority to issue State coal ash permits that will provide protection from citizen suits.

There is a tremendous amount in this bill that is important to every State in our country. I can't imagine that we are not going to be able to get this passed. Our goal—and this is a goal of Democrats and Republicans, the majority and the minority—is to get this done and get it done in this work period, and I think we can get it done by next week.

We are to the point now where I want to repeat that we have the opportunity to do what we are supposed to be doing in managing our infrastructure. This is something we have an opportunity to do now and do well. Again, one of the requirements is—and the leadership has agreed to this, as have the managers, Senator BOXER and myself—that we are going to have to get all of the amendments in from anybody who wants them by noon on Friday. Nothing will be considered after that, nor will anything be considered that is not germane. We are going to be passing judgment on these amendments as they come in, but bring them in because after noon on Friday, it will be too late.

Anyway, we have this opportunity on the floor to get this done, and I think this will be one of the last really great accomplishments we will be able to do in this legislation session.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CLINTON FOUNDATION

Mr. CORNYN. Mr. President, this summer the American people have heard a lot about Secretary Clinton and how she went to great lengths to set up a private email server in violation of Federal law and accepted protocols not only at the State Department but in the U.S. Government.

In early July FBI Director Comey announced findings from the Bureau's investigation into her server that confirmed what many people knew all along; that is, that Secretary Clinton simply misled the American people about it from day one. She didn't tell the truth, and she tried to cover it up.

Contrary to her previous statements from her and her staff, Secretary Clinton did send and receive classified information on her private email server, including some at the very highest levels of classification. We learned that, contrary to her representations, her server did not provide adequate security, leaving sensitive information vulnerable to our Nation's enemies. We also learned that neither she nor her lawyers really actually reviewed the emails to determine whether they were work-related and needed to be turned over to the State Department and the Federal courts under our freedom of information laws. And we learned that she didn't give the authorities full access to all of her work-related emails. In fact, Director Comey said the FBI discovered thousands of emails that she simply had not produced even though she was required to do so.

All of this may seem like old news, but the fact is, it is simply unacceptable. I am glad the FBI released much of its investigation on Friday, but, as was observed by a number of people, this was sort of a typical Washington news dump—get it out on Friday and hope that by Monday morning, people have moved on to other things or forgotten about it.

But these regular scandals that seem to be associated with the Clintons—while they addressed the emails, they obviously evidenced contempt for our freedom of information laws and the kind of transparency that President Obama touted when he became President and spoke about on the day of his inauguration on January 20, 2009—most of the American people have come to believe they simply can't trust Secretary Clinton. According to a recent CNN poll, about 70 percent said that she isn't honest and trustworthy—almost 70 percent, which is an astoundingly high number. But I really can't blame folks. In fact, Secretary Clinton has no one else to blame but herself.

Unfortunately, Director Comey's announcement back in the July wasn't the end of the story, though, because last month even more emails came to light that revealed the line blurred between the Clinton Foundation and the State Department under Secretary Clinton. Many of the new emails were between top Clinton aides and an executive at the Clinton Foundation requesting favors of Secretary Clinton in her official capacity. There is a lot of information out there, but I have just highlighted about three of the items here.

One exchange requests a meeting between Secretary Clinton and the Crown

Prince of Bahrain. According to the emails, after the Clinton Foundation staffer intervened, a meeting was quickly put together. The Washington Post has noted that the Crown Prince spent upwards of $32 million on an education program connected with—you guessed it—the Clinton Foundation.

Another is from a person whom we will identify as just a sports executive trying to get an expedited visa for a British soccer player. He donated between $5 million and $10 million to the Clinton Foundation.

Several other requests were for last-minute meetings and other favors, including one business executive who apparently got quick access to Secretary Clinton. He donated between $5 million and $10 million to the Clinton Foundation.

So what do all of these examples have in common? Obviously they are asking for help through Secretary Clinton's direct line at the State Department and they gave millions of dollars to the foundation. These obviously were big-time donors.

Let me add that I don't know a lot about the details involving these donations because the Clinton Foundation doesn't provide the date and exact amount but just ranges.

Here is the point: Secretary Clinton and her team were quick to prioritize these big donors and respond to them quickly and even, if possible, follow through with whatever request was made of them. It is clear that major Clinton Foundation donors enjoyed great access to Secretary Clinton while she was serving as our Nation's premier diplomat. The Clinton Foundation interfered with official day-to-day work at the State Department when the Secretary and her staff should have been focused on keeping Americans safe and making sound foreign policy.

One of the reasons I bring this up today is that this was an original concern of mine before Secretary Clinton was even confirmed as Secretary of State. After President Obama's election in 2009, during the Senate confirmation process, I objected to fast-tracking a vote on her nomination because I saw the real and myriad possibilities for conflicts of interest in the relationship between Secretary Clinton as Secretary of State and the Clinton family foundation. I told then-Secretary Nominee Clinton that we needed greater transparency and we needed more assurances as to the integrity of this whole arrangement. When I questioned her about it, I was assured by Secretary Clinton herself that the Clinton Foundation would take steps necessary to mitigate my concerns about conflicts of interest and perceived conflicts of interest.

I would note that this was not just my concern; it was a concern raised by the then-chairman of the Foreign Relations Committee, Senator Richard Lugar. It was also raised by President Obama and his White House itself. And what was produced out of those concerns was a very lawyerly-like memorandum of understanding between the Clinton Foundation and the Obama administration. In fact, I believe this is a precondition to Secretary Clinton getting the nomination from President Obama, because he didn't want the conflicts of interest that he knew could arise as a result of the foundation's activities to impugn the integrity of the Obama administration.

This memorandum of understanding assured the President and the American people that the foundation would follow certain transparency measures to make sure that Secretary Clinton conducted American diplomacy with the utmost integrity. In doing so, the foundation agreed it would make public the names of all donors, including new ones.

What was the result? In the ensuing years, Secretary Clinton and her family foundation made a habit of regularly crossing the lines that were drawn in that memorandum of understanding and with her verbal arrangements and understanding with me. Even though the foundation agreed to disclose all foreign donations—this is from foreign countries to a family foundation run, in part, by the Secretary of State of the U.S. Government. So even though they agreed to disclose all foreign contributions, they didn't, and even though some foreign donations were supposed to be submitted for review to the State Department, they weren't.

According to reports, at least one organization within the foundation failed to annually disclose its list of donors, and today the American people still lack basic information about many of the donations, like the exact amounts that were donated to the foundation, as I already mentioned.

I don't know anybody who feels comfortable with or who can defend these obvious conflicts of interest between the Secretary of State representing the United States and her family foundation soliciting and receiving multi-million-dollar donations from heads of state of foreign countries, not to mention other people who obviously were trying to get the help of Secretary Clinton in some official capacity. Secretary Clinton was performing her job as Secretary of State, and at the same time, the Clinton Foundation was shaking down donors who at least thought they were buying access. I don't know how to describe that in any other terms other than it is deplorable and it completely undercuts the integrity of our democratic process.

This isn't funny, as former President Clinton suggested. Lying to the American people doesn't make you some kind of Robin Hood either, as he claimed to be. He said the only difference between him and Robin Hood is he didn't steal from anybody.

Well, this whole scandal further underscores the Clinton philosophy that anything goes. She clearly feels like the laws that apply to you and me don't apply to her, and it is no wonder the American people have come to distrust her and believe that she is simply incapable in many instances of telling the truth.

I hope the American people keep asking questions of Secretary Clinton and her foundation, and I hope soon that we all get some answers. The American people deserve complete unobstructed transparency into this matter, and it is clear they won't get that from Secretary Clinton herself.

Regarding the vote to confirm Secretary Clinton, it did occur. In reliance upon her assurances of transparency and to maintain the independence of her office of Secretary of State from the activities of the foundation, I, among many others of my colleagues, voted to confirm Secretary Clinton as Secretary of State, but my belief today is that she simply did not keep up her end of the bargain. Thus, if that vote were held today, I could not and would not vote to confirm her as Secretary of State.

MORNING BUSINESS

Mr. CORNYN. 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.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Senate reconvenes after several weeks of work in our home States, I am back for the 145th time asking my colleagues to wake up to the pressing reality of climate change. We are sleepwalking through this moment, willfully ignoring the warning signs of an already altered Earth, largely because of a decades-long corporate campaign of misinformation on the dangers of carbon pollution.

Just last week, while we were back home, scientists at the International Geological Congress presented the beginning of a new geological epoch, the Anthropocene. Transitions between geological epochs are marked by a signal—a signal in the global geologic record, like the traces of the meteorite that wiped out the dinosaurs at the end of the Cretaceous epoch.

What are the signals of the beginning of the Anthropocene?

Humans—anthropods—have increased carbon dioxide in the Earth's atmosphere from 280 parts per million before the Industrial Revolution to 400 parts per million and rising today—a pace of increase not seen for 66 million years and a level never seen before in human history on this planet.

We have also dumped so much plastic into our waterways and oceans that microplastic particles can be found virtually everywhere and are now even infiltrating our food chain. We have poured so much pollution into our atmosphere—that thin blue shell under which we currently thrive—that permanent layers of particulates, such as black carbon from burning fossil fuels, are left in sediments and glacial ice. The signals we are leaving are many, and they are clear.

Dr. Paul Crutzen, the Nobel Prize-winning chemist who coined the term ''Anthropocene'' remarked back in 2011: ''This name change stresses the enormity of humanity's responsibility as stewards of the Earth.'' His words echo those of Pope Francis, who tells us this in his encyclical ''Laudato Si'': ''Humanity is called to recognize the need for changes of lifestyle, production, and consumption, in order to combat this warming or at least the human causes which produce or aggravate it.''

Yet attempts to address climate change are stifled in this Chamber by an industry-controlled, many-tentacled apparatus deliberately polluting our discourse with phony climate denial as it pollutes our atmosphere and oceans with carbon. Polls show more than 80 percent of Americans favor action to reduce carbon pollution. So our inaction signals the filthy grip these bad actors have on this Chamber.

Before the recess, 19 colleagues came to the floor to shine a little light on this web of climate denial spun by those actors. All told, we delivered over 5½ hours of remarks describing the activities, the backers, and the linkages of dozens of denier groups.

A growing body of scholarship examines this climate denial apparatus, including work by Harvard's Naomi Oreskes, Michigan State's Aaron McCright, Oklahoma State University's Riley Dunlap, Yale's Justin Farrell, and Drexel's Robert Brulle. Their work reveals an intricate, interconnected propaganda web that encompasses over 100 organizations, trade associations, conservative think tanks, foundations, public relations firms, and plain old phony-baloney polluter front groups. In the words of Professor Farrell, the apparatus is ''overtly producing and promoting skepticism and doubt about scientific consensus on climate change.''

Well, our little floor effort got the attention of the climate deniers. Shortly after our ''web of denial'' floor action, Senator SCHATZ and I received a letter from ExxonMobil telling us that it believes the risks of climate change are real, that it no longer funds groups that deny the science of climate change, and that it supports a carbon fee, like our American Opportunity Carbon Fee Act.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of this letter.

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

EXXON MOBIL CORPORATION,
Washington, DC, July 21, 2016.

Hon. SHELDON WHITEHOUSE,
U.S. Senate,
Washington, DC.

DEAR SENATOR WHITEHOUSE: I am writing in response to comments you recently made on the Senate floor about ExxonMobil and our position on climate change and felt it important to better inform you of our position. ExxonMobil shares the same concerns as people everywhere—how to provide the world with the energy it needs to support economic growth and improve living standards, while reducing greenhouse gas (GHG) emissions. It is a dual challenge. Technological advancements in the ways in which we produce, deliver, and use energy are critical to our ability to meet this challenge.

ExxonMobil believes the risks of climate change are real and warrant thoughtful action.

As a global issue, addressing the risks of climate change requires broad-based, practical solutions around the world. ExxonMobil believes that effective policies to address climate change should:

Ensure a uniform and predictable cost of carbon across the economy;

Be global in application;

Allow market prices to drive the selection of solutions;

Minimize complexity and administrative costs;

Maximize transparency; and

Provide flexibility for future adjustments to react to developments in climate science and the economic impacts of climate policies.

As policymakers develop mechanisms to address climate change risk, they should focus on reducing the greatest amount of emissions at the lowest cost to society. Of the policy options being considered by governments, we believe a revenue-neutral carbon tax is the best—a position we first took more than seven years ago.

We are actively working to reduce greenhouse gas emissions in our own operations and to help our customers reduce their emissions as well. That means developing technologies that reduce emissions, including working to improve energy efficiency and advance cogeneration. In fact, our cogeneration facilities alone enable the avoidance of approximately 6 million metric tons of greenhouse gas emissions each year, and allow us to feed power back to the grid in certain instances.

Since 2000, ExxonMobil has spent approximately $7 billion to develop lower-emission energy solutions. That figure does not include the fact that as the nation's leading producer of natural gas, ExxonMobil has contributed substantially to the overall drop in U.S. energy-related CO2 emissions over the past decade.

We are also advancing conventional carbon-capture-and-storage technology while at the same time pursuing innovative carbon-capture solutions involving carbonate fuel cells. This far-sighted research aims to reduce the cost of carbon capture to keep CO2 out of the atmosphere. Advancing economic and scalable technologies to capture carbon dioxide from large emitters, such as power plants, is an important part of ExxonMobil's suite of research into lower-emissions solutions to mitigate the risk of climate change.

And we are pioneering development of next-generation biofuels from algae that could reduce emissions without competing with food and water resources.

We reject long-discredited efforts to portray legitimate scientific inquiry and dialogue and differences on policy approaches as ''climate denial.'' We rejected them when they were made a decade ago and we reject them today.

To advance the quality of analysis and discussion of leading public policy challenges, we provide funding to a broad range of non-profit organizations that engage in the development and consideration of options to address them responsibly and effectively. Often these organizations support free market solutions and expanded economic growth. We consider our support for such organizations from year to year to assess their continuing contribution to the public discussion of social, environmental, and economic issues. As you know, several years ago, we discontinued funding several non-profit organizations when we determined that our support for them was unfortunately becoming a distraction from the important public discussion over practical efforts to mitigate the risks of climate change.

If you, or your staff, would like to discuss this or any other matter, please let me know and, as always, we would be pleased to meet.

Sincerely,

THERESA FARIELLO,
Vice President,
Washington Office.

Mr. WHITEHOUSE. It is a nice letter, but its claims simply do not conform to our experience.

In 2015, for instance, ExxonMobil repeatedly funneled millions to groups peddling climate denial. According to its own publicly available ''2015 Worldwide Giving Report,'' ExxonMobil contributed over $1.6 million to organizations that were profiled in our floor statements, including the American Legislative Exchange Council and the U.S. Chamber of Commerce.

ExxonMobil's letter claims that the company's support for a revenue-neutral carbon tax dates back 7 years. If that were so, you would think at some point during those 7 years Exxon executives would have expressed that support to the authors of a carbon fee bill. My and Senator SCHATZ's American Opportunity Carbon Fee Act meets all the relevant criteria mentioned in the letter, yet ExxonMobil has not endorsed the bill or lobbied our colleagues on its behalf or even expressed interest in meeting with either of us to discuss the White House-Schatz proposal and how to make it become law.

Behind ExxonMobil's professed support for a carbon fee, here is what we really see: zero support from the corporation and implacable opposition from all ExxonMobil's main lobbying groups—the American Petroleum Institute, for instance, the U.S. Chamber of Commerce and its array of various front groups. The actual lobbying position of ExxonMobil is vehemently against the revenue-neutral carbon tax ExxonMobil claims to support.

The letter from ExxonMobil was not the only letter in response to our July floor speeches. Twenty-two organizations in the Koch-funded network with lengthy records of climate change denial also sent a letter objecting to being characterized as Koch-linked climate deniers. This group of organizations, which purportedly is not a

group, sent their letter out on a common letterhead. Since the web of climate change denial is designed to be so big and sophisticated, with so many parts that the public is made to believe it is not a single, special-interest-funded front, that may not have been their smartest move. Interestingly, some of the groups that participated in this letter were not even mentioned in our floor remarks. Such is the web of denial.

In our reply to them, Senators REID, SCHUMER, BOXER, DURBIN, SANDERS, FRANKEN, WARREN, MARKEY and I noted that they are all well supported in the web of climate denial, to the tune of at least $92 million, in a network bound together by common funders, shared staff, and matched messages. It is one beast, though it may have many heads.

We offered these organizations a simple test. If you are for real, disclose all of your donors. There is a lot of dark money going into these groups. So we asked: Show us that you represent many, many millions of Americans—as they claimed in the letter—not just many, many millions of dollars from the Koch brothers' fossil fuel network.

I contend that these organizations are well-funded agents of hidden backers with a massive conflict of interest, and that it is their job to subject our country to an organized campaign to deceive and mislead us regarding the scientific consensus surrounding climate change and to do so with the purpose to sabotage American response to the climate crisis.

I contend that the conflict of interest of their hidden backers runs into the hundreds of billions of dollars. If you use the Office of Management and Budget's social cost of carbon, one can calculate the annual polluter cost to the rest of us from their carbon pollution at over $200 billion per year. Think what mischief people would be willing to get up to for $200 billion per year. The International Monetary Fund estimates that the effective subsidy for American fossil fuels is actually even higher—$700 billion per year. For that kind of money, you can fund a lot of front groups.

The front group's letter points out that our Founders intended for public policies to be well informed and well debated. Well, I could not agree more.

On July 31, leading national scientific organizations, including the American Association for the Advancement of Science, the American Meteorological Society, and the American Geophysical Union, sent Members of Congress a no-nonsense message that human-caused climate change is real, that it poses serious risks to modern society, and that we need to substantially reduce greenhouse gas emissions.

> Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver. This conclusion is based on multiple independent lines of evidence and the vast body of peer-reviewed science.

That is the voice of fact, analysis, and reason. We are well informed by the real scientists. The scientists have the expertise, the knowledge, and the facts. What they don't have is that massive conflict of interest that requires setting up an armada of front groups and that gives them the $100 billion motivation to run this scheme. It is time to let the scientists and the facts take their place.

This issue has been thoroughly debated and vetted in the legitimate world. It is time now for us here in Congress to wake up to our duties and at last to act.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 3292 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

FILLING THE SUPREME COURT VACANCY

Mr. PERDUE. Mr. President, I rise tonight after having listened to several floor speeches today. I don't understand it. Here we are again with problems such as the debt, the Zika virus, funding our military, and yet we spent the majority of the day in this body talking about something I think we have already decided is not going to change this year, and that is the potential nomination to the vacancy on the Supreme Court.

I just think I need to do this one more time. I have spoken before about my position, and I want to rise in support of Senator GRASSLEY, the chairman of the Senate Judiciary Committee. I think it is important that I again discuss why I believe the Senate should not hold hearings or schedule a vote on any Supreme Court nominee until the American people have chosen whom they want to be their next President.

I would first like to address this issue of the Senate's responsibility under the Constitution with respect to judicial matters and judicial nominees in particular. According to article II, section 2, the President has the power to nominate Supreme Court Justices—nothing new there. We in this body have the power to either consent or withhold our consent from this nominee.

The minority leader himself said at that time when referring to the Senate's constitutional responsibility to confirm President George W. Bush's judicial nominee:

> Nowhere in that document does it say the Senate has a duty to give presidential nominees a vote.

He then went on to say:

> The Senate is not a rubber stamp for the executive branch.

There is also no provision in the Constitution requiring the Senate Judiciary Committee to hold hearings for all judicial nominees. In fact, the Constitution and its provisions laying out the process for confirming judicial nominees were ratified 28 years before the Senate Judiciary Committee even came into existence. Therefore, it is clear to me that the Senate's action in withholding consent from this nominee is entirely consistent with our rights and responsibilities as a coequal branch of government under the Constitution.

By choosing to withhold our consent in this case, we are doing our job, just as we have said all along and just as our jobs are laid out in the Constitution.

I would also like to address the argument that the lack of hearings for a Supreme Court nominee this year is somehow unprecedented. That is just nonsense. In modern times, the opposite is actually true. The last time a Supreme Court vacancy arose and a nominee was confirmed in a Presidential election year was actually in 1932. But the last time this situation occurred where we had a divided government and we had a Supreme Court Justice nominated and confirmed in that year was 1888. Mr. President, a lot of water has gone under the bridge since then, and both sides have taken this position.

Furthermore, my colleagues across the aisle have consistently argued over the years that the Senate should not act on a Supreme Court nomination during a Presidential election year. The hypocrisy of this situation is just amazing to me. As an outsider to this process, this is what drives my friends and people back home absolutely mad.

It was then-Senator BIDEN—our current Vice President—who was chairman of the Judiciary Committee at the time, who said that President George H.W. Bush should avoid a Supreme Court nomination until after the 1992 Presidential election. Then-Senator BIDEN went further than what we are doing today: He then said the President shouldn't even nominate someone. He made the same point my colleagues and I are making today when he said:

> It is my view that if a Supreme Court justice resigns tomorrow or within the next several weeks, or resigns at the end of the year, President Bush should consider following the practice of a majority of his predecessors and not—and not—name a nominee until after the November election is completed.

I don't know what else to say, Mr. President. Both sides have made this same argument we are making today in the past.

Finally, I believe the decision to not hold hearings for a Supreme Court nominee this year is a wise course of

action in the midst of a Presidential election. As I have said all along, this is not the time we want to interject into this political process the decision to make a lifetime appointment to the Supreme Court—a decision that may tip the balance of this particular Court.

Then-Senator BIDEN also said, when discussing the potential of holding Supreme Court confirmation hearings against the backdrop of election-year politics:

> A process that is already in doubt in the minds of many will become distrusted by all. Senate consideration of a nominee under these circumstances is not fair to the President, to the nominee, or to the Senate itself.

I agree with then-Senator BIDEN that the confirmation of a lifetime appointee to our Nation's highest Court is far too important to become entangled in the partisan wrangling during a Presidential election year.

As a member of the Judiciary Committee, I am, therefore, proud to stand with Chairman GRASSLEY and my colleagues in the committee in saying no Supreme Court nominee should be considered by the Senate before the next President is sworn into office. I also believe that it shouldn't be taken up in a lameduck session. You can't have it both ways, Mr. President.

OBAMACARE

Mr. PERDUE. Mr. President, I have one other topic I would like to cover, if I may, and that is about the other conversation we hear about from back home, and that is ObamaCare.

We just spent several weeks back home in the State working, and I personally spent the last 3 weeks touring our State, from Hahira to Hiawassee, and I can tell you that I get one question out of every group to which I speak, and that is this: What can be done about ObamaCare? My premiums are going up. My insurance was canceled. It said that I could keep my doctor if I wanted to. It said I could keep my insurance company if I wanted to. Yet I lost my doctor and I am losing my insurance.

I really believe this is a critical issue we need to talk about. Americans have never settled for failure. Yet right now people are saying that we need to accept ObamaCare, that it is the law. Yet I am saying it is collapsing under its own weight. In four decades of business, I don't think I have ever seen anything as perverse as ObamaCare and the effect it is having not only on our business community but on the people back home.

We are still talking ObamaCare today, Mr. President, because it is a complete disaster. It has failed the very people this President and the Democrats in this body claimed to champion—the working men and women of America. It did nothing to go after overall costs and the spiraling nature of health care costs, which continue to explode and are the No. 1 driver of the fact that in the next 10 years, unless we do something, this President has a budget that will add $10 trillion more to our current debt.

ObamaCare did nothing at all to deal with the number of doctors in this country. It inserted government between patients and their doctors and created a shortage of doctors. Right now we are averaging around 10,000—we are losing about 10,000 doctors a year under ObamaCare. In fact, projections are that a doctor shortage in just the next 10 years could top 90,000 doctors. That is staggering.

ObamaCare raises taxes, increases premiums, and it chokes out our choices. Not only that, but deductibles are up dramatically. My home State of Georgia is feeling the weight of this failure. UnitedHealthcare and Cigna are leaving the ObamaCare exchange at the end of the year. Last month, Aetna announced it was joining them.

At the start of this year—this is an astounding number—all 159 counties in Georgia had at least 2 carriers to depend on. Now, after 9 months, 96 of the 159 counties in Georgia have only 1 option. I repeat: 96 of the 159 counties have only 1 option.

Georgians are being robbed of health care choices. They are also facing even higher premium and deductible costs. Premiums have risen in Georgia by an average of 33 percent. Every provider left in Georgia is raising premiums by double digits next year. I will highlight a couple of them: Blue Cross Blue Shield, 21 percent; Alliant, 21 percent; Ambetter, 13.7 percent; Kaiser, 18 percent; Harken Health, 51 percent; Humana, 67 percent.

In 2009, President Obama railed against fewer choices. While selling ObamaCare, he said: ''In 34 States, 75 percent of the insurance market is controlled by five or fewer companies . . . and without competition, the price of insurance goes up and quality goes down.''

Gee, it sounds like he knew what was coming, except he was complaining about that at the time, and today it has gotten worse. That is exactly what is happening in Georgia because of ObamaCare. These are problems that are not limited to just Georgia. Aetna is leaving 10 other States as we speak. Today, 31 percent of all counties nationwide, comprising almost 2½ million Americans enrolled in ObamaCare exchanges, are more likely than not to have just one choice in provider. That is what the President was complaining about in 2009.

Insurance companies across the country are facing hundreds of millions in losses. It means fewer choices and higher costs for patients. The GAO recently reported that the pre-ObamaCare plans available in most States were more affordable and had lower deductibles than the options now available in ObamaCare exchanges. Profound.

Nationally, premiums have risen by an average of 26 percent. Deductibles have risen for individuals with an average income of more than 60 percent than when ObamaCare became law. Premiums are up 26 percent. Deductibles are up over 60 percent. There is no way around it. ObamaCare is a Washington takeover of our health care system that isn't working for average Americans.

When they were talking about this back in the day, my comment all along was: How do you feel about ObamaCare? I said: Well, if you like the way the VA is being run, you are going to love ObamaCare. Those words are coming true today. It is collapsing under its own weight. It is failing the very people whom the other side claims to champion—the working poor and the working middle class of our country who are bearing the burden of this nonsense.

Monopolies are festering and prices have skyrocketed. As I said, ObamaCare is yet another example of liberal policies failing the very people they claim to champion. The diagnosis is in. None of these problems are going away. That is our problem. In fact, they are getting worse. ObamaCare cannot be allowed to stand.

This is not a question of tweaking it around the edges. It is profoundly built incorrectly. We have to repeal the individual and poor mandates and pass an alternative that goes after real drivers of spiraling health care costs. Instead, we should offer transportability, insurability, and accessibility—all the things that were missing prior to ObamaCare but have been proposed fixes that have been in for over 10 years on the Republican side.

Accessibility is one of the main things to those who want to purchase coverage without mandating it. This would ensure that no one is priced out of the market, including those with preexisting conditions. We should offer more access to health savings accounts to help drive down costs and allow for the purchase of insurance across State lines to increase competition.

Finally, we have to address the frivolous lawsuits that have forced some doctors to practice defensive medicine out of fear of being sued. All these steps are within our grasp. So don't believe those who say there isn't an ObamaCare alternative out there. My friend and Georgia representative, TOM PRICE, has championed H. 2300, the Empowering Patients First Act, for years. It contains all the solutions I just mentioned and more. I am proud to cosponsor that with JOHN MCCAIN in the Senate. Our health care system is too important for too many Americans and too many to settle for this failure. I wasn't sent to the U.S. Senate to settle for the status quo.

I want to say one thing in closing. In the last 8 years, we have been told over and over again that the status quo is the new norm. This is one where the American people are telling me and telling you that they are not accepting this new norm.

Mr. President, I yield my time.

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. PERDUE. 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 JAMES DUNN

Mr. ROUNDS. Mr. President, today I wish to commemorate the life and legacy of former South Dakota State Senator James Dunn.

Jim was born in Lead, SD, on June 27, 1927, and died in Sturgis, SD, on August 11, 2016, at the age of 89.

Immediately after graduating from high school, he joined the U.S. Army Signal Corps and served from 1945 through 1947.

He returned home to Lead and worked at the Homestake Gold Mine for the next 38 years. During that time, he also raised four children with his wife, Betty, and earned a bachelor's degree in business administration and economics. At the mine, he was a crewman, a machinist, the assistant director of public affairs, and then the director of public affairs.

Jim inspired his coworkers with his intelligence, his humor, and his leadership. He became a constant promoter for the Black Hills and all of South Dakota. He inspired magazine articles, books, films, and other publicity about South Dakota.

He was also an enthusiastic supporter and volunteer worker for dozens of local and State organizations during his 89 years. He was even the first male president of the Black Hills Girl Scout Council.

In 1971, he was elected to the South Dakota House of Representatives. In 1973, he was elected to the South Dakota Senate and served until his retirement in 2000. His 30 years of consecutive service is matched by only three other legislators.

Jim Dunn was elected to many legislative leadership positions, including the chairmanship of the executive board of the legislature. However, his leadership went beyond any position he held.

He was a great mentor to all the legislators who served with him, including me. For my first 4 years of working as the majority leader, he sat next to me. The wisdom of his additional 20 years of experience kept me out of trouble. No one saw the many times I wanted to jump up and join a floor fight, but Jim would calmly grab my arm and say, ''Not yet, wait.'' His deep, raspy whispers guided me and taught me how to be a leader.

Jim removed the rancor from committee and floor debates with his knowledge and explanation of the facts. He guided our discussions back to what was really important. Then he would lead us to consensus.

He was a tough negotiator, but also a practical compromiser. He always brought the focus to what was best for the people back home and all the people of South Dakota.

He was always there for us in solving problems and creating new opportunities, such as saving the State's railroads, increasing tourism as the prime sponsor of the Deadwood gaming law, substantial expansion of the financial services industry, implementing welfare reform, reducing property taxes, and promoting the transformation of the Homestake Gold Mine into the deepest underground physics laboratory in the world.

But more important than all of his career accomplishments is the kind of person Jim Dunn was.

He was a loving husband, father, grandfather, great-grandfather, and friend to all who knew him. He had an enormously positive impact on the many thousands of people he met and touched with his kindness and generosity.

South Dakota is a better State and we are a better people because of Jim Dunn.

With this, I welcome the opportunity to recognize and commemorate the life of this public servant and great human being, my friend, Jim Dunn.

Thank you, Mr. President.

RECOGNIZING LITTLE ROCK CENTRAL HIGH SCHOOL

Mr. COTTON. Mr. President, in honor of the National Park Service's 100th birthday year, I want to recognize one of Arkansas' most recognized and historic sites: Little Rock Central High School. As one of the most well-known high schools in the United States, Little Rock Central's story is an important one in the history of our Nation.

Central High School played a pivotal role in the desegregation of public schools in the United States. On September 23, 1957, following the Supreme Court's decision in Brown v. Board of Education in 1954, nine African-American students attempted to attend class at Little Rock Central High School. Now known as the Little Rock Nine, these students were met with heavy public disapproval by an angry mob. President Eisenhower ultimately ordered Federal troops into Little Rock to escort the students into the school for their first day of class on September 25, 1957.

These courageous nine students changed the course of history. They showed us that we should always pursue what is just, no matter how hard the journey is.

Former President and Arkansas Governor Bill Clinton signed legislation in 1998 designating the school a national historic site. To this day, Little Rock Central High School is the only functioning secondary school in the United States to have this distinction. Preserving Little Rock Central High School and presenting its history so that others might learn from it is an important mission, one that we should never abandon.

Named ''America's Most Beautiful High School'' by the American Institute of Architects, Little Rock Central High School certainly has a storied history, and when you find yourself in Little Rock, be sure to take an afternoon to visit the Little Rock Central High School National Historic Site.

ADDITIONAL STATEMENTS

RECOGNIZING ARKANSAS' FIRST DUAL PURPLE HEART CITY AND COUNTY

● Mr. BOOZMAN. Mr. President, today I wish to recognize Izard County and the city of Horseshoe Bend on becoming the first dual Purple Heart city and county in the State of Arkansas.

Created by George Washington in 1782, the Purple Heart is our Nation's oldest military medal. The Purple Heart is awarded to members of the Armed Forces who are wounded or killed in combat. These men and women are some of the finest heroes in our Nation.

Similarly, Izard County has also committed to show its respect and appreciation for our veterans by becoming a Purple Heart County. Showing our admiration for the heroes who have served and sacrificed so much for our freedom is such a worthy endeavor and this recognition is well-deserved. I commend Izard County and the city of Horseshoe Bend for publically acknowledging these heroes, declaring unwavering support of them, and showing how grateful we are for our veterans and their willingness to serve their country. There truly is no greater display of service and sacrifice than that.

I want to take this opportunity to applaud the city of Horseshoe Bend and Izard County for publicly recognizing our veterans and Purple Heart recipients by becoming a Purple Heart City and Purple Heart County. Arkansas is proud that our local communities are paying respect to our veterans and standing behind them.●

RECOGNIZING MARION COUNTY

● Mr. BOOZMAN. Mr. President, today I wish to recognize Marion County, AR, which became a Purple Heart County on November 15, 2015.

Created by George Washington in 1782, the Purple Heart is our Nation's oldest military medal. The Purple Heart is awarded to members of the Armed Forces who are wounded or killed in combat. These men and women are some of the finest heroes that our Nation has to offer.

Last year, Marion County chose to honor the service and sacrifice our Purple Heart heroes in Arkansas by becoming a Purple Heart County. Marion County's unwavering support of the heroic actions of our Purple Heart recipients stands as a reflection of the appreciation and gratitude of its residents.

Marion County recently held a celebration of its designation as a Purple Heart County that brought the community together to honor Purple Heart recipients. Showing our admiration for those who have served and sacrificed so much for our freedom is such a worthy endeavor, and this recognition is well-deserved.

On behalf of all Arkansans, I echo the sentiments of the citizens of Marion County in saying how grateful we are for our veterans and their willingness to serve their country. There truly is no greater display of service and sacrifice than that.

I would like to take this opportunity to applaud Marion County for publicly recognizing our veterans and Purple Heart recipients by becoming a Purple Heart County. Arkansas is proud that our local communities are paying respect to our veterans and standing behind them.●

TRIBUTE TO KEN GORMLEY

● Mr. CASEY. Mr. President, today I wish to honor the 13th president of Duquesne University, Ken Gormley, a renowned lawyer, scholar, teacher, and author. A native western Pennsylvanian, Ken has dedicated his life to public service and education. He was sworn in as president of Duquesne University on July 1, 2016, after serving as interim dean and dean of Duquesne's School of Law from 2008 until 2015. The inauguration of Duquesne University's 13th dean, and just its third lay dean, highlights the impact this 138-year-old institution has made on the city of Pittsburgh and its students, displaying a constant and deep commitment to Spiritan values and academic rigor. Founded in 1878 by the Congregation of the Holy Spirit to educate the children of immigrant steel mill workers, Duquesne now enrolls nearly 10,000 students from throughout the country and the world.

Ken first began his tenure at Duquesne in 1994 after a career in private practice and teaching at the University of Pittsburgh School of Law, where he founded a successful legal writing program for minority students and women returning to professional school after raising their children. Under his leadership as dean of Duquesne's School of Law, the institution ascended to the top tier of law schools and has become nationally ranked. Ken's commitment to public service is deeply rooted in western Pennsylvania. From 1998—2001, he served as mayor of Forest Hills, PA, where he helped to establish a community development corporation to focus on the borough's business corridor. He has also served as the president of the Allegheny County Bar Association, where he helped establish the Gender Equality Institute to work to advance women in the legal profession.

Ken Gormley earned his bachelor's degree from the University of Pittsburgh and his J.D. from Harvard Law School. He quickly earned a reputation as a leading constitutional scholar, writing for such esteemed publications as the Stanford Law Review, the Rutgers Law Journal, the Pennsylvania Lawyer, and Politico. He is an expert on the U.S. Supreme Court and has testified before the Pennsylvania Senate Judiciary Committee and here in the U.S. Senate. Ken is also an accomplished author, having penned the biography of Archibald Cox, one of the great constitutional lawyers of the 20th century, for whom he served as a teaching assistant at Harvard. The book was awarded the 1999 Bruce K. Gould Book Award for outstanding publication relating to the law and was nominated for a Pulitzer Prize. Ken's most recent book, ''The Presidents and the Constitution: A Living History,'' draws upon the Nation's top experts on the American Presidency and the U.S. Constitution to tell the incredibly important story of how each President has confronted and shaped the Constitution.

I am proud to rise today to honor Dean Ken Gormley and to recognize his wife, Laura, and their children Carolyn, Luke, Rebecca, and Madeleine. I thank Ken for his decades of service to Pennsylvania and this Nation and wish him luck for his significant work to come on behalf of Duquesne University.●

TRIBUTE TO MINNESOTA POLICE OFFICERS

● Mr. FRANKEN. Mr. President, today I would like to recognize three outstanding Minnesota police officers. The Minnesota Police and Peace Officers Association, the largest association representing Minnesota's rank-and-file police officers, met earlier this year for their annual conference and named Officer Sayareth Toy Vixayvong of the St. Paul Police Department ''Police Officer of the Year'' and gave ''Honorable Mention Awards'' to Officer Tony Holter of the St. Paul Police Department and Detective Bryan Bye of the Burnsville Police Department.

Officer Vixayvong is a 15-year veteran of the St. Paul Police Department and, until recently, was assigned to the FBI Safe Streets Task Force, where he worked tirelessly to make St. Paul a safer place to live and work. Officer Vixayvong has spent his career fighting drug trafficking and has put numerous high-profile criminals behind bars and worked to prevent others from becoming involved in the illegal drug trade. Working undercover with the task force, he put his life on the line repeatedly to protect and serve his community of St. Paul.

St. Paul Police Officer Tony Holter is a dedicated member of the St. Paul Police Department. He has served for 15 years and is currently the senior investigator in the Ramsey County Violent Crime Enforcement Team. Throughout the past year, Officer Holter has served as the primary undercover officer in a number of narcotic investigations focusing on members of international drug cartels and other dangerous drug dealers and gang members.

Since 2002, Burnsville Detective Bryan Bye has loyally served his community as a member of the Burnsville Police Department. His work with Burnsville's Emergency Action Group tactical team has earned him five distinguished service awards for his tactical response. In 2015, the Burnsville Police Department named Detective Bye ''Police Officer of the Year.''

I join with the Minnesota Police and Peace Officers Association and all of my fellow Minnesotans in applauding these three distinguished public servants. I would also like to thank not only these three individuals, but all of Minnesota's brave law enforcement officers who work tirelessly to keep our communities safe from harm. They put their lives on the line to protect our safety and that of our families every day.●

HONOR FLIGHT NORTHERN COLORADO'S 16TH FLIGHT TO DC

● Mr. GARDNER. Mr. President, today I wish to honor the veterans of Honor Flight Northern Colorado and the organization's 16th trip to Washington, DC. This group includes veterans from various wars and generations, who are all joined together by their service to our country.

In 2008, Honor Flight Northern Colorado was created as a local chapter of the National Honor Flight Network. The organization flies World War II veterans to Washington, DC, to allow these veterans the opportunity to see the national memorial built in their honor.

Honor Flight Northern Colorado now welcomes veterans of any war the chance to fly to Washington, DC, free of charge, to visit the memorials of the wars in which they fought.

Currently, there are more than 21.8 million veterans living in the United States. No matter the conflict, these veterans made exceptional sacrifices in order to serve and defend our country, and we owe them a debt of gratitude.

Of the 123 veterans on the most recent honor flight, 23 served in World War II, 53 served in Korea, 47 served in Vietnam, and 1 served in Iraq.

Please join me in honoring Robert Armstrong, Leonard Branecki, Richard Ciesielski, Lawrence Colby, John Davis, Melvin Engeman, Irene Hunter, Walter Hunter, Malachi Kenney, William Klun, Donald Kreutzer, Alfred Martin, Joseph Moren, Thomas Paterson, Stanley Raddatz, Raymond Rader, Gerald Ravenscroft, Harold Stoll, Douglas Stratton, Henry Tagtmeyer, Sidney Waldrop, Peter Zarlengo ,Donald Ziemer, Louis Balogh, Donald Begalle, Robert Braden, Walter Brown, William Budd, Robert Burgess, Gerald Clinton, Thomas Dixon, Edward Dreher, Jim Ferguson, William Gaede, Ronald

Henderer, Clarence Hill, Wallace Horihan, Clifford Hughes, Dale Johnke, Gordon Kilgore, John Knapp, Arthur Kompolt, James Lambert, James Leavell, Clint Lincoln, Joseph Lutz, Elvin McIntosh, Elmer McLane, Jack Middleton, Leonard Muniz, John Obourn, Bill Overmyer, James Parker, Wallace Pond, Douglas Quigley, Leroy Rady, Lloyd Rausch, Katherine Ravithis, Eugene Reller, Morris Rider, Arthur Schildgen, Darvin Schoemaker, Yersel Scott, Donald Sewald, Robert Smith, Carl Sorensen, Elvin Spreng, Carold Stickler, James Thomason, Albert Tighe, Harvey Tomky, Robert Wagner, Albert Weber, Robert White, Duane Wilsey, Norbert Wilson, Jay Adams, Myron Adams, Darrell Armstrong, James Becker, Gordon Benton, Elden Billington, Jeff Birdwell, Roger Bollenbacher, Jerral Brasher, Gary Curry, Danny DeJiacomo, Jon Erickson, Carl Erikson, Vernon Fresquez, Ronald Fritzler, Kenneth Gillpatrick, Jr., Larry Hull, Frederick Harlow, Marion Herman, Richard Herrera, Dale Hicks, Wilbur Hosman, William Howes, Jerry Iossi, Jerry Kennedy, Gerald King, Leonard Kippes, Philip Lucas, Robert Martinez, Michael Miller, David Moore, John Pickett II, Raul Saenz, Richard Schauermann, James Schlote, John Heitman. Kenneth Seifert, Francis Skolnick, Leonard Sokoloski, Kenneth Spooner, Larry Spooner, Dean Taylor, John Trierweiler, Jimmy Wiles, Michael Wilkinson, Wallace Young, and Steven Larsen.●

RECOGNIZING KINGFIELD, MAINE

● Mr. KING. Mr. President, today I wish to recognize the town of Kingfield, ME, which has recently been designated by the Appalachian Trail Conservancy as an Appalachian Trail Community. This will provide better economic development opportunity for Kingfield and contribute to its cherished position in Maine and along the Appalachian Trail. I am pleased to congratulate Kingfield on this well-deserved designation, which also coincides with the community's bicentennial celebration on September 10.

Kingfield's roots go back to 1807, when William King, later to be Maine's first Governor purchased land in the relatively uncharted Carrabassett River Valley. Over the next 10 years, the humble settlement grew into a vibrant industrial town, including several mills and factories. Through the early 20th century, Kingfield became an anchor town in the western foothills and has maintained its sterling reputation as a small, but strong, tight-knit community to this day.

Today Kingfield is known for its picturesque scenery and the plethora of outdoor recreation opportunities it provides. The recreation industry has brought revitalization to the western foothills of Maine, and Kingfield stands at the forefront of that effort. Nearby Sugarloaf Mountain is one of the most popular skiing destinations on the East Coast, attracting hundreds of thousands of visitors to the area every year. During the rest of the year, Kingfield is a haven for fishing, hunting, and wildlife watching, as well as a popular stop along the Appalachian Trail.

The Appalachian Trail has brought tens of thousands of people through western Maine, and many have stopped in Kingfield for respite from the challenging terrain. Through the official designation of Kingfield as an Appalachian Trail Community, visitors will now have access to the best resources to help them complete their journey, and residents can benefit from the engagement with trail visitors and trail stewards that this designation allows. The town will be able to gain a fuller partnership with the Appalachian Trail Conservancy, while implementing environmentally and culturally sustainable practices. This is the dawn of a new era in the partnership between the Appalachian Trail Conservancy and the town of Kingfield and is sure to have a lasting and meaningful impact for years to come.

I commend all that the people of Kingfield have done to make their town such a special place to live and experience nature. Their shared love for their hometown has made them one of Maine's great communities, and I am confident that this designation as an Appalachian Trail Community will further the town's reputation. I thank the ATC for their recognition of Kingfield's important role in supporting hikers along the trail. I am proud to recognize this historic milestone, and I wish the town many more years of success.●

RECOGNIZING FRANKLIN PRIMARY HEALTH CENTER

● Mr. SESSIONS. Mr. President, today I wish to recognize Franklin Primary Health Center, Inc. Franklin Primary Health Center is a nonprofit, federally qualified health center founded in 1975 by Dr. Marilyn Aiello and a group of Alabamians who recognized the need for quality health care in the underserved counties of southwest Alabama.

Franklin Primary Health Center is named after Dr. James Alexander Franklin, a physician, scholar, and humanitarian who faithfully served his community for over 60 years. The small nonprofit community health center was founded in 1975 to care for the underserved Davis Avenue community, and in the early days, a small staff struggled to see as many patients as possible.

Since 1982, the health center has been led by CEO Charles White. Mr. White is a well-known and respected member of the southwest Alabama community, and the health center has thrived and grown under his years of leadership. The health center now consists of 21 locations in six counties in Alabama, including Mobile, Baldwin, Choctaw, Escambia, Monroe, and Conecuh. It is the first community health center in Alabama to become accredited by the Joint Commission on Accreditation of Healthcare Organizations, JCAHO.

I recently had the opportunity to attend the grand opening and ribbon-cutting ceremony for Franklin's newest branch, the Hadley Family Medical Center in Mobile. I remain impressed with and proud of Franklin's impact and outreach in southwest Alabama. Because of Franklin Primary Health Center, underserved residents of this area of the State can access quality care in their own communities.

Franklin Health Center provides a wide array of services such as pediatrics, OB/GYN, family medicine, internal medicine, geriatrics, rheumatology, dentistry, optometry, physical therapy, nutrition services, wellness and fitness, social services, substance abuse prevention and treatment, HIV/AIDS services, health education, pharmacy, laboratory, x-ray, and transportation services for the homeless.

The health center's total staff of over 200 employees serves nearly 40,000 patients annually. These employees focus on the center's values of dedication, integrity, respect, excellence, creativity, and teamwork in fulfilling its mission.

I would like to extend my sincerest appreciation to Franklin Primary Health Center for its 41 years of excellence in care and service to the community and to celebrated their continued expansion.●

TRIBUTE TO JOSEPH BAKA

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

Joseph is a graduate of Northwestern University in Evanston, IL, having earned a degree in Middle East and North African studies and statistics. Joseph is a dedicated worker who has been committed to getting the most out of his experience.

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

TRIBUTE TO DANIEL DUFFY

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

Daniel is a graduate of St. Thomas More High School in Rapid City, SD. Currently, Daniel is attending Stanford University, where he is majoring in economics. Daniel is a dedicated worker who has been committed to getting the most out of his experience.

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

TRIBUTE TO CHASE GLAZIER

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

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

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

TRIBUTE TO MORGAN JONES

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

Morgan is a graduate of Milbank High School in Milbank, SD. Currently, Morgan is attending the University of Minnesota—Twin Cities, where she is majoring in animal science. Morgan is a dedicated worker who has been committed to getting the most out of her experience.

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

TRIBUTE TO JALATAMA OMAR

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

Jalatama is a graduate of Washington High School, in Sioux Falls, SD. Currently, Jalatama is attending the University of South Dakota, where he is majoring in political science. Jalatama is a dedicated worker who has been committed to getting the most out of his experience.

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

MESSAGE FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 841. Resolution relative to the death of the Honorable Mark Takai, a Representative from the State of Hawaii.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2830. An act to make technical amendments to update statutory references to certain provisions classified to title 2, United States Code.

H.R. 2831. An act to make technical amendments to update statutory references to provisions classified to chapters 44, 45, 46, and 47 of title 50, United States Code.

H.R. 2832. An act to make technical amendments to update statutory references to certain provisions classified to title 52, United States Code.

H.R. 3480. An act to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes.

H.R. 3839. An act to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

H.R. 3881. An act to amend the Mineral Leasing Act to repeal provisions relating only to the Allegheny National Forest.

H.R. 4202. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 4245. An act to exempt exportation of certain echnioderms and mollusks from licensing requirements under the Endangered Species Act of 1973.

H.R. 4510. An act to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes.

H.R. 4511. An act to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war.

H.R. 4789. An act to authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial, and for other purposes.

H.R. 5577. An act to amend the Outer Continental Shelf Lands Act to authorize the Secretary of the Interior to conduct offshore oil and gas lease sales through Internet-based live lease sales, and for other purposes.

H.R. 5578. An act to establish certain rights for sexual assault survivors, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2830. An act to make technical amendments to update statutory references to certain provisions classified to title 2, United States Code; to the Committee on the Judiciary.

H.R. 2831. An act to make technical amendments to update statutory references to provisions classified to chapters 44, 45, 46, and 47 of title 50, United States Code; to the Committee on the Judiciary.

H.R. 2832. An act to make technical amendments to update statutory references to certain provisions classified to title 52, United States Code; to the Committee on the Judiciary.

H.R. 3480. An act to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3881. An act to amend the Mineral Leasing Act to repeal provisions relating only to the Allegheny National Forest; to the Committee on Energy and Natural Resources.

H.R. 4202. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Energy and Natural Resources.

H.R. 4511. An act to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war; to the Committee on Rules and Administration.

H.R. 4789. An act to authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5577. An act to amend the Outer Continental Shelf Lands Act to authorize the Secretary of the Interior to conduct offshore oil and gas lease sales through Internet-based live lease sales, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5578. An act to establish certain rights for sexual assault survivors, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3231. An act to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4510. An act to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 3296. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO:

S. 3290. A bill to mitigate risks of the Zika virus to members of the Armed Forces and Department of Defense civilian personnel stationed in or deployed to areas affected by or that may soon be affected by the Zika virus, to authorize the Secretary of Defense to transfer funds to counter or control the

Zika virus, and for other purposes; to the Committee on Armed Services.

By Mr. KIRK:

S. 3291. A bill to establish tax, regulatory, and legal structure in the United States that encourages small businesses to expand and innovate, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. JOHNSON, and Ms. AYOTTE):

S. 3292. A bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 3293. A bill to require the Secretary of the Interior to transfer to the Shoshone-Paiute Tribes of the Duck Valley Reservation investment income held in certain funds; to the Committee on Indian Affairs.

By Mr. COATS:

S. 3294. A bill to establish the Mandatory Bureaucratic Realignment and Consolidation Commission to reduce outlays flowing from direct spending; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN:

S. 3295. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, and Mr. JOHNSON):

S. 3296. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange; read the first time.

By Mr. COTTON (for himself, Ms. AYOTTE, Mr. MCCAIN, Mr. LANKFORD, Mr. JOHNSON, Mr. BURR, Mr. BARRASSO, Mr. ISAKSON, Mr. KIRK, and Mr. WICKER):

S. 3297. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes; read the first time.

By Mrs. SHAHEEN:

S. 3298. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of any drug containing an opiate to prominently state that addiction is possible; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. UDALL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 6, a bill to reform our government, reduce the grip of special interest, and return our democracy to the American people through increased transparency and oversight of our elections and government.

S. 39

At the request of Mr. HELLER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 39, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 149

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 311

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 772

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 772, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 812

At the request of Mr. MORAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1446

At the request of Ms. HEITKAMP, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1446, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2584

At the request of Mr. KIRK, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2584, a bill to promote and protect from discrimination living organ donors.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2655

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2655, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 2659

At the request of Mr. BURR, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from Nevada (Mr. HELLER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

S. 2683

At the request of Ms. HIRONO, the names of the Senator from Montana (Mr. TESTER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2683, a bill to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

S. 2690

At the request of Mr. RISCH, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2690, a bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes.

S. 2786

At the request of Mrs. CAPITO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2786, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from Indiana (Mr.

COATS) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2957

At the request of Mr. NELSON, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2957, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

S. 2979

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3026

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3026, a bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls, and for other purposes.

S. 3034

At the request of Mr. CRUZ, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 3034, 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.

S. 3065

At the request of Mr. HATCH, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3124

At the request of Mrs. ERNST, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3124, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 3129

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3129, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

S. 3132

At the request of Mrs. FISCHER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3132, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder.

S. 3155

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3182

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3182, a bill to provide further means of accountability of the United States debt and promote fiscal responsibility.

S. 3205

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 3205, a bill to allow local Federal officials to determine the manner in which nonmotorized uses may be permitted in wilderness areas, and for other purposes.

S. 3213

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3213, a bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund.

S. 3261

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3261, a bill to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

S. 3281

At the request of Mr. REID, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3285

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. CON. RES. 48

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution expressing the sense of Congress that the Italian Supreme Court of Cassation should domesticate and recognize judgments issued by United States courts on behalf of United States victims of terrorism, and that the Italian Ministry of Foreign Affairs should cease its political interference with Italy's independent judiciary, which it carries out in the interests of state sponsors of terrorism such as the Islamic Republic of Iran.

S. RES. 485

At the request of Mr. FLAKE, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PORTMAN (for himself, Mr. JOHNSON, and Ms. AYOTTE):

S. 3292. A bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection and for other purposes; to the Committee on Finance.

Mr. PORTMAN. Mr. President, I rise to talk about an epidemic that is affecting my State of Ohio and every State represented in this Chamber. Senator WHITEHOUSE just spoke. He worked with me over a period of about 3 years to put together legislation to address the heroin and prescription drug epidemic.

We had five conferences in Washington, DC, bringing in experts from around the country, including from my home State of Ohio. We looked at what is working and what is not working and came up with the best practices from

around the country. That is what the legislation addresses. It is comprehensive. It deals with prevention and education. It deals with treatment. It deals with recovery. We learned longer term recovery was incredibly important to success.

It actually passed this body with a vote of 92 to 2. That never happens around here. It is because working together with both sides of the aisle we were able to look at a problem objectively, take the politics out of it, and figure out what would work to help turn the tide. It is something that is urgent. We have to address it.

I will tell you now nationally it appears overdose deaths from these opioids, heroin, prescription drugs, and now synthetic heroin is the No. 1 cause of accidental death, meaning it has surpassed car accidents. Sadly, it is getting worse, not better. So those changes this Congress voted on to modernize our Federal response to prescription drug and heroin addiction are incredibly important right now.

It was evidence-based. It was something where we again took best practices to make sure we were spending more money, but that money was going to places where it was proven to work. Now that CARA is law—the Comprehensive Addiction and Recovery Act, and it was signed into law by the President about 6 weeks ago—we are working with the administration to get it implemented as quickly as possible because there are a number of new programs, new funding sources.

It authorizes another $181 million per year on top of what is already being spent on this issue. Again, importantly, it authorizes new programs that we think will work better to reverse the tide, to get at the horrible epidemic that is growing in our States. We also need to work with the administration and with Congress to ensure that in the annual funding bills that are passed around here, we are fully funding this new effort.

At the year end, which is September 30, fiscal year end for the U.S. Government, there will be a funding mechanism. It is probably going to be what is called a continuing resolution, continuing funding from last year. That is good in one sense, because we did get more funding in this year's appropriations bill for this issue. We have about a 47-percent increase in funding for this year. So that would continue next year, but that is not enough.

Unfortunately, this crisis has taken hold in a way—it has gripped our country in a way that we need more. Just to be able to fully fund the CARA legislation, we need more. So we are calling on the administration to work with us to ensure that we can get more funding into whatever is going to be passed at the end of this month, likely again a continuing resolution, to provide adequate funding to ensure that at a minimum we are funding what is in the CARA legislation.

When there is a new appropriation for next year, which I assume will happen after the election, we also have hope because both the committee in the House and the committee in the Senate went through all their process, and they reported out of committee legislation that doubles the funding for opioids over a 2-year period. They included funding that is at $471 million, a 113-percent increase over the last 2 years. So we need to have a process to get this funding done. We hope the administration will work with us on that, even in this continuing resolution.

There is a group of 100 different organizations from around the country. It is a coalition that helped pass CARA that has recently sent a letter to the White House. It includes recovery advocacy groups, it includes prevention groups, and it includes law enforcement. This group of people who are on the frontlines, in the trenches all around the country, just sent a letter to the White House thanking the President for signing CARA into law but also expressing their support for fully funding it.

What they specifically asked for was that the White House include what is called an anomaly or an add-on to the continuing resolution for this purpose. I hope the White House is listening. I hope they do it. I want to add voice to this coalition, to say this is the right thing to do. I have also brought this up with our leadership in the Congress. There will be some add-ons or anomalies to any continuing resolution. There always are. We have to be sure it is transparent, that they make sense. This one makes sense. We should make it transparent but also make it high enough so it fully funds the CARA legislation, regardless of what happens with the appropriations bills going forward.

At the very least, let's close whatever gap there is between what is in the CR and what is needed to fully fund this legislation. Because I believe this is a crisis and an emergency, I actually would support emergency funding, going over and above what is in the CARA legislation. I think we should have a debate on that issue. We had one on the Senate floor. I voted for that. We were not able to get 60 votes for it, but I do think it is an issue that rises to that extraordinary level, like the Ebola issue, like the Zika virus, issues that are truly epidemics. This is.

Let me tell you why I call it an epidemic. We found out recently that drug overdose deaths in my home State of Ohio increased from about 2,500 deaths in 2014 to more than 3,000 in 2015, an increase of 20 percent in just 1 year.

Here is the sad news. This year, we are on track to exceed that percentage increase. In other words, we are on track this year to have better than a 20-percent increase in deaths from overdoses in Ohio. The Presiding Officer's State is probably experiencing the same thing. Nationwide, the number of heroin users tripled in just 7 years, and the number of drug overdoses every year tripled in just 4 years.

Since 2000, the number of annual opioid overdoses has quadrupled. So this problem is getting worse, not better. One reason these overdoses are increasing even faster than the number of new users is that the drugs on the street are getting stronger and stronger. So you are seeing not just more addiction, but you are seeing even higher levels of overdoses—more addictive, more dangerous, and more deadly.

Heroin is already deadly enough. It is extremely addictive, but it is now being laced with drugs like fentanyl, carfentanil, and U–4. You may have heard of this and wondered what it was. Well, it is a synthetic form of heroin. It is being made somewhere in a laboratory and being added often to heroin to poison the people we represent. It is that simple. Carfentanil, fentanyl, and U–4 are more dangerous.

In Ohio, fentanyl deaths increased nearly fivefold, from 80 in 2013 to about 500 in 2014—more than doubled to over 1,000 last year. Again, this year, we are on track to exceed that number significantly. Just 3 years ago, about 1 in 20 overdoses in Ohio were a result of fentanyl. Then it was one in five. Now it is more than one in three. You can see where this is going.

Prescription drugs are often the start of this. Four out of five heroin addicts in Ohio, they say, started with prescriptions drugs. This is an addiction that sometimes is inadvertent in the sense that someone might have a medical procedure and then be given these narcotic pain pills and develop this addiction, which is a physiological change in your brain. Addiction is a disease. It needs to be treated as such.

Increasingly now we are seeing these synthetic heroins come into our communities to the point that 1 in 3 overdoses now, instead of just 3 years ago 1 in 20—in Ohio—are due to these synthetic drugs. In my hometown of Cincinnati now, those fentanyl overdoses exceed the heroin overdoses. According to Dr. Lakshmi Sammarco, who is Hamilton County coroner in Southwest Ohio, drug overdose deaths in Hamilton County increased by 40 percent from just 2014 to 2015, while fentanyl overdose deaths increased 153 percent.

By the way, Dr. Sammarco and her medical team are doing an excellent job in very difficult circumstances. They are on top of this epidemic, but they need our help.

These synthetic drugs are incredibly powerful. Heroin is already extremely addictive, as I said, and typically much cheaper, stronger, and more widely available than these prescription painkillers we talked about. Fentanyl can be 50, sometimes even 100, times as powerful as heroin. Think about that. Carfentanil is sometimes 10,000 times as powerful as morphine.

So, as you can see, as these synthetic drugs are coming into our communities, they are more dangerous, they are stronger, they are more addictive. Carfentanil is so powerful, it is primarily used as a tranquilizer for large

animals such as elephants. It is so powerful that in cases where the police who have responded to an overdose have overdosed from just breathing fentanyl in the air or getting it on their skin at the scene.

It is so powerful that sometimes multiple doses of Narcan are required to reverse an overdose. Narcan is this miracle drug that our first responders increasingly are carrying, and thank God it is there because it reverses the effects of the overdose, but Narcan is meant for a heroin overdose. Sometimes with these synthetic drugs like fentanyl and carfentanil and U–4, you need several doses of Narcan to reverse the overdose, and sometimes it does not work. I have heard cases where seven doses of Narcan were necessary to save someone's life. These synthetic drugs are taking a heavy toll on our country and my State of Ohio.

In particular, in my hometown in Ohio recently—Cincinnati, OH—in just one 6-day span in August it had 174 overdoses: 6 days, 174 overdoses in one city. That is less than 1 week in one city: 174. It is unprecedented, at least in our State. Dr. Sammarco has confirmed this sudden spike in overdoses is the result of heroin being laced with other drugs. At least in many of these cases it is carfentanil. So somebody is actually putting this large-animal tranquilizer into the heroin, mixing it, resulting in this huge spike in overdoses.

I was glad to be helpful in providing a sample of carfentanil for Coroner Sammarco, because she could not find it anywhere in the region easily. Once she found it, we were able to get the comparison of the sample to what had happened and be able to confirm that carfentanil was behind these huge increases in overdoses.

Our first responders deserve our praise because they were able to save the vast majority of these lives. So over 170 people overdosing, and yet, sadly, tragically, although there were four or five people who died, the rest of these people, over 170 people were saved. That is amazing. It is because they responded quickly. They responded professionally.

Last Wednesday I went to Fire Station 24 in Cincinnati, OH, which handled the largest number of these overdoses—1 fire station, 34 overdoses in 6 days. They talked to me about how they saved lives. I thanked them, of course, for what they are doing every day. One thing they said to me was: Senator, this is not the answer. Saving people by using Narcan is necessary, it is absolutely necessary, but they said it is not the answer.

I agree with them. The answer is getting people into treatment, getting them back on track, getting them into longer term recovery rather than applying Narcan again and again, as they tell me, sometimes to the same person. By the way, this epidemic is taking a toll on our firefighters and other first responders—police officers also. As we said, it has made their jobs more dangerous. It is also taking more of their time and resources.

Last year the number we have is that firefighters and other first responders applied Narcan 16,000 times in one State. This year it will be far higher than that. By the way, this is why CARA provides training for Narcan, the legislation we talked about earlier, the Comprehensive Addiction and Recovery Act. It also provides more resources to our first responders to purchase Narcan. Narcan is getting more expensive, in part, because there is an increased demand. We have to be sure there are not any other reasons that those expenses are going up, and we have to be sure to provide the resources to our first responders so they can have these lifesaving drugs on hand.

By the way, firefighters all over Ohio tell me the same thing, and I have talked to a number of them. I have gone to other firehouses, and I ask the same question everywhere I go: Are you going on more fire runs or more overdose runs? The answer now—consistently, everywhere I go—is overdoses. There are more overdoses than fire runs in every firehouse I have been to in Ohio.

The scenes they encounter when they go on these runs are truly heartbreaking. They see families torn apart. During that unprecedented 6-day period in Cincinnati, they saved the lives of two parents who had overdosed in front of their two teenage sons.

Last week in West Chester Township, OH, outside of Cincinnati, police saved the lives of a father and son who together overdosed on heroin while the father was driving on Interstate I–75. Thank God no one else was injured or killed.

A few days later, in Forest Park, OH, outside of Cincinnati, a 3-year-old girl found her grandmother, who was babysitting her, unconscious from an overdose. When police arrived with Narcan to save her grandmother's life, the story from the police officer was the little girl asked one of the police officers to please hold her while her grandmother was unconscious on the floor. It is heartbreaking.

Forest Park police responded to five other overdoses that same day, including another overdose in the same apartment complex. This is a small town with a population of about 19,000 people.

Two weeks ago, the Akron Beacon Journal published a letter from a high school girl from Akron to her dad, who was addicted to heroin. She writes to her dad, in part:

> When I found out you got arrested, I was happy. . . . I was going to finally be able to sleep at night without having to worry about whether I was going to get a call the next day telling me that [heroin] had finally taken you away. I know that being in prison isn't the best life, but at least you are alive. . . . This is what heroin does: it possesses its victim and does not let go until he is dead.

To that high school girl, what we hope is that her father goes through a drug court, can get into treatment, can get into longer term recovery, reunite with his family, and get back to his life.

We know that many of the drugs that are causing so many of these overdoses in Ohio—the fentanyl, the Carfentanil, the U–4—don't come from Ohio. In fact, they don't come from any State in this body; they come from other countries. Incidentally, it doesn't mean that someday they couldn't come from this country, but right now they are coming from other countries. From all the information we have from law enforcement, we believe the vast majority of these synthetic drugs are being made in laboratories in China and in India and then shipped through the mail to our communities to meet this growing demand for drugs. The traffickers actually get this poison, this synthetic drug, through the U.S. mail system. Right now, it is difficult to detect these packages coming from overseas before it is way too late. Unlike private carriers such as UPS, FedEx, or others, the Postal Service does not require electronic Customs data for packages coming into the country, so we don't know what is coming in. This makes dangerous packages containing drugs such as fentanyl or Carfentanil or U–4 that much harder to stop.

We have had hearings on this issue in the Senate. In June, the Judiciary Committee held a hearing on synthetic drugs. A witness testified that because of this loophole of the Postal Service not requiring the information but the private carriers requiring it, getting these drugs into our communities was easier and that the drug traffickers used the mail system. To me, it is a loophole.

The Homeland Security Committee on which I sit has also held hearings and a roundtable discussion on the flow of fentanyl and other synthetic forms of heroin into this country. We learned the same thing—that there is this discrepancy between how the mail system handles it and how private carriers handle it.

Today I have introduced legislation to address the threat of synthetic drugs by simply closing that loophole, simply saying that with regard to packages coming from overseas, the Postal Service should require advanced electronic data so we know what is in these packages. This would include information such as who and where it is coming from, where it is going, and what is in it.

As Customs and Border Patrol—the border protection people—has told us, this information will provide a much better tool to law enforcement to help them ensure that these dangerous drugs won't end up in the hands of drug traffickers who then sell these dangerous drugs in our communities. It will make our streets safer and save lives by helping to prevent overdoses. I think it is a commonsense idea that builds on CARA, the Comprehensive Addiction and Recovery Act, because

while CARA addresses the demand for drugs through prevention, education, treatment, and recovery, this legislation will help to cut the supply of drugs, help to cut off the flow of this poison into our communities. I think these two ideas go hand in hand. If you are one of the 92 Senators in this body, out of 100, who voted for CARA, I hope you will support this legislation too.

Our law enforcement and first responders are doing an amazing job. They are saving lives every single day, and they are to be commended, but they need some help. They deserve our best efforts to stop these dangerous drugs from entering into the country in the first place, and so do the hundreds of thousands of families in Ohio and around the country who have been affected by this epidemic of addiction. They deserve our help as well. They deserve a safer community. They deserve peace of mind. They deserve to know that we are doing all we can to try to keep these dangerous synthetic drugs out of our communities.

Just as I did with the CARA legislation, I urge my colleagues on both sides of the aisle to support this additional legislation. Frankly, 3½ years ago when we started putting together the CARA legislation, if this synthetic drug issue had been at the level it is today, I believe it would have been included in the CARA legislation. But we are now seeing this epidemic growing—heroin and prescription drugs, yes, but increasingly synthetic drugs, as we talked about this evening. It is time for us to be sure we are doing all we can to keep this poison out of our communities.

By Mr. REID:

S. 3293. A bill to require the Secretary of the Interior to transfer to the Shoshone-Paiute Tribes of the Duck Valley Reservation investment income held in certain funds; to the Committee on Indian Affairs.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3293

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

SECTION 1. TRANSFER OF INVESTMENT INCOME TO TRIBES.

Section 10807(e) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1409) is amended—

(1) by striking ''Upon completion'' and inserting the following:

''(1) IN GENERAL.—On completion''; and

(2) by adding at the end the following:

''(2) TRANSFER OF INVESTMENT INCOME.—The Secretary shall transfer to the Tribes in accordance with subsections (f) and (g) any investment or interest income held in the Funds, including any investment or interest income prior to the completion of the actions described in section 10808(d), for the use of the Tribes in accordance with subsections (b)(2) and (c)(2).''.

By Mr. CORNYN:

S. 3295. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3295

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Cybersecurity Preparedness Consortium Act of 2016''.

SEC. 2. NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM.

(a) IN GENERAL.—The Secretary of Homeland Security may work with a consortium, including the National Cybersecurity Preparedness Consortium, to support efforts to address cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)), including threats of terrorism and acts of terrorism.

(b) ASSISTANCE TO THE NCCIC.—The Secretary of Homeland Security may work with a consortium to assist the national cybersecurity and communications integration center of the Department of Homeland Security (established pursuant to section 227 of the Homeland Security Act of 2002) to—

(1) provide training to State and local first responders and officials specifically for preparing for and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with current law;

(2) develop and update a curriculum utilizing existing programs and models in accordance with such section 227, for State and local first responders and officials, related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism;

(3) provide technical assistance services to build and sustain capabilities in support of preparedness for and response to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with such section 227;

(4) conduct cross-sector cybersecurity training and simulation exercises for entities, including State and local governments, critical infrastructure owners and operators, and private industry, to encourage community-wide coordination in defending against and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with subsection (c) of section 228 of the Homeland Security Act of 2002 (6 U.S.C. 149);

(5) help States and communities develop cybersecurity information sharing programs, in accordance with section 227 of the Homeland Security Act of 2002, for the dissemination of homeland security information related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism; and

(6) help incorporate cybersecurity risk and incident prevention and response (including related to threats of terrorism and acts of terrorism) into existing State and local emergency plans, including continuity of operations plans.

(c) PROHIBITION ON DUPLICATION.—In carrying out the functions under subsection (b), the Secretary of Homeland Security shall, to the greatest extent practicable, seek to prevent unnecessary duplication of existing programs or efforts of the Department of Homeland Security.

(d) CONSIDERATIONS REGARDING SELECTION OF A CONSORTIUM.—In selecting a consortium with which to work under this Act, the Secretary of Homeland Security shall take into consideration the following:

(1) Any prior experience conducting cybersecurity training and exercises for State and local entities.

(2) Geographic diversity of the members of any such consortium so as to cover different regions across the United States.

(e) METRICS.—If the Secretary of Homeland Security works with a consortium pursuant to subsection (a), the Secretary shall measure the effectiveness of the activities undertaken by such consortium under this Act.

(f) OUTREACH.—The Secretary of Homeland Security shall conduct outreach to universities and colleges, including historically Black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, and other minority-serving institutions, regarding opportunities to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, by working with the Secretary pursuant to subsection (a).

(g) TERMINATION.—The authority to carry out this Act shall terminate on the date that is 5 years after the date of the enactment of this Act.

(h) CONSORTIUM DEFINED.—In this Act, the term ''consortium'' means a group primarily composed of non-profit entities, including academic institutions, that develop, update, and deliver cybersecurity training in support of homeland security.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4979. Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) proposed an amendment to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

SA 4980. Mr. INHOFE proposed an amendment to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra.

SA 4981. Mr. HELLER (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4982. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4983. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4984. Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4979. Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) proposed an amendment to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2016''.

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

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

SEC. 3. LIMITATIONS.

Nothing in this Act—

(1) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(2) supersedes or authorizes any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(3) affects any water right in existence on the date of enactment of this Act;

(4) preempts or affects any State water law or interstate compact governing water; or

(5) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within the State.

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

''(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.''.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h–1), is amended—

(1) in the first sentence—

(A) by striking ''Whenever any'' and inserting the following:

''(a) IN GENERAL.—Whenever any'';

(B) by striking ''a flood-control project duly adopted and authorized by law'' and inserting ''an authorized water resources development study or project,''; and

(C) by striking ''such work'' and inserting ''such study or project'';

(2) in the second sentence—

(A) by striking ''The Secretary of the Army'' and inserting the following:

''(b) REPAYMENT.—The Secretary of the Army''; and

(B) by striking ''from appropriations which may be provided by Congress for flood-control work'' and inserting ''if specific appropriations are provided by Congress for such purpose''; and

(3) by adding at the end the following:

''(c) DEFINITION OF STATE.—In this section, the term 'State' means—

''(1) a State;

''(2) the District of Columbia;

''(3) the Commonwealth of Puerto Rico;

''(4) any other territory or possession of the United States; and

''(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).''.

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

''(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

''(2) acceptance of the materials and services or funds is in the public interest.''; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking ''Not later than 60 days after initiating an activity under this section,'' and inserting ''Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section,''; and

(B) by striking ''a report'' and inserting ''an annual report''.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting '', at full Federal expense,'' after ''The Secretary may''; and

(2) in subsection (b), by striking ''funded'' and inserting ''reimbursed''.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) USER FEES.—

''(1) COLLECTION OF FEES.—

''(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

''(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

''(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

''(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

''(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

''(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.''.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the ''Rivers and Harbors Act of 1899''), is amended—

(1) by striking ''That it shall not be lawful'' and inserting the following:

''(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful''; and

(2) by adding at the end the following:

''(b) CONCURRENT REVIEW.—

''(1) NEPA REVIEW.—

''(A) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

''(B) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in subparagraph (A), the Chief of Engineers shall, to the maximum extent practicable—

''(i) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

''(ii) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

''(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

''(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

''(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

''(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

''(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.''.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than $4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) CONTRIBUTED FUNDS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ''Flood Control Act of 1936''), is amended—

(1) by striking ''funds appropriated by the United States for''; and

(2) in the first proviso, by inserting after ''authorized purposes of the project:'' the following: ''*Provided further*, That the Secretary may receive and expend funds from a State or a political subdivision of a State and other non-Federal interests to formulate, review, or revise operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River):''

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

''(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

''(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the 'Flood Control Act of 1936'); and

''(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).''.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary may review proposals to increase the quantity of available supplies of water at Federal water resources projects through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of the project;

(2) diversion of water released or withdrawn from the project—

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Secretary;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) EXCLUSIONS.—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) OTHER FEDERAL PROJECTS.—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) REVIEW PROCESS.—

(1) NOTICE.—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) PUBLIC PARTICIPATION.—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (33 U.S.C. 408).

(g) LIMITATIONS.—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal submitted under subsection (a) shall be provided by an entity other than the Federal Government.

(2) PLANNING ASSISTANCE TO STATES.—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) OPERATION AND MAINTENANCE COSTS.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation and maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) CERTAIN WATER SUPPLY STORAGE PROJECTS.—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) VOLUNTARY CONTRIBUTIONS.—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

(i) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(j) ASSISTANCE.—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) EXCLUSION.—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

''(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

''(1) the types and number of restoration activities to be conducted;

''(2) the physical action to be undertaken to achieve the restoration objectives of the project;

''(3) the functions and values that will result from the restoration plan; and

''(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

''(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).''.

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting ''regardless of the cost incurred by the non-Federal interest,'' before ''shall not''; and

(2) by striking ''costs'' and inserting ''value''.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

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

''(D) include measures to protect or restore habitat connectivity'';

(B) in paragraph (6)(C), by striking ''impacts'' and inserting ''impacts, including impacts to habitat connectivity''; and

(C) by striking paragraph (11) and inserting the following:

''(11) EFFECT.—Nothing in this subsection—

''(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

''(B) affects the mitigation responsibilities of the Secretary under any other provision of law.''; and

(2) by adding at the end the following:

''(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.

''(k) MEASURES.—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.''.

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' after ''Indian tribe''.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking ''project or separable element'' each place it appears and inserting ''project, separable element, or discrete segment'';

(2) by striking ''project, or separable element thereof,'' each place it appears and inserting ''project, separable element, or discrete segment of a project'';

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through ''In this section, the'' and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) DISCRETE SEGMENT.—The term 'discrete segment', with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

''(2) WATER RESOURCES DEVELOPMENT PROJECT.—The'';

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''project, or separate element thereof'' and inserting ''project, separable element, or discrete segment of a project''; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking ''project'' and inserting ''project, separable element, or discrete segment'';

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking ''project, or a separable element of a water resources development project,'' and inserting ''project, separable element, or discrete segment of a project''; and

(C) by adding at the end the following:

''(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.''.

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(C) RAIL CARRIER.—The term 'rail carrier' has the meaning given the term in section 10102 of title 49, United States Code.'';

(2) in paragraph (2), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier'';

(3) in paragraph (3), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier''; and

(4) in paragraph (5), by striking ''and natural gas companies'' and inserting '', natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws''.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

''(2) INCLUSIONS.—Activities under paragraph (1) may include—

''(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

''(B) research, development, training, and other forms of technology transfer and exchange; and

''(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.''.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

''(4) MITIGATION BANKS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration of the entire amount of potential credits available at in-kind, in-basin mitigation banks and in-lieu fee programs for water resource development project feasibility studies.

''(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

''(i) has an approved mitigation banking instrument; and

''(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.''.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

''(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.''.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking ''$1,000,000'' and inserting ''$5,000,000'';

(2) by striking ''accumulated snags and other debris'' and inserting ''accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel''; and

(3) by striking ''or flood control'' and inserting '', flood control, or recreation''.

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting ''remove existing vegetation or'' after ''the Secretary shall not''; and

(2) by striking ''as a condition or requirement for any approval or funding of a project, or any other action''.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting '', a group of States, or a regional or national consortia of States'' after ''working with a State''; and

(2) by striking ''located within the boundaries of such State''.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting ''restore or'' before ''prevent the loss''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Development Act of 2016''; and

(ii) in subparagraph (A)(ii), by striking ''that—'' and all that follows through ''(II)'' and inserting ''that''; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For'' and inserting the following:

''(1) IN GENERAL.—For''; and

(D) by adding at the end the following:

''(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

''(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

''(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041) or any subsequent Act; and

''(ii) that meet the criteria described in paragraph (1); and

''(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.''.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term ''claimant tribes'' means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term ''Department'' means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term ''human remains'' means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) SECRETARY.—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. REVIEW OF CORPS OF ENGINEERS ASSETS.

Section 6002(b) of the Water Resources Reform and Development Act of 2014 (Public

Law 113–121; 128 Stat. 1349) is amended by adding at the end the following:

''(6) The extent to which the property has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.''.

SEC. 1032. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through ''Subject to subsection (b)'' and inserting the following:

''(a) APPLICATION OF CREDIT.—

''(1) IN GENERAL.—Subject to subsection (b)''; and

(B) by adding at the end the following:

''(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.'';

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1033. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1254) is amended by adding at the end the following:

''(5) TIME LIMIT.—

''(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

''(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

''(i) an identification of any outstanding information that is needed to make a final decision;

''(ii) the date by which the information referred to in clause (i) shall be obtained; and

''(iii) the date by which the Secretary will make a final decision on the request.''.

SEC. 1034. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 1035. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1036. FEASIBILITY STUDIES AND WATERSHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

''(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.''.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through ''The Secretary'' and inserting the following:

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary''; and

(2) by adding at the end the following:

''(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first $100,000 of the feasibility study shall be a Federal expense.''.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end '', except that the first $100,000 of the assessment shall be a Federal expense''.

SEC. 1037. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking ''measures'' and all that follows through ''project'' and inserting ''measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project''; and

(2) by adding at the end the following:

''(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).''.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''the Secretary'' and all that follows through ''projects'' and inserting ''the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources,'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''(2) MATTERS TO BE STUDIED.—A study'' and inserting the following:

''(2) AUTHORIZED ACTIVITIES.—Any activity''; and

(C) by adding at the end the following:

''(3) FEASIBILITY STUDY AND REPORTS.—

''(A) IN GENERAL.—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1).

''(B) RECOMMENDATION.—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a specific water resources development project.

''(C) FUNDING.—The first $100,000 of a study under this paragraph shall be at full Federal expense.

''(4) DESIGN AND CONSTRUCTION.—

''(A) IN GENERAL.—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than $10,000,000.

''(B) SPECIFIC AUTHORIZATION.—If the Federal share of the cost of a project described in subparagraph (A) is more than $10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''studies'' and inserting ''any activity''; and

(B) in paragraph (2)(B), by striking ''carrying out projects studied'' and inserting ''any activity conducted'';

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking ''a study'' and inserting ''any activity conducted''; and

(B) by striking paragraph (2) and inserting the following:

''(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

''(3) SOVEREIGN IMMUNITY.—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

''(4) WATER RESOURCES DEVELOPMENT PROJECTS.—

''(A) IN GENERAL.—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

''(5) PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.—

''(A) IN GENERAL.—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

''(6) WATER-RELATED PLANNING ACTIVITIES.—

''(A) IN GENERAL.—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.''; and

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking ''**TERRITORIES**'' and inserting ''**TERRITORIES AND INDIAN TRIBES**''; and

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary shall waive local cost-sharing requirements up to $200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a))—

''(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

''(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a)).''.

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking ''that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) before the date of enactment of this Act'' and inserting ''for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) (as it existed before the repeal made by section 1014(c)(3))''; and

(2) in subsection (b), by striking ''share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies'' and inserting ''non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest''.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.—In this section, the term ''water resources development project'' means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) NO CONSIDERATION FOR EASEMENTS.—The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of nonprofit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) ADMINISTRATIVE EXPENSES.—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United State Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) DEFINITION OF INNOVATIVE MATERIAL.—In this section, the term ''innovative material'', with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) after the opportunity for public comment provided in accordance with subsection (c), to carry out the study proposed under subparagraph (A).

(2) CONTENTS.—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) PUBLIC COMMENT.—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) CONSULTATION.—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

''(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

''(A) the non-Federal share of future operation and maintenance under this subsection; or

''(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121).''.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''The target total'' and inserting ''Except as provided in subsection (c), the target total'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

''(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

''(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.''.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 158) (referred to in this section as the ''Site'') may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge to restore and maintain the authorized dimensions of the harbors.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)) is amended by adding at the end the following:

''(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

''(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).''.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended by striking ''for each of fiscal years 2015 through 2022'' and inserting ''for each fiscal year''.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

''(2) DISCRETIONARY CARGO.—The term 'discretionary cargo' means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.'';

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(iii) by adding at the end the following:

''(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.'';

(D) in paragraph (5)(A) (as redesignated), by striking ''Code of Federal Regulation'' and inserting ''Code of Federal Regulations''; and

(E) by adding at the end the following:

''(8) MEDIUM-SIZED DONOR PORT.—The term 'medium-sized donor port' means a port—

''(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

''(B) at which the total amount of harbor maintenance taxes collected comprise annually more than $5,000,000 but less than $15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

''(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

''(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''donor ports'' and inserting ''donor ports, medium-sized donor ports,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and'' at the end; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

''(C) for donor ports and medium-sized donor ports—

''(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

''(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.'';

(3) in subsection (c), in the matter preceding paragraph (1), by striking ''donor port'' and inserting ''donor port, a medium-sized donor port,'';

(4) by striking subsection (d) and inserting the following:

''(d) ADMINISTRATION OF PAYMENTS.—

''(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

''(A) shipped through respective eligible ports; and

''(B) most at risk of diversion to seaports outside of the United States.

''(2) REQUIREMENT.—The Secretary. in consultation with the eligible port, shall limit payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.''; and

(5) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section $50,000,000 from the Harbor Maintenance Trust Fund.'';

(B) by striking paragraph (2) and inserting the following:

''(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

''(A) donor ports and medium-sized donor ports; and

''(B) energy transfer ports.''; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193)'';

(2) in subparagraph (B), by striking ''45 feet'' and inserting ''50 feet''; and

(3) in subparagraph (C), by striking ''45 feet'' and inserting ''50 feet''.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking ''45 feet'' and inserting ''50 feet''.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term ''inland Mississippi River'' means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT.—The term ''shallow draft'' means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section $25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1273) is amended by adding at the end the following:

''(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.''.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting ''in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project'' after ''community''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or of a community that is located in the region to be served by the project and that will rely on the project'' after ''community'';

(B) in paragraph (4), by striking ''local population'' and inserting ''regional population to be served by the project''; and

(C) in paragraph (5), by striking ''community'' and inserting ''local community or to a community that is located in the region to be served by the project and that will rely on the project''.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for

an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) COST LIMITATIONS.—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) AGREEMENT.—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) PROVISION OF EQUIPMENT.—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) AUDIT.—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

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

(2) by inserting after subparagraph (A) the following:

''(B) ADDITIONAL REQUIREMENT.—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.''.

SEC. 2017. DREDGED MATERIAL.

(a) IN GENERAL.—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) ADDITIONAL COSTS.—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) IN GENERAL.—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

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

''(3) DEFINITION OF NONSTRUCTURAL ALTERNATIVES.—In this subsection, 'nonstructural alternatives' includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.''; and

(2) by adding at the end the following:

''(d) INCREASED LEVEL OF PROTECTION.—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

''(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

''(A) the authority under this section has been used more than once at the same location;

''(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

''(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

''(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

''(e) NOTICE.—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).''.

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.—

(1) IN GENERAL.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) COST-SHARING.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) in subsection (a), by striking ''if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified'';

(2) in subsection (b)—

(A) by striking ''This section'' and inserting the following:

''(1) IN GENERAL.—This section''; and

(B) by adding at the end the following:

''(2) REQUIREMENT.—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).'';

(3) in subsection (c)(1), by striking ''The non-Federal'' and inserting ''Notwithstanding subsection (b)(2), the non-Federal''; and

(4) by adding at the end the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000.''.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary is responsible, as of the date of enactment of this Act, for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; or

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

''(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

''(A) IN GENERAL.—The term 'eligible high hazard potential dam' means a non-Federal dam that—

''(i) is located in a State with a State dam safety program;

''(ii) is classified as 'high hazard potential' by the State dam safety agency in the State in which the dam is located;

''(iii) has an emergency action plan approved by the relevant State dam safety agency; and

''(iv) the State in which the dam is located determines—

''(I) fails to meet minimum dam safety standards of the State; and

''(II) poses an unacceptable risk to the public.

''(B) EXCLUSION.—The term 'eligible high hazard potential dam' does not include—

''(i) a licensed hydroelectric dam; or

''(ii) a dam built under the authority of the Secretary of Agriculture.'';

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

''(10) NON-FEDERAL SPONSOR.—The term 'non-Federal sponsor', in the case of a project receiving assistance under section 8A, includes—

''(A) a governmental organization; and

''(B) a nonprofit organization.'' and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

''(12) REHABILITATION.—The term 'rehabilitation' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.''.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

''SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

''(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

''(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

''(1) repair;

''(2) removal; or

''(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

''(c) AWARD OF GRANTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

''(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

''(2) GRANT.—

''(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

''(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

''(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

''(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

''(i) 12.5 percent of the total amount of funds made available to carry out this section; or

''(ii) $7,500,000.

''(d) REQUIREMENTS.—

''(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

''(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

''(A) participate in, and comply with, all applicable Federal flood insurance programs;

''(B) have in place a hazard mitigation plan that—

''(i) includes all dam risks; and

''(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552);

''(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

''(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

''(i) acts in accordance with the State dam safety program; and

''(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

''(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

''(e) FLOODPLAIN MANAGEMENT PLANS.—

''(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

''(A) is in place; or

''(B) will be—

''(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

''(ii) implemented not later than 1 year after the date of completion of construction of the project.

''(2) INCLUSIONS.—A plan under paragraph (1) shall address—

''(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

''(B) plans for flood fighting and evacuation; and

''(C) public education and awareness of flood risks.

''(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

''(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

''(g) FUNDING.—

''(1) COST SHARING.—

''(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

''(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

''(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

''(A) EQUAL DISTRIBUTION.—⅓ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

''(B) NEED-BASED.—⅔ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

''(i) the number of eligible high hazard potential dams in the State; bears to

''(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

''(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

''(1) to rehabilitate a Federal dam;

''(2) to perform routine operation or maintenance of a dam;

''(3) to modify a dam to produce hydroelectric power;

''(4) to increase water supply storage capacity; or

''(5) to make any other modification to a dam that does not also improve the safety of the dam.

''(i) CONTRACTUAL REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than $1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

''(A) chapter 11 of title 40, United States Code; or

''(B) an equivalent qualifications-based requirement prescribed by the relevant State.

''(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal years 2017 and 2018;

''(2) $25,000,000 for fiscal year 2019;

''(3) $40,000,000 for fiscal year 2020; and

''(4) $60,000,000 for each of fiscal years 2021 through 2026.''.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100–676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113–121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104–03; 110 Stat. 3709) and section 371 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108–7 (117 Stat. 140) and section 3074 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

All costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

SEC. 3007. INDIAN DAM SAFETY.

(a) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term ''dam'' has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term ''dam'' includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

(2) FUND.—The term ''Fund'' means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term ''high hazard potential dam'' means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled ''Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams'' (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) LOW HAZARD POTENTIAL DAM.—The term ''low hazard potential dam'' means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled ''Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams'' (FEMA Publication Number 333).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''High-Hazard Indian Dam Safety Deferred Maintenance Fund'', consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund $22,750,000 of the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) $22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than $22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly from the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), to the Fund on the basis of estimates made by the Secretary of the Treasury.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''Low-Hazard Indian Dam Safety Deferred Maintenance Fund'', consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund $10,000,000 of the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) $10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than $10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly from the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), to the Fund on the basis of estimates made by the Secretary of the Treasury.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(c) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than $22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than $10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section

shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expeditiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and non-tribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than $10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be nonreimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the ''Committee'').

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plans Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the

first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that received for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(I) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, $1,000,000 shall be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the ''program'') to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

(A) flood plain mapping; or

(B) new construction planning.

(2) TERMINATION.—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) FUNDING.—Of the amounts authorized to be expended from either Fund, $250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term ''Gulf States'' means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER, SOUTH PLATTE RIVER, AND ARKANSAS RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking ''$50,000,000'' and inserting ''$75,000,000''.

(b) WATERCRAFT INSPECTION STATIONS.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary, but not more than $65,000,000, to carry out this section for each fiscal year, of which—

''(A) $20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

''(B) $25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

''(2) ALLOCATION.—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

''(A) the urgency and need of each area; and

''(B) the availability of local funds.''; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT, OPERATION, AND MAINTENANCE.—

''(A) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

''(i) the Columbia River Basin;

''(ii) the South Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and

''(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, and Oklahoma.

''(B) LOCATION.—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.''; and

(B) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) the Governor of each State in which a station is established under paragraph (1);''.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term ''report'' means the final report for the Portland District, Corps of Engineers, entitled ''Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing'' and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100–581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families estimated in the report as having received no relocation assistance.

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87–874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term ''sediment management plan'' means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) CONTRIBUTED FUNDS.—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) GUIDANCE.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) PARTNERSHIP WITH SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) LEAD AGENCY.—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) SNOWPACK AND DROUGHT MONITORING.—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1311) is amended by adding at the end the following:

''(5) LEAD AGENCY.—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).''.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2675) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) PILOT PROGRAM.—

(1) AUTHORIZATION.—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend $30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) SUNSET.—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking ''$60,000,000'' and inserting ''$100,000,000''.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking ''conduct a study to determine the feasibility of carrying out projects'' and inserting ''develop a comprehensive assessment and management plan at Federal expense'';

(2) in subsection (b), by striking the subsection designation and heading and all that follows through ''In carrying out the study'' and inserting the following:

''(b) ASSESSMENT AND MANAGEMENT PLAN.—In developing the comprehensive assessment and management plan''; and

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''identified in the study pursuant to subsection (a)'' and inserting ''identified in the comprehensive assessment and management plan under this section''.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking ''2019'' and inserting ''2024''.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) IN GENERAL.—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data.

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1113) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''PILOT PROJECTS'' and inserting ''PROJECTS'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''the pilot''; and

(ii) in subparagraph (B)—

(I) in clause (i), in the matter preceding subclause (I), by striking ''the pilot'';

(II) in subclause (I), by inserting '', Salton Sea Authority, or other non-Federal interest'' before the semicolon at the end; and

(III) in subclause (II), by striking ''pilot'';

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking ''pilot''; and

(D) in paragraph (3)—

(i) by striking ''pilot'' each place it appears; and

(ii) by inserting '', Salton Sea Authority, or other non-Federal interest'' after ''State''; and

(2) in subsection (c), by striking ''pilot''.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102–580; 113 Stat. 336) is amended—

(1) by inserting ''Berkeley'' before ''Calhoun''; and

(2) by striking ''Orangeberg, and Sumter'' and inserting ''and Orangeberg''.

SEC. 4013. COASTAL RESILIENCY.

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) in paragraph (1), by inserting ''Indian tribes,'' after ''nonprofit organizations,'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

''(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials;''.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—

(1) IN GENERAL.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

(2) CONSULTATION.—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) REQUIREMENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sustainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) CONSULTATION.—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) DEFINITIONS.—In this section:

(1) NATURAL FEATURE.—The term ''natural feature'' means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) NATURE-BASED FEATURE.—The term ''nature-based feature'' means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) REQUIREMENT.—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

(1) natural features;

(2) nature-based features;

(3) nonstructural measures; and

(4) structural measures.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2020, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

(2) CONTENTS.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) FINDINGS.—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) RESILIENT WATERFRONT COMMUNITY.—The term ''resilient waterfront community'' means a unit of local government or Indian tribe that is—

(A)(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) DESIGNATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) COLLABORATION.—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

(i) to respond to local needs; or

(ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

(i) community residents;

(ii) utilities; and

(iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

(I) water-dependent industries;

(II) water-oriented commerce; and

(III) recreation and tourism;

(ii) the community relationship to the water, including—

(I) quality of life;

(II) public health;

(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

(I) docks, piers, and harbor facilities;

(II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) DURATION.—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) IN GENERAL.—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) PUBLIC RECOGNITION.—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) IN GENERAL.—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) NON-FEDERAL PARTNERS.—

(A) LEAD NON-FEDERAL PARTNERS.—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake.

(B) NON-FEDERAL IMPLEMENTATION PARTNERS.—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) PLANNING ACTIVITIES.—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

(i) conduct community visioning and outreach;

(ii) identify challenges and opportunities;

(iii) develop strategies and solutions;

(iv) prepare plan materials, including text, maps, design, and preliminary engineering;

(v) collaborate across local agencies and work with regional, State, and Federal agencies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and

(vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

(i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and

(ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

(i) site preparation;

(ii) environmental review;

(iii) engineering and design;

(iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;

(v) updates to zoning codes;

(vi) construction of—

(I) public waterfront or boating amenities; and

(II) public spaces;

(vii) infrastructure upgrades to improve coastal resiliency;

(viii) economic and community development marketing and outreach; and

(ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(i) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

(I) a nonprofit organization;

(II) a public utility;

(III) a private entity;

(IV) an institution of higher education;

(V) a State government; or

(VI) a regional organization.

(ii) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(5) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

(i) 1 or more units of local or tribal government;

(ii) a State government;
(iii) a nonprofit organization;
(iv) a private entity;
(v) a foundation;
(vi) a public utility; or
(vii) a regional organization.

(f) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

(1) the Secretary of Transportation;
(2) the Secretary of Agriculture;
(3) the Administrator of the Environmental Protection Agency;
(4) the Administrator of the Federal Emergency Management Agency;
(5) the Assistant Secretary of the Army for Civil Works;
(6) the Secretary of the Interior; and
(7) the Secretary of Housing and Urban Development.

(g) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86'' N ., by long. 93°46'16.82'' W., and ends at lat. 32° 31'22.79'' N., by long. 93° 45' 2.47'' W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled ''Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky'' and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(i) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(ii) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(I) removing the structure from the river at the earliest feasible time; and

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term ''flowage easement'' means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River, County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the ''Port of Cascade Locks Business Park'' subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(g) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the ''River and Harbors Appropriation Act of 1899'') (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(h) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89–789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United Sates in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946 (60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without consideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, $31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63–76–C–0106 as of the date of enactment of this Act.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: $116,116,000 Non-Federal: $135,836,000 Total: $251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: $16,700,000 Non-Federal: $0 Total: $16,700,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: $0 Non-Federal: $0 Total: $0
5. FL	Port Everglades	June 25, 2015	Federal: $220,200,000 Non-Federal: $102,500,000 Total: $322,700,000
6. AK	Little Diomede	August 10, 2015	Federal: $26,015,000 Non-Federal: $2,945,000 Total: $28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: $224,300,000 Non-Federal: $269,000,000 Total: $493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: $29,062,000 Non-Federal: $3,255,000 Total: $32,317,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: $18,314,000 Non-Federal: $9,861,000 Total: $28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: $207,036,000 Non-Federal: $111,481,000 Total: $318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: $15,440,100 Non-Federal: $8,313,900 Total: $23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: $24,584,000 Non-Federal: $13,238,000 Total: $37,822,000
5. NC	Princeville	February 23, 2016	Federal: $14,001,000 Non-Federal: $7,539,000 Total: $21,540,000
6. CA	West Sacramento	April 26, 2016	Federal: $776,517,000 Non-Federal: $414,011,000 Total: $1,190,528,000
7. CA	American River Watershed Common Features	April 26, 2016	Federal: $876,478,000 Non-Federal: $689,272,000 Total: $1,565,750,000
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: $17,759,000 Non-Federal: $10,745,000 Total: $28,504,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: $13,733,850 Initial Non-Federal: $7,395,150 Initial Total: $21,129,000 Renourishment Federal: $16,371,000 Renourishment Non-Federal: $16,371,000 Renourishment Total: $32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: $9,218,300 Initial Non-Federal: $4,963,700 Initial Total: $14,182,000 Renourishment Federal: $15,390,000 Renourishment Non-Federal: $15,390,000 Renourishment Total: $30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: $24,263,000 Initial Non-Federal: $13,064,000 Initial Total: $37,327,000 Renourishment Federal: $114,728,000 Renourishment Non-Federal: $114,728,000 Renourishment Total: $229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: $14,040,000 Initial Non-Federal: $7,560,000 Initial Total: $21,600,000 Renourishment Federal: $41,215,000 Renourishment Non-Federal: $41,215,000 Renourishment Total: $82,430,000
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: $466,760,000 Non-Federal: $251,330,000 Total: $718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	April 29, 2016	Initial Federal: $20,166,000 Initial Non-Federal: $10,858,000 Initial Total: $31,024,000 Renourishment Federal: $68,215,000 Renourishment Non-Federal: $68,215,000 Renourishment Total: $136,430,000
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: $2,011,279,000 Non-Federal: $1,082,997,000 Total: $3,094,276,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: $199,393,000 Non-Federal: $107,694,000 Total: $307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: $69,521,000 Non-Federal: $104,379,000 Total: $173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: $976,375,000 Non-Federal: $974,625,000 Total: $1,951,000,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: $19,143,000 Non-Federal: $10,631,000 Total: $29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: $12,782,000 Non-Federal: $6,882,000 Total: $19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: $375,773,000 Non-Federal: $980,835,000 Total: $1,356,608,000

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $97,067,750 Estimated Non-Federal: $55,465,250 Total: $152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,860,000 Estimated Non-Federal: $11,620,000 Total: $46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $308,983,000 Estimated Non-Federal: $308,983,000 Total: $617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: $381,032,000 Estimated Non-Federal: $127,178,000 Total: $508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: $65,514,650 Estimated Non-Federal: $127,178,000 Total: $100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: $20,205,250 Estimated Non-Federal: $10,879,750 Total: $31,085,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking ''(25 U.S.C. 450b))'' each place it appears and inserting ''(25 U.S.C. 250b)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))''; and

(2) by adding at the end the following:

''(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

''(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

''(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.''.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86–645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California,

authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPILLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106–53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89–298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99–662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of $30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recreation components, considered together, are feasible.

(u) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(v) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the ''Flood Control Act of 1936''), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(w) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(x) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(y) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of the Center for Economic Development and Research of the University of North Texas entitled ''Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas'' and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89–298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the

final environmental impact statement for the Central City Project, Upper Trinity River entitled ''Final Supplemental No. 1'' is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed $520,000,000, of which not more than $5,500,000 may be expended to carry out recreation features of the project.

(z) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89–195 (16 U.S.C. 459f–7) (commonly known as the ''Assateague Island National Seashore Act'') for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(aa) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1374) is amended by striking ''2018'' and inserting ''2020''.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WateReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns $0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns $0.93 in Federal tax revenue.

(B) A combined $34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate $7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in $32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every $1,000,000 in State revolving loan fund spending generates 16 ½ jobs.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.

(3) An increase in economic output:

(A) Every $1,000,000 in State revolving loan fund spending results in $2,950,000 in output for the economy of the United States.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate $102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1)) by striking ''(not'' and inserting ''(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not''; and

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

''(C) SALE OF BONDS.—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.''.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

''(A) DEFINITION OF RESTRUCTURING.—In this paragraph, the term 'restructuring' means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

''(B) PRIORITY SYSTEM.—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

''(i) address the most serious risk to human health;

''(ii) are necessary to ensure compliance with this title (including requirements for filtration);

''(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

''(iv) improve the sustainability of systems.

''(C) WEIGHT GIVEN TO APPLICATIONS.—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

''(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

''(I) an inventory of assets, including any lead service lines, and a description of the condition of the assets;

''(II) a schedule for replacement of assets;

''(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

''(IV) a review of options for restructuring the public water system;

''(ii) demonstration of consistency with State, regional, and municipal watershed plans;

''(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

''(iv) approaches to improve the sustainability of the system, including—

''(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

''(II) use of reclaimed water;

''(III) actions to increase energy efficiency; and

''(IV) implementation of plans to protect source water identified in a source water assessment under section 1453.''; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking ''periodically'' and inserting ''at least biennially''.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended—

(1) in the first sentence, by striking ''up to 4 percent of the funds allotted to the State under this section'' and inserting '', for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of $400,000, ⅕ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year,''; and

(2) by striking ''1419,'' and all that follows through ''1993.'' and inserting ''1419.''.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: ''and the implementation of plans to protect source water identified in a source water assessment under section 1453''; and

(2) in paragraph (2)(E), by inserting after ''wellhead protection programs'' the following: ''and implement plans to protect source water identified in a source water assessment under section 1453''.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

''(s) NEGOTIATION OF CONTRACTS.—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

''(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

''(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).''.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

''SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

''(a) DEFINITION OF UNDERSERVED COMMUNITY.—In this section:

''(1) IN GENERAL.—The term 'underserved community' means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

''(2) INCLUSIONS.—The term 'underserved community' includes a local political subdivision that, as determined by the Administrator—

''(A) does not have household drinking water or wastewater services; and

''(B) has a drinking water system that fails to meet health-based standards under this Act, including—

''(i) a maximum contaminant level for a primary drinking water contaminant;

''(ii) a treatment technique violation; and

''(iii) an action level exceedance.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist public water systems in meeting the requirements of this Act.

''(2) INCLUSIONS.—Projects and activities under paragraph (1) include—

''(A) infrastructure investments necessary to comply with the requirements of this Act,

''(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

''(C) programs to provide household water quality testing.

''(c) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section—

''(1) is—

''(A) a public water system as defined in section 1401;

''(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); or

''(C) a State, on behalf of an underserved community; and

''(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

''(A) to be a disadvantaged community;

''(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

''(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

''(d) PRIORITY.—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

''(e) LOCAL PARTICIPATION.—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

''(f) TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

''(g) COST SHARING.—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

''(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

''(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

''(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

''(h) WAIVER.—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $230,000,000 for fiscal year 2017; and

''(2) $300,000,000 for each of fiscal years 2018 through 2021.''.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

''SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a community water system;

''(B) a system located in an area governed by an Indian Tribe;

''(C) a nontransient noncommunity water system;

''(D) a qualified nonprofit organization, as determined by the Administrator; and

''(E) a municipality or State, interstate, or intermunicipal agency.

''(2) LEAD REDUCTION PROJECT.—

''(A) IN GENERAL.—The term 'lead reduction project' means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

''(i) replacement of publicly owned lead service lines;

''(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

''(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

''(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

''(B) LIMITATION.—The term 'lead reduction project' does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

''(3) LOW-INCOME.—The term 'low-income', with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

''(4) MUNICIPALITY.—The term 'municipality' means—

''(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

''(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

''(b) GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

''(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

''(A) the source of lead in water for human consumption; and

''(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

''(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

''(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

''(B) proposes to—

''(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

''(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or other vulnerable human subpopulation; or

''(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

''(4) COST SHARING.—

''(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

''(B) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

''(5) LOW-INCOME ASSISTANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

''(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

''(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

''(A) notify customers of the replacement of any publicly owned portion of the lead service line;

''(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

''(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead

at a cost that is equal to the difference between—

''(i) the cost of replacement; and

''(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

''(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

''(E) demonstrate that the eligible entity has considered options for reducing lead in drinking water, including an evaluation of options for corrosion control.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000 for each of fiscal years 2017 through 2021.''.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.'';

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking ''Administrator or'' and inserting ''Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,''; and

(II) by inserting ''and the appropriate State and county health agencies'' after ''1413'';

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

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

''(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

''(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

''(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

''(B) RESULTS OF LEAD MONITORING.—

''(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

''(I) any person that is served by the public water system; or

''(II) the local or State health department of a locality or State in which the public water system is located.

''(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

''(I) press release; or

''(II) other form of communication, including local media.

''(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.''; and

(5) by adding at the end the following:

''(6) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.''.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1)(C), by striking ''paragraph (2)(E)'' and inserting ''paragraph (2)(F)'';

(2) in paragraph (2)(B)(i)(II), by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

(3) in paragraph (4)(B) (as redesignated by subsection (a)(3)), in the first sentence, by striking ''(D)'' and inserting ''(E)''.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g–3) is amended by adding at the end the following:

''(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

''(1) IN GENERAL.—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

''(A) by public water systems (or a certified laboratory on behalf of a public water system)—

''(i) to the Administrator; or

''(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

''(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator, as a condition on the receipt of funds under this Act.

''(2) CONSIDERATIONS.—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

''(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

''(B) information system compatibility;

''(C) the size of the public water system; and

''(D) the size of the community served by the public water system.''.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j–24) is amended by striking subsection (d) and inserting the following:

''(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CHILD CARE PROGRAM.—The term 'child care program' has the meaning given the term 'early childhood education program' in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(B) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' means—

''(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

''(iii) an operator of a child care program facility licensed under State law.

''(2) ESTABLISHMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

''(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

''(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

''(ii) any direct implementation area.

''(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(4) LIMITATION ON USE OF FUNDS.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

''(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

''(A) expend grant funds in accordance with—

''(i) the guidance of the Environmental Protection Agency entitled '3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance' and dated October 2006 (or any successor guidance); or

''(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

''(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

''(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

''(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2017 through 2021.''.

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j–25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

''PART G—ADDITIONAL PROVISIONS

''SEC. 1471. WATERSENSE PROGRAM.

''(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

''(1) IN GENERAL.—There is established within the Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

''(A) reduce water use;

''(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

''(C) conserve energy used to pump, heat, transport, and treat water; and

''(D) preserve water resources for future generations.

''(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

''(A) irrigation technologies and services;

''(B) point-of-use water treatment devices;

''(C) plumbing products;

''(D) reuse and recycling technologies;

''(E) landscaping and gardening products, including moisture control or water enhancing technologies;

''(F) xeriscaping and other landscape conversions that reduce water use;

''(G) whole house humidifiers; and

''(H) water-efficient buildings or facilities.

''(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

''(1) establish—

''(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

''(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

''(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

''(3) preserve the integrity of the WaterSense label by—

''(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

''(B) overseeing WaterSense certifications made by third parties;

''(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

''(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

''(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

''(5) in revising a WaterSense specification—

''(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

''(B) solicit comments from interested parties and the public prior to any changes;

''(C) as appropriate, respond to comments submitted by interested parties and the public; and

''(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

''(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

''(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

''(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

''(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.''.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately $384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at $64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

(1) individual wells;

(2) shared wells; and

(3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking ''appropriated'' and all that follows through ''2003'' and inserting ''made available for each of fiscal years 2016 through 2021''.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300(f)(14)) is amended by striking ''section 1452'' and inserting ''sections 1452, 1459A, and 1459B''.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) TECHNICAL ASSISTANCE.—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking ''Tribes'' and inserting ''tribes, including grants to provide training and operator certification services under section 1452(i)(5)''.

(b) INDIAN TRIBES.—Section 1452(i) of the Safe Drinking Water Act (42 U.S.C. 300j–12(i)) is amended—

(1) in paragraph (1), in the first sentence, by striking ''Tribes and Alaska Native villages'' and inserting ''tribes, Alaska Native

villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations''; and

(2) by adding at the end the following:

''(5) TRAINING AND OPERATOR CERTIFICATION.—

''(A) IN GENERAL.—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

''(B) ELIGIBLE TRIBAL ORGANIZATIONS.—An intertribal consortium or tribal organization eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

''(i) is the most qualified to provide training and technical assistance to Indian tribes; and

''(ii) Indian tribes determine to be the most beneficial and effective.''.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

Section 1452(a) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)) is amended by adding at the end the following:

''(4) REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.—

''(A) DEFINITION OF IRON AND STEEL PRODUCTS.—In this paragraph, the term 'iron and steel products' means the following products made, in part, of iron or steel:

''(i) Lined or unlined pipe and fittings.

''(ii) Manhole covers and other municipal castings.

''(iii) Hydrants.

''(iv) Tanks.

''(v) Flanges.

''(vi) Pipe clamps and restraints.

''(vii) Valves.

''(viii) Structural steel.

''(ix) Reinforced precast concrete.

''(x) Construction materials.

''(B) REQUIREMENT.—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or repair of a public water system unless all the iron and steel products used in the project are produced in the United States.

''(C) EXCEPTION.—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

''(i) applying subparagraph (B) would be inconsistent with the public interest;

''(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

''(D) PUBLIC NOTICE; WRITTEN JUSTIFICATION.—

''(i) PUBLIC NOTICE.—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

''(I) make available to the public on an informal basis, including on the public website of the Administrator—

''(aa) a copy of the request; and

''(bb) any information available to the Administrator regarding the request; and

''(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

''(ii) WRITTEN JUSTIFICATION.—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

''(E) APPLICATION.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

''(F) MANAGEMENT AND OVERSIGHT.—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.''.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through ''subject to subsection (g), the Administrator may'' in paragraph (2) and inserting the following:

''(a) AUTHORITY.—The Administrator may—

''(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

''(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

''(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

''(2) subject to subsection (g),'';

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''; or'';

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

''(e) ADMINISTRATIVE REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

''(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

''(1) $250,000,000 for fiscal year 2017;

''(2) $300,000,000 for fiscal year 2018;

''(3) $350,000,000 for fiscal year 2019;

''(4) $400,000,000 for fiscal year 2020; and

''(5) $500,000,000 for fiscal year 2021.

''(g) ALLOCATION OF FUNDS.—

''(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

''(A) in accordance with the priority criteria described in subsection (b); and

''(B) with additional priority given to proposed projects that involve the use of—

''(i) nonstructural, low-impact development;

''(ii) water conservation, efficiency, or reuse; or

''(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

''(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

''(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

''(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

''(i) conducted under section 210; and

''(ii) included in a report required under section 516(b)(1)(B).''; and

(4) by striking subsection (i).

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

''(a) DEFINITIONS.—In this section:

''(1) MEDIUM TREATMENT WORKS.—The term 'medium treatment works' means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.

''(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit medium treatment works technical assistance provider' means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.

''(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit small treatment works technical assistance provider' means a nonprofit organization that, as determined by the Administrator—

''(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

''(B) the small treatment works in the State finds to be the most beneficial and effective.

''(4) SMALL TREATMENT WORKS.—The term 'small treatment works' means a publicly owned treatment works serving not more than 10,000 individuals.

''(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) for grants for small treatment works technical assistance, $15,000,000 for each of fiscal years 2017 through 2021; and

''(2) for grants for medium treatment works technical assistance, $10,000,000 for each of fiscal years 2017 through 2021.''.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting ''and as provided in subsection (e)'' after ''State law'';

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

''(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works (as those terms are defined in section 222) in the State.''.

(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking ''section 603(h)'' and inserting ''section 603(i)''.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) INTEGRATED PLAN PERMITS.—

''(1) DEFINITIONS.—In this subsection:

''(A) GREEN INFRASTRUCTURE.—The term 'green infrastructure' means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspirate stormwater and reduce flows to sewer systems or to surface waters.

''(B) INTEGRATED PLAN.—The term 'integrated plan' has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated June 5, 2012.

''(C) MUNICIPAL DISCHARGE.—

''(i) IN GENERAL.—The term 'municipal discharge' means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection(p).

''(ii) INCLUSION.—The term 'municipal discharge' includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

''(2) INTEGRATED PLAN.—

''(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

''(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

''(i) a combined sewer overflow;

''(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

''(iii) a municipal stormwater discharge;

''(iv) a municipal wastewater discharge; and

''(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.

''(3) COMPLIANCE SCHEDULES.—

''(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

''(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

''(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

''(4) EXISTING AUTHORITIES RETAINED.—

''(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

''(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of—

''(i) a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c); and

''(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(5) CLARIFICATION OF STATE AUTHORITY.—

''(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

''(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.''.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(c) MUNICIPAL ENFORCEMENT.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

''(h) IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.—

''(1) IN GENERAL.—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

''(2) MODIFICATION.—Any municipality under an administrative order under subsection (a) or settlement agreement (including a judicial consent decree) under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.''.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the ''Integrated Municipal Stormwater and Wastewater Planning Approach Framework'' issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an integrated plan.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

''SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

''(a) IN GENERAL.—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the

Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

''(b) DUTIES.—The Administrator shall ensure that the Office of Water—

''(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

''(2) coordinates efforts to increase the use of green infrastructure with—

''(A) other Federal departments and agencies;

''(B) State, tribal, and local governments; and

''(C) the private sector.

''(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

''(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

''(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

''(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

''(1) reducing water pollution;

''(2) protecting water resources;

''(3) complying with regulatory requirements; and

''(4) achieving other environmental, public health, and community goals.''.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

(1) AFFORDABILITY.—The term ''affordability'' means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) FINANCIAL CAPABILITY.—The term ''financial capability'' means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term ''guidance'' means the guidance published by the Administrator entitled ''Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development'' and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled ''Financial Capability Assessment Framework'' and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) REVISED GUIDANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114–70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance described in subsection (a)(3).

(2) USE OF GUIDANCE.—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) CONSULTATION.—Any revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) PUBLICATION AND SUBMISSION.—

(1) IN GENERAL.—On completion of the revision of the guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the revised guidance.

(2) EXPLANATION.—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) EFFECT.—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended by striking ''Any activity undertaken under this section is authorized only to the extent'' and inserting ''Nothing in this section obligates the Secretary to expend funds unless''.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking ''carry out'' and inserting ''provide financial assistance to carry out''.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—

(1) IN GENERAL.—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking ''desalination project'' and inserting ''desalination project, including chloride control''; and

(ii) by striking ''or a water recycling project'' and inserting ''a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion'';

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

(C) by inserting after paragraph (6) the following:

''(7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.''; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking ''or (7)'' and inserting ''(7), or (8)''.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking ''and (8)'' and inserting ''(7), and (9)''; and

(ii) in paragraph (3), by striking ''paragraph (7) or (9)'' and inserting ''paragraph (8) or (10)''.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking ''paragraph (8) or (9)'' and inserting ''paragraph (9) or (10)''.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking ''section 5026(7)'' and inserting ''section 5026(8)''.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking ''section 5026(9)'' and inserting ''section 5026(10)''; and

(II) by striking ''section 5026(8)'' and inserting ''section 5026(9)''; and

(ii) in subsection (b)(3), by striking ''section 5026(8)'' and inserting ''section 5026(9)''.

(c) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary''; and

(B) by adding at the end the following:

''(B) FINANCING FEES.—On request of an eligible entity, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.''; and

(2) by adding at the end the following:

''(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A).''.

(d) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

''Subtitle C—Innovative Financing Projects''.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3092) is amended by striking ''pilot'' each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

''SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.''.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

''Subtitle C—Innovative Financing Projects''.; and

(B) by striking the item relating to section 5034 and inserting the following:

''Sec. 5034. Reports on program implementation.''.

(e) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ''Water Infrastructure Investment Trust Fund'' (referred to in this section as the ''Fund''), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the ''Secretary'') shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) INVESTMENT.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund through annual capitalization grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Fund.

(2) FEE.—The Administrator shall provide a label for a fee of 3 cents per unit.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve ''full cost'' or ''true value'' pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources; or

(N) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be $5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section $10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking ''and'' at the end; and

(3) by inserting after paragraph (6) the following:

''(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

''(A) nonstructural alternatives;

''(B) decentralized approaches;

''(C) water use efficiency and conservation; and

''(D) actions to reduce energy consumption or extract energy from wastewater;''.

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking ''water-related phenomena'' and inserting ''water resources''; and

(B) in subparagraph (D), by striking the period at the end and inserting ''; and'';

(2) in subsection (c)—

(A) by striking ''From the'' and inserting the following:

''(1) IN GENERAL.—From the''; and

(B) by adding at the end the following:

''(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.'';

(3) by striking subsection (e) and inserting the following:

''(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

''(A) the quality and relevance of the water resources research of the institute;

''(B) the effectiveness of the institute at producing measured results and applied water supply research; and

''(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

''(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.'';

(4) in subsection (f)(1), by striking ''$12,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$7,500,000 for each of fiscal years 2017 through 2021''; and

(5) in subsection (g)(1), in the first sentence, by striking ''$6,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$1,500,000 for each of fiscal years 2017 through 2021''.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

''(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.''; and

(2) by adding at the end the following:

''(e) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize funding for research—

''(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

''(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

''(3) to improve existing reverse osmosis and membrane technology;

''(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

''(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

''(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.''.

(b) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by adding at the end the following:

''(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

''(1) in drought-stricken States and communities;

''(2) in States that have authorized funding for research and development of desalination technologies and projects;

''(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

''(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking ''$5,000,000'' and inserting ''$8,000,000''; and

(B) by striking ''2013'' and inserting ''2021''; and

(2) in subsection (b), by striking ''for each of fiscal years 2012 through 2013'' and inserting ''for each of fiscal years 2017 through 2021''.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) by striking the section designation and heading and all that follows through ''In carrying out'' in the first sentence and inserting the following:

''SEC. 9. CONSULTATION AND COORDINATION.

''(a) CONSULTATION.—In carrying out'';

(2) in the second sentence, by striking ''The authorization'' and inserting the following:

''(c) OTHER DESALINATION PROGRAMS.—The authorization''; and

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

''(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

''(1) establishes priorities for future Federal investments in desalination;

''(2) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration;

''(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

''(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.''.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Administrator, in conjunction with the Secretary of the Interior, the Secretary of Agriculture, the Director of the National Oceanic and Atmospheric Administration, and other appropriate Federal agency heads along with State and local governments, shall develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers.

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

(1) State and local governments;

(2) water utilities;

(3) scientists;

(4) institutions of higher education;

(5) relevant private entities; and

(6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

(i) public health and safety;

(ii) municipal and industrial water supply;

(iii) agricultural water supply;

(iv) water quality;

(v) ecosystem health; and

(vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

(ii) water recycling;

(iii) groundwater clean-up and storage;

(iv) new technologies, such as behavioral water efficiency; and

(v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

(A) the establishment of planning goals;

(B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN STATE WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking ''or'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)''.

(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

''(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

''(l) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

''(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

''(2) the barriers impacting greater use of innovative water technologies; and

''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

SEC. 7309. INNOVATION IN DRINKING WATER STATE REVOLVING LOAN FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) (as amended by section 7105) is amended—

(1) in subsection (d)—

(A) by striking the heading and inserting ''ADDITIONAL ASSISTANCE.—'';

(B) in paragraph (1)—

(i) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(ii) by adding at the end the following:

''(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.'';

(C) in paragraph (2)—

(i) by striking ''For each fiscal year'' and inserting the following:

''(A) IN GENERAL.—For each fiscal year''; and

(ii) by adding at the end the following:

''(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.''; and

(D) in paragraph (3), in the first sentence, by inserting '', or portion of a service area,'' after ''service area''; and

(2) by adding at the end the following:

''(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

''(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

''(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

''(2) the barriers impacting greater use of innovative water technologies; and

''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term ''eligible system'' means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of $100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12), to be available for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Of any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator $70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management

and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least $700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), $20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) CONSULTATIONS.—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114–113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: ''or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;''.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means a city exposed to lead contamination in the local drinking water system.

(2) COMMITTEE.—The term ''Committee'' means the Advisory Committee established under subsection (c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) LEAD EXPOSURE REGISTRY.—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

(i) an epidemiologist;

(ii) a toxicologist;

(iii) a mental health professional;

(iv) a pediatrician;

(v) an early childhood education expert;

(vi) a special education expert;

(vii) a dietician; and

(viii) an environmental health expert.

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) CHAIR.—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) TERMS.—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) APPLICATION OF FACA.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) RESPONSIBILITIES.—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) REPORT.—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) MANDATORY FUNDING.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) $17,500,000 to carry out subsection (b); and

(B) $2,500,000 to carry out subsection (c).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, $10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1).

(2) RECEIPT AND ACCEPTANCE.—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) RECEIPT AND ACCEPTANCE.—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) HEALTHY START PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8).

(2) RECEIPT AND ACCEPTANCE.—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House

of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) COMPREHENSIVE STRATEGY.—The term ''comprehensive strategy'' means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) GROUNDWATER.—The term ''groundwater'' means water in a saturated zone or stratum beneath the surface of land or water.

(3) PLUME.—The term ''plume'' means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term ''site'' means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

''(7) GREAT LAKES RESTORATION INITIATIVE.—

''(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the 'Initiative') to carry out programs and projects for Great Lakes protection and restoration.

''(B) FOCUS AREAS.—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

''(i) the remediation of toxic substances and areas of concern;

''(ii) the prevention and control of invasive species and the impacts of invasive species;

''(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

''(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

''(v) accountability, monitoring, evaluation, communication, and partnership activities.

''(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

''(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

''(ii) the feasibility of—

''(I) prompt implementation;

''(II) timely achievement of results; and

''(III) resource leveraging; and

''(iii) the opportunity to improve interagency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

''(D) IMPLEMENTATION OF PROJECTS.—

''(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

''(I) Federal projects; and

''(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

''(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

''(I) transfer not more than $300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

''(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

''(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

''(E) SCOPE.—

''(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

''(I) Great Lakes-wide; and

''(II) Great Lakes basin-wide.

''(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

''(I) a State water pollution control revolving fund established under title VI; or

''(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

''(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

''(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

''(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

''(G) FUNDING.—

''(i) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph $300,000,000 for each of fiscal years 2017 through 2021.

''(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

''(I) this section;

''(II) the Initiative Action Plan; or

''(III) the Great Lakes Water Quality Agreement.''.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

''SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) Lake Tahoe—

''(A) is one of the largest, deepest, and clearest lakes in the world;

''(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

''(C) is recognized nationally and worldwide as a natural resource of special significance;

''(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

''(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

''(B) contributes significantly to the economies of California, Nevada, and the United States;

''(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

''(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

''(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

''(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

''(A) high tree density and mortality;

''(B) the loss of biological diversity; and

''(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

''(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

''(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

''(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

''(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

''(A) congressional consent to the establishment of the Planning Agency with—

''(i) the enactment in 1969 of Public Law 91–148 (83 Stat. 360); and

''(ii) the enactment in 1980 of Public Law 96–551 (94 Stat. 3233);

''(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

''(C) the enactment of Public Law 96–586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

''(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

''(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

''(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

''(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

''(A) stream and wetland restoration; and

''(B) programmatic technical assistance;

''(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

''(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

''(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

''(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

''(A) renewed their commitment to Lake Tahoe; and

''(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

''(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than $1,955,500,000 to the Lake Tahoe Basin, including—

''(A) $635,400,000 from the Federal Government;

''(B) $758,600,000 from the State of California;

''(C) $123,700,000 from the State of Nevada;

''(D) $98,900,000 from units of local government; and

''(E) $338,900,000 from private interests;

''(16) significant additional investment from Federal, State, local, and private sources is necessary—

''(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

''(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

''(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

''(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least $10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

''(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

''(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

''(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

''(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

''(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.''.

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of the Army for Civil Works.

''(3) CHAIR.—The term 'Chair' means the Chair of the Federal Partnership.

''(4) COMPACT.—The term 'Compact' means the Tahoe Regional Planning Compact included in the first section of Public Law 96–551 (94 Stat. 3233).

''(5) DIRECTORS.—The term 'Directors' means—

''(A) the Director of the United States Fish and Wildlife Service; and

''(B) the Director of the United States Geological Survey.

''(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term 'Environmental Improvement Program' means—

''(A) the Environmental Improvement Program adopted by the Planning Agency; and

''(B) any amendments to the Program.

''(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term 'environmental threshold carrying capacity' has the meaning given the term in Article II of the Compact.

''(8) FEDERAL PARTNERSHIP.—The term 'Federal Partnership' means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

''(9) FOREST MANAGEMENT ACTIVITY.—The term 'forest management activity' includes—

''(A) prescribed burning for ecosystem health and hazardous fuels reduction;

''(B) mechanical and minimum tool treatment;

''(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

''(D) nonnative invasive species management; and

''(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

''(10) MAPS.—The term 'Maps' means the maps—

''(A) entitled—

''(i) 'LTRA USFS-CA Land Exchange/North Shore';

''(ii) 'LTRA USFS-CA Land Exchange/West Shore'; and

''(iii) 'LTRA USFS-CA Land Exchange/South Shore'; and

''(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

''(i) the Forest Service;

''(ii) the California Tahoe Conservancy; and

''(iii) the California Department of Parks and Recreation.

''(11) NATIONAL WILDLAND FIRE CODE.—The term 'national wildland fire code' means—

''(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

''(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

''(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

''(12) PLANNING AGENCY.—The term 'Planning Agency' means the Tahoe Regional Planning Agency established under Public Law 91–148 (83 Stat. 360) and Public Law 96–551 (94 Stat. 3233).

''(13) PRIORITY LIST.—The term 'Priority List' means the environmental restoration priority list developed under section 5(b).

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

''(15) STREAM ENVIRONMENT ZONE.—The term 'Stream Environment Zone' means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

''(16) TOTAL MAXIMUM DAILY LOAD.—The term 'total maximum daily load' means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

''(17) WATERCRAFT.—The term 'watercraft' means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.''.

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking ''basin'' and inserting ''Basin''; and

(2) by adding at the end the following:

''(c) FOREST MANAGEMENT ACTIVITIES.—

''(1) COORDINATION.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

''(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

''(2) MULTIPLE BENEFITS.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

''(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

''(I) reducing forest fuels;

''(II) maintaining biological diversity;

''(III) improving wetland and water quality, including in Stream Environment Zones; and

''(IV) increasing resilience to changing water temperature and precipitation; and

''(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

''(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

''(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

''(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

''(B) provide for monitoring to ascertain the attainment of the post-program conditions.

''(d) WITHDRAWAL OF FEDERAL LAND.—

''(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

''(A) all forms of entry, appropriation, or disposal under the public land laws;

''(B) location, entry, and patent under the mining laws; and

''(C) disposition under all laws relating to mineral and geothermal leasing.

''(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

''(A) this Act; or

''(B) Public Law 96–586 (94 Stat. 3381) (commonly known as the 'Santini-Burton Act').

''(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

''(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.''.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

''SEC. 5. AUTHORIZED PROGRAMS.

''(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

''(1) is described in subsection (d);

''(2) is included in the Priority List under subsection (b); and

''(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

''(b) PRIORITY LIST.—

''(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

''(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

''(A) The 4-year threshold carrying capacity evaluation.

''(B) The ability to measure progress or success of the program.

''(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

''(D) The ability of a program to provide multiple benefits.

''(E) The ability of a program to leverage non-Federal contributions.

''(F) Stakeholder support for the program.

''(G) The justification of Federal interest.

''(H) Agency priority.

''(I) Agency capacity.

''(J) Cost-effectiveness.

''(K) Federal funding history.

''(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

''(4) FUNDING.—Of the amounts made available under section 10(a), $80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

''(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

''(d) DESCRIPTION OF ACTIVITIES.—

''(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

''(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

''(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

''(iii) Biomass programs, including feasibility assessments.

''(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

''(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

''(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

''(vii) Development of updated community wildfire protection plans by local fire districts.

''(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

''(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

''(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least $100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

''(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

''(D) COST-SHARING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

''(ii) FORM OF NON-FEDERAL SHARE.—

''(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

''(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

''(III) DOCUMENTATION.—Communities and local fire districts shall—

''(aa) maintain a record of in-kind contributions that describes—

''(AA) the monetary value of the in-kind contributions; and

''(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

''(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

''(2) INVASIVE SPECIES MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

''(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

''(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

''(i) combined inspection and decontamination stations be established and operated at

not less than 2 locations in the Lake Tahoe region; and

''(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

''(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

''(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

''(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

''(G) CIVIL PENALTIES.—

''(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed $1,000 per violation.

''(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

''(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

''(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

''(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

''(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), $113,000,000 shall be made available—

''(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

''(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

''(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

''(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

''(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), $20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.''.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

''SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

''(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

''(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than $5,000,000 shall be made available to the Secretary to carry out this section.

''(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

''(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

''(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

''(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

''(2) LOCAL COOPERATION AGREEMENTS.—

''(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

''(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

''(i) describe the nature of the technical assistance;

''(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

''(iii) include cost-sharing provisions in accordance with subparagraph (C).

''(C) FEDERAL SHARE.—

''(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

''(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

''(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

''(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

''(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

''(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

''(3) use the integrated multiagency performance measures established under this section.

''(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

''(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

''(A) the program scope;

''(B) the budget for the program; and

''(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

''(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

''(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

''(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

''(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

''(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

''(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

''(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.''.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting '', Director, or Administrator'' after ''Secretary''.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3240) is amended in the third sentence by inserting ''and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce'' after ''maintain the regional plan''.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting ''and 25 square miles of land area'' after ''145,000''; and

(2) by inserting ''and 12 square miles of land area'' after ''65,000''.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

''(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

''(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

''(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

''(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

''(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts ⅔ of the costs of relocating facilities in connection with—

''(1) environmental restoration programs under sections 5 and 6; and

''(2) erosion control programs under section 2 of Public Law 96–586 (94 Stat. 3381).

''(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

''(1) provides information to the public on—

''(A) the amount of Federal funds being provided to the program; and

''(B) this Act; and

''(2) displays the visual identity mark of the Environmental Improvement Program.''.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96–586 (94 Stat. 3384) (commonly known as the ''Santini-Burton Act'') is amended—

(1) by striking ''(b) Lands'' and inserting the following:

''(b) ADMINISTRATION OF ACQUIRED LAND.—

''(1) IN GENERAL.—Land''; and

(2) by adding at the end the following:

''(2) CALIFORNIA CONVEYANCES.—

''(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States the non-Federal land described in subparagraph (B)(i), the Secretary—

''(i) may accept the offer; and

''(ii) convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land.

''(B) DESCRIPTION OF LAND.—

''(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

''(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as 'Tahoe Conservancy to the USFS'; and

''(II) the approximately 183 acres of land administered by California State Parks and identified on the Maps as 'Total USFS to California'.

''(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as 'U.S. Forest Service to Conservancy and State Parks'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

''(3) NEVADA CONVEYANCES.—

''(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

''(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

''(i) the approximately 38.68 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Van Sickle Unit USFS Inholding'; and

''(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Lake Tahoe Nevada State Park USFS Inholding'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

''(4) AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.—

''(A) CONVEYANCE AUTHORITY.—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

''(B) CONSIDERATION.—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

''(C) AVAILABILITY AND USE.—The proceeds from a conveyance under subparagraph (A) shall be retained by the Secretary of Agriculture and used for—

''(i) purchasing inholdings throughout the Lake Tahoe Basin; or

''(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

''(D) OBLIGATION LIMIT.—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

''(5) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

''(6) FUNDING.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351), $2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2), (3), and (4).

''(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).''.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through ''The Office shall'' and inserting the following:

''(b) OFFICE.—

''(1) ESTABLISHMENT.—The Administrator shall—

''(A) continue to carry out the conference study; and

''(B) establish an office, to be located on or near Long Island Sound.

''(2) ADMINISTRATION AND STAFFING.—The Office shall'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''Management Conference of the Long Island Sound Study'' and inserting ''conference study'';

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking '', and'' and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(J) environmental impacts on the Long Island Sound watershed, including—

''(i) the identification and assessment of vulnerabilities in the watershed;

''(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

''(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

''(K) planning initiatives for Long Island Sound that identify the areas that are most

suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;'';

(C) by striking paragraph (4) and inserting the following:

''(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;'';

(D) in paragraph (5), by inserting ''study'' after ''conference'';

(E) in paragraph (6)—

(i) by inserting ''(including on the Internet)'' after ''the public''; and

(ii) by inserting ''study'' after ''conference''; and

(F) by striking paragraph (7) and inserting the following:

''(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and'';

(3) in subsection (d)(3), in the second sentence, by striking ''50 per centum'' and inserting ''60 percent'';

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

''(f) REPORT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

''(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

''(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

''(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

''(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

''(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

''(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

''(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

''(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

''(1) an interagency crosscut budget that displays for each department and agency—

''(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

''(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

''(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

''(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

''(h) FEDERAL ENTITIES.—

''(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

''(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

''(A) enter into interagency agreements; and

''(B) make intergovernmental personnel appointments.

''(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

''(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).''.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) in subsection (g), by striking ''2011'' and inserting ''2021''; and

(B) by adding at the end the following:

''(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

''(1) the Advisory Committee; or

''(2) any board, committee, or other group established under this Act.''.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended in the matter preceding subparagraph (A) by striking ''2011'' and inserting ''2021''.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking ''under this section each'' and inserting ''to carry out this Act for a''.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) $40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) $25,000,000 for each of fiscal years 2017 through 2021.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes $25,000,000,000 annually in economic activity, provides $21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with $10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly $4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland,

more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over $21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) BASIN.—The term ''Basin'' means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) BASIN STATE.—The term ''Basin State'' means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(4) FOUNDATION.—The term ''Foundation'' means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) GRANT PROGRAM.—The term ''grant program'' means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) PROGRAM.—The term ''program'' means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) RESTORATION AND PROTECTION.—The term ''restoration and protection'' means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director.

(9) SERVICE.—The term ''Service'' means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the ''Delaware River Basin restoration program''.

(b) DUTIES.—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) COORDINATION.—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) PURPOSES.—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM.—To the extent that funds are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the ''Delaware River Basin Restoration Grant Program'' to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) CRITERIA.—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the Basinwide strategy adopted under section 7643(b)(2).

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) FUNDING.—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) REQUIREMENTS.—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this part $5,000,000 for each of fiscal years 2017 through 2022.

(b) USE.—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

Subtitle G—Offset

SEC. 7701. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

''(d) STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.—

''(1) APPROVAL BY ADMINISTRATOR.—

''(A) IN GENERAL.—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State in lieu of a Federal program under this subsection.

''(B) REQUIREMENT.—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

''(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

''(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

''(C) PERMIT REQUIREMENTS.—The Administrator may approve under subparagraph (B)(ii) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

''(D) WITHDRAWAL OF APPROVAL.—

''(i) PROGRAM REVIEW.—The Administrator shall review programs or other systems approved under subparagraph (B)—

''(I) from time to time, but not less frequently than once every 5 years; or

''(II) on request of any State.

''(ii) NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

''(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

''(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located in the State to ensure compliance with the requirements of subparagraph (B); or

''(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

''(iii) WITHDRAWAL.—

''(I) IN GENERAL.—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

''(II) REINSTATEMENT OF STATE APPROVAL.—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

''(2) NONPARTICIPATING STATES.—

''(A) DEFINITION OF NONPARTICIPATING STATE.—In this paragraph, the term 'nonparticipating State' means a State—

''(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

''(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

''(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

''(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

''(B) PERMIT PROGRAM.—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

''(3) APPLICABILITY OF CRITERIA.—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

''(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

''(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

''(4) PROHIBITION ON OPEN DUMPING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open dumping contained in subsection (a) with respect to a coal combustion residual unit.

''(B) FEDERAL ENFORCEMENT IN APPROVED STATE.—

''(i) IN GENERAL.—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

''(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

''(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

''(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

''(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

''(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

''(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit

shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

''(A) the requirements established pursuant to a program for which an approval is provided by—

''(i) the State in accordance with a program or system approved under paragraph (1)(B); or

''(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

''(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

''(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.''.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to permanently resolve and settle those claims to Settlement Area Waters of the Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract and obligations for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term ''1974 storage contract'' means the contract entered into on February 16, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term ''2010 agreement'' means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term ''administrative set-aside subcontracts'' means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by the amended storage contract and the Settlement Agreement.

(4) ALLOTMENT.—The term ''allotment'' means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term ''allottee'' means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term ''amended permit application'' means the permit application of the City to the OWRB, No. 2007–17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT .—The terms ''amended storage contract transfer agreement'' and ''amended storage contract'' mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term ''Atoka and Sardis Conservation Projects Fund'' means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term ''City'' means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term ''City permit'' means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term ''conservation storage capacity'' means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and 542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE .—The term ''enforceability date'' means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term ''future use storage'' means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term ''Nations'' means the Choctaw Nation and the Chickasaw Nation.

(15) OWRB.—The term ''OWRB'' means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term ''Sardis Lake'' means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term ''Settlement Agreement'' means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term ''settlement area'' means—

(A) the area lying between—

(i) the South Canadian River and Arkansas River to the north;

(ii) the Red River to the south;

(iii) the Oklahoma–Arkansas State line to the east; and

(iv) the 98th Meridian to the west; and

(B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

(i) Atoka.
(ii) Bryan.
(iii) Carter.
(iv) Choctaw.
(v) Coal.
(vi) Garvin.
(vii) Grady.
(viii) McClain.
(ix) Murray.
(x) Haskell.
(xi) Hughes.
(xii) Jefferson.
(xiii) Johnston.
(xiv) Latimer.
(xv) LeFlore.
(xvi) Love.
(xvii) Marshall.
(xviii) McCurtain.
(xix) Pittsburgh.
(xx) Pontotoc.
(xxi) Pushmataha.
(xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term ''settlement area waters'' means the waters located—

(A) within the settlement area; and

(B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

(i) Beaver Creek (24, 25, and 26).
(ii) Blue (11 and 12).
(iii) Clear Boggy (9).
(iv) Kiamichi (5 and 6).
(v) Lower Arkansas (46 and 47).
(vi) Lower Canadian (48, 56, 57, and 58).
(vii) Lower Little (2).
(viii) Lower Washita (14).
(ix) Mountain Fork (4).
(x) Middle Washita (15 and 16).
(xi) Mud Creek (23).
(xii) Muddy Boggy (7 and 8).
(xiii) Poteau (44 and 45).
(xiv) Red River Mainstem (1, 10, 13, and 21)
(xv) Upper Little (3).
(xvi) Walnut Bayou (22).

(20) STATE.—The term ''State'' means the State of Oklahoma.

(21) TRUST.—The term ''Trust'' means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority.

(c) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the Secretary of the Interior under this subsection shall not constitute a major Federal

action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER RESOURCES BOARD, CIV 98–00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if the right to future use storage is not exercised by January 1, 2050.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—

(i) IN GENERAL.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(I) are consistent with the authorized purposes for Sardis Lake and do not affect the authorized purposes for the project under section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187) and section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)); and

(II) shall not constitute a reallocation of storage.

(ii) CHANGES AND MODIFICATIONS.—To the extent subclause (I) or (II) of clause (i) could be construed otherwise, any necessary changes or modifications are authorized, ratified, and approved.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), and to the extent those documents and actions could be so construed, any necessary change is authorized, ratified and approved without any further action by the Corps of Engineers.

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(e) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an allottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (2) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a trustee for the Nations, shall execute a waiver and release of—

(A) all claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication, including—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, if the claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80–48 and 54–613 of the City for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date; and

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract.

(2) RETENTION AND RESERVATION OF CLAIMS.—

(A) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY NATIONS AND THE UNITED STATES.—

(i) IN GENERAL.—Notwithstanding the waiver and releases of claims authorized under paragraph (1), the Nations and the United States, acting as trustee, shall retain—

(I) all claims for enforcement of the Settlement Agreement and this section;

(II) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(III) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v), including any claims the Nations may have under—

(aa) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(bb) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(cc) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(dd) any regulations implementing the Acts described in items (aa) through (cc);

(IV) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(V) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(ii) AGREEMENT.—

(I) IN GENERAL.—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(II) APPLICATION.—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under subclause (I), in accordance with applicable Federal law.

(III) RECORDING.—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(IV) CONSIDERATION.—In exchange for conveyance of the easement under clause (ii), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(B) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY NATIONS AGAINST THE UNITED STATES.—Notwithstanding the waivers and releases of claims authorized under paragraph (1), each Nation shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water rights of the Nations recognized by or established pursuant to the Settlement Agreement and this section, including the right to assert claims for injuries relating to the rights and the right to participate in any stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in subclauses (I) through (III);

(iv) all claims relating to damage, loss, or injury resulting from the unauthorized diversion, use, or storage of water by a person, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section.

(3) EFFECTIVE DATE OF WAIVER AND RELEASES.—The waivers and releases under this subsection take effect on the enforceability date.

(i) ENFORCEABILITY DATE.—

(1) IN GENERAL.—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98–C–521–E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ 11–297 (W.D. Ok.) and OWRB v. United States, et al. Civ 12–275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) EXPIRATION DATE.—If the Secretary of the Interior fails to publish a statement of findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007–017 without having waived the original application priority date and appropriative quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) NO PREJUDICE.—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007–017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007–017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) EXTENSION.—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(j) JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—

(1) JURISDICTION.—

(A) IN GENERAL.—

(i) EXCLUSIVE JURISDICTION.—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) RIGHT TO BRING ACTION.—The Choctaw Nation, the Chickasaw Nation, the State, the City, the Trust, and the United States shall each have the right to bring an action pursuant to this section.

(iii) NO ACTION IN OTHER COURTS.—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) NO MONETARY JUDGMENT.—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) NOTICE AND CONFERENCE.—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) LIMITED WAIVERS OF SOVEREIGN IMMUNITY.—

(A) IN GENERAL.—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) UNITED STATES IMMUNITY.—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) CHICKASAW NATION IMMUNITY.—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) CHOCTAW NATION IMMUNITY.—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action

brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(k) DISCLAIMER.—

(1) IN GENERAL.—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) NO PRECEDENT.—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SA 4980. Mr. INHOFE proposed an amendment to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

Strike section 6002 and insert the following:

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $97,067,750 Estimated Non-Federal: $55,465,250 Total: $152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,860,000 Estimated Non-Federal: $11,620,000 Total: $46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $308,983,000 Estimated Non-Federal: $308,983,000 Total: $617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: $381,032,000 Estimated Non-Federal: $127,178,000 Total: $508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: $65,514,650 Estimated Non-Federal: $35,322,350 Total: $100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: $20,205,250 Estimated Non-Federal: $10,879,750 Total: $31,085,000

SA 4981. Mr. HELLER (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RURAL WESTERN WATER.

Section 595 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 383; 128 Stat. 1316) is amended—

(1) by redesignating subsection (h) as subsection (i);

(2) by inserting after subsection (g) the following:

''(h) ELIGIBILITY.—

''(1) IN GENERAL.—Assistance under this section shall be made available to all eligible States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities, with priority given to projects in any applicable State that—

''(A) execute new or amended project cooperation agreements; and

''(B) commence promptly after the date of enactment of the Water Resources Development Act of 2016.

''(2) RURAL PROJECTS.—The Secretary shall consider a rural project authorized under this section and environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835) for new starts on the same basis as any other program funded from the construction account.''; and

(3) in subsection (i) (as redesignated by paragraph (1)), by striking ''which shall—,'' and all that follows through ''remain'' and inserting ''to remain''.

SA 4982. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2004.

SA 4983. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2004, strike ''applicable State water quality standards'' and insert ''the State water quality standards of the State in which the disposal occurs, as''.

SA 4984. Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(i) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81–516; 64 Stat. 166,

chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 7, 2016, at 10 a.m. to conduct a hearing entitled ''The Administration's Proposal for a UN Resolution on the Comprehensive Nuclear Test-Ban Treaty.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 7, 2016, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

COMMITTEE ON THE JUDICIARY

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 7, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on September 7, 2016, at 2:30 p.m., in room SR–418 of the Russell Senate Office Building, to conduct a hearing entitled ''VHA Best Practices: Exploring the Diffusion of Excellence Initiative.''

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

SPECIAL COMMITTEE ON AGING

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on September 7, 2016, at 2:30 p.m., in room SD–562 of the Dirksen Senate Office Building to conduct a hearing entitled ''Securing America's Retirement Future: Examining the Bipartisan Policy Center's Recommendations to Boost Savings.''

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

MEASURES READ THE FIRST TIME—S. 3296 AND S. 3297

Mr. PERDUE. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The bill clerk read as follows:

A bill (S. 3296) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

A bill (S. 3297) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

Mr. PERDUE. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, SEPTEMBER 8, 2016

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 8; that following the prayer and pledge, the Senate observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001; further, that 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; finally, that following leader remarks, the Senate resume consideration of S. 2848.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. PERDUE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Thursday, September 8, 2016, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE 9/11 FIRST RESPONDERS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the many first responders to the September 11th terrorist attacks of 2001, as well as to recognize that this September will be the 15th anniversary of that national tragedy.

That day was a time of intense panic and immense sorrow for all Americans, with many losing friends, family, and loved ones. Yet in spite of all of this, our brave first responders from our police services, our fire fighters, and emergency medical services went above and beyond the call of duty to save the lives of their fellow citizens, so that they could go home to their families and friends.

These amazing men and women faced this terror attack with the greatest courage and conviction anyone could exhibit. The valor and fortitude which they showed is beyond expression, with many giving their lives so that their fellow Americans could live. However, many of those who endured and survived are still suffering from the ordeal, with many experiencing PTSD, depression, and physical ailments. These men and women represent the very best of our nation. We should all strive to live up to their extraordinary example.

It is important that we do whatever we can for these heroes, and as such I would like to thank the Hylton Performing Arts Center for their event entitled ''Helping First Responders Find Hope, Healing and Resilience'' which will be held in Manassas on September 10th, 2016. Through events like this, caring Americans are helping raise awareness to these unfortunate conditions.

Mr. Speaker, I would ask my fellow Members of Congress to join me in honoring some of the bravest of our nation's heroes, and to thank them for all that they did during our country's most desperate hour. May God bless them, and all those whose lives were affected by this day.

HONORING THE PEDROZO FAMILY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize The Pedrozo Family. The Pedrozo's have deep rooted ties to public service in Merced County and are known for their tireless efforts on behalf of the community. They are being honored by Catholic Charities of Merced in appreciation of their service to the Valley.

The late Joe and Barbra Pedrozo raised their six children on the family's dairy farm. They instilled the importance of faith and serving others in their children. Those guiding words have shaped the Pedrozo family. They have been actively involved in Our Lady of Mercy School, St. Patrick's Parish and Sacred Heart Churches, among many other local causes.

Joe is a local business owner and was a volunteer coach for Our Lady of Mercy School sports and City Leagues for 25 years. He gave classes to vocational instruction students at the Juvenile Hall for Merced County Office of Education. Diana has also been an active member of the community, having served as the Executive Director of the Merced County Farm Bureau and as a member of the Merced County California Women for Agriculture.

John and Kelly Pedrozo are parents to two sons and a daughter, 6 grandsons and one granddaughter due this fall. John is a proud graduate of Our Lady of Mercy. He has been on the Merced County Board of Supervisors for twelve years. In this role he has served as an advocate for farmers and Merced County's most underserved. John previously served on the Our Lady of Mercy School Board and the Merced Union High School District Board of Trustees. Kelly worked for Merced County Child Support Services for 30 years. Kelly and John have been supporters of 4–H, St. Patrick's Parish and OLM School.

Ted and Juanita Pedrozo have been married for 35 years, are parents to four children, grandparents to one grandson and another grandson is due in October. Ted and John have a catering business known throughout Merced County for providing food for local charitable and non-profit organizations. Juanita is a teacher and school administrator, serving in this role for 36 years. Ted and Juanita are active members of St. Patrick's Parish and supporters of Our Lady Of Mercy School and local 4–H programs.

Judy (Pedrozo) and Harry Blackburn have been married for 24 years. Judy was a teacher and currently serves as Principal at Our Lady of Mercy School. Harry has worked for a private company for 24 years and is a store manager. Judy serves on the Fresno Diocesan School Board. Judy and Harry are active members of St. Patrick and strong supporters of Our Lady of Mercy School.

Josh and Heidi Pedrozo are continuing the tradition of service in the Pedrozo Family. Josh is a teacher at Merced High School and has been a Merced City Councilman for eight years. Heidi assisted the people of the 16th district while serving as a representative in my office, as well as the office of Congressman Dennis Cardoza. Heidi is currently a teacher at El Capitan High School. Their son Owen is a student at Our Lady of Mercy and they are expecting a daughter this fall.

Mr. Speaker, I ask my colleagues to join me in recognizing the great contributions of the Pedrozo Family. Their contributions will have a lasting impact on the community for years to come. I congratulate the Pedrozo's for this honor and ask that you join me in wishing them continued success.

TRIBUTE TO ANGELA CONNOLLY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Polk County (Iowa) Supervisor Angela Connolly for being honored as a 2016 Iowa Women's Hall of Fame recipient by the Iowa Commission on the Status of Women.

Angela Connolly, a native Iowan, was born to second-generation Italian immigrants and cultivated a strong work ethic at her parents' small Italian restaurant. She attended college in Kansas, returning to Iowa and marrying her husband, Tom, raising three children and overseeing the development of the next generation with four grandchildren.

Ms. Connolly began her career in the Polk County Public Works Department, working for nearly 20 years before being elected a Polk County Supervisor in 1998. She is only one of three female Supervisors ever elected in over 150 years to the Polk County Board of Supervisors and still serves in that post today.

''Community engagement'' is the key phrase for Ms. Connolly. Evidenced by her dedication to civic activities, she currently serves as Co-Chairman of The Tomorrow Plan and is Tri-Chairman for Capital Crossroads: A Vision for Greater Des Moines and Central Iowa as well as Chairman for Rebuilding Together. She aptly represents the Polk County Board of Supervisors on a long list of boards and commissions.

Ms. Connolly has played a leadership role in many significant efforts to improve the lives of area residents. She advocates for mental health issues, domestic violence victims, homeless challenges, and most visibly in recent months, the efforts to stop hunger in Polk County. She is a proponent of the Des Moines downtown revitalization efforts as well as updating the historical Polk County Courthouse complex. She never stops and works tirelessly for all Iowans.

Mr. Speaker, it is a profound honor to represent leaders like Angela Connolly in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating Angela Connolly on receiving this esteemed designation and in wishing Ms. Connolly a long and successful career.

IN RECOGNITION OF CYRUS JONES

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor Cyrus Jones, head coach of Lincoln

University's men's and women's track and field from 1974 to 2010, on his retirement.

Coach Jones led the track and field team at Lincoln to 15 NCAA Division III championships. The men's team won 11 national titles during his tenure, and the women's team won 4 NCAA championships. He also coached more than 300 All American athletes. Coach Jones has been honored as a six-time recipient of the Division III National Coach of the Year Award, the Mid East Region Track Coach of the Year, the Linback Teaching Award, the Outstanding Men of America Award, the Lifetime Achievement Award, one of the top 100 sports figures in the Philadelphia region in the last 100 years by the Philadelphia Tribune and an honorary official during the Penn Relays in 2002. In 2007 Coach Jones was inducted into the U.S. Track and Field and Cross Country Coaches Association's Hall of Fame.

Mr. Speaker, I congratulate Coach Jones on an illustrious career at Lincoln University and wish him the best in his retirement.

SYLVIA BROCKNER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Sylvia Brockner for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

An avid author and environmentalist, Sylvia Brockner has led the Evergreen area preservation movement for more than forty years. Her works culminate in her published book, entitled Birds in our Evergreen World. In 1968, Sylvia and her late husband founded the Evergreen Naturalists which has since evolved to the Evergreen Audubon and Nature Center.

Sylvia helped Jefferson County Open Space acquire 319 acres for what would become the Lair O' Bear Open Space Park in 1987, opening to the public in 1991. Sylvia also was a founding member of the Mountain Area Land Trust in 1993, which helped to preserve thousands of acres of open lands within 50 miles of Evergreen. Sylvia's long time role as an advocate for animals and plants has been influential to the community, as evidence of her being honored with the Evergreen Area Community Service Award and Evergreen Audubon Founders' Award. At age 97, Sylvia continues to pursue writing and illustration in her weekly column for the Canyon Courier.

I extend my deepest congratulations to Sylvia Brockner for this well-deserved recognition by the West Chamber.

RECOGNIZING M. SMITH COFFMAN FOR HER INSPIRATIONAL POEM, GHOSTS OF THE PAST

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MARCHANT. Mr. Speaker, I rise today to recognize M. Smith Coffman for her powerful poem and kind words of inspiration to many. While the poem is meant to move and inspire our service members and veterans in times of need, I believe everyone should experience it. I intend for everyone to procure some good fortune and hope from her message.

GHOSTS OF THE PAST

The fog shrouded, silent vale,
comes to life before my trail.
Ghosts of the past, ride in the predawn mist,
in their stirring I am by angels kissed.

Here, the plan of war was born,
and there, soldiers' lives were torn.
Brave warriors on snorting, restless steeds,
our heroes against men of evil deeds.

See Lexington and Concord's men of pride.
Rebs and Yanks who at Chickamauga died.
See the tired, straggling wagon train,
faces parched by sun, in battle's strain.

Indians silently move their camps,
past sod houses lit by dim oil lamps.
I see the brave men from the Alamo,
as on, and on, and on they go.

Oh, ancient rocks, you saw it all,
you saw where gallant man did fall.
You echoed the shot, felt the glance of spear,
the price for freedom, we hold dear.

Our troops who fell on foreign soils,
they the victors, won the spoils.
There were those from the sky
and from the sea,
They gave of themselves to keep us free.
Their souls, at last, are at home,
no more foreign lands to roam.

All are soothed in the mist,
as o'er their separate paths they twist.
Their laughter softly echoes from the rills,
and across the windswept, rugged hills.
Mingling, they have enemies no more,
here at home or foreign shore.
In cadence, I heard them say,
''Let not our sons go this way.
Alas the new born cries at birth,
but men must know of joy on earth.
Oh, that we could right the wrong,
Oh, that we could leave but song.''

Oh Lord, many of our brave, gallant men of pride,
put their lives upon the line, fought and died.
Men with bodies and emotions torn,
this great loss we all should mourn.
I stand and salute you, one and all.
You went through hell, for country's call.

Dear Lord, I pray their pain relive,
give them strength and hope, and ease.
They should receive the best of care,
For Freedom's Cause They did not bend,
they pledged their allegiance to the flag until the end.

''Children, Listen,'' the midst does sing.
''We know not what this day or the years will bring.
Stand brave and strong for liberty's call.
Your country needs you one and all.
Give thanks for all that was and is.
and for the heroes who lived, and live.
Give thanks for freedom that was not lost.
Give thanks to those who paid the cost.''

The mist soon melted into the morning sun.
THEY ARE OUR HEART'S BLOOD
THEY ARE NOT GONE.
These brave men and women did not live or die in vain.
Our flag unfurled we will sustain.
IN GOD WE TRUST
AMEN

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing M. Smith Coffman for her encouraging words.

MS. THAO NHI DO RECEIVES PRESTIGIOUS FULBRIGHT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Thao Nhi Do of Houston, TX for receiving a Fulbright award for teaching English in Taiwan during the 2015 through 2016 academic year.

Each year the Fulbright Program grants students with the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable U.S. relationships. Thao graduated Summa Cum Laude in 2011 from Clear Brook High School and earned a full scholarship to Harvard University. As a Fulbright participant, she helped teach English in Taiwan.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Ms. Thao Nhi Do for receiving this Fulbright award. Keep up the great work.

IN RECOGNITION OF DUDLEY BROWN

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize Dudley Brown, a Plymouth, Massachusetts native who passed away on September 24, 2015 at the age of 88.

A man truly devoted to the service of his country, Mr. Brown spent his life working to honor America both in and out of uniform. Mr. Brown, who served from 1944 to 1947 in World War II and from 1950 to 1952 in the Korean war, was not content to sit back and rest upon his return to civilian life.

Balancing his career as a market researcher and salesman around the country for three decades, Mr. Brown sustained a lifelong passion for studying the genealogy of his family and the history of this country. As a direct descendant to William Brewster, one of the original Mayflower pilgrims and a respected religious leader within Plymouth County, Mr. Brown was a proud member of the General Society of Mayflower Descendants. In 2014, Mr. Brown received an award for 20 years of membership with the National Society of the Sons of the American Revolution, and also acted with admirable integrity as a Private 1st Class within Boston's Ancient and Honorable Artillery Company.

In addition to his passion for family and American history, Mr. Brown was also an avid tennis player and enjoyed speed skating, biking and racing motorcycles as a young man. He is survived by his loving partner, three children, and four grandchildren. Known for his sense of humor and good cheer, Mr. Brown is sorely missed by his family and many friends.

Mr. Speaker, I am proud to honor Dudley Brown's many achievements on the anniversary of his passing. I ask that my colleagues join me in recognizing his life and his service.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BRADY of Texas. Mr. Speaker, on roll call no. 479, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted YES.

STEVE CAMINS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Steve Camins for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

Since moving to Colorado in 1970, Steve Camins has played an active role in the Jefferson County community. Steve received his bachelor's in Psychology from Colorado State University in 1968, and soon after became a certified financial planner and insurance counselor. For more than forty years, Steve has worked as an insurance agent for his self-owned and -managed company, Financial Dimensions Ltd., an Arvada business that helps Jefferson County citizens manage risk and protect assets.

Steve served on the board of the Arvada Economic Development Association for more than fifteen consecutive years, and also served on the Arvada Chamber of Commerce Board of Directors. He played an instrumental role in the formation of the Arvada Enterprise Center which joined with the West Chamber nine years ago to create the Jefferson County Business Resource Center.

Steve's determination and passion was recognized in 1996 when he was named the Arvada Chamber of Commerce Man of the Year and continues to lift the Jefferson County economy to new heights.

I extend my deepest congratulations to Steve Camins for this well-deserved recognition by the West Chamber.

IN RECOGNITION OF JUNE ROBBINS

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor June Robbins, a life member of the Rosie the Riveter Association for her service during World War II.

Ms. Robbins was born into poverty during the Great Depression. She married her husband, Melvin Robbins, of 65 years, on November 27, 1947. Ms. Robbins is the mother of 7 children, grandmother of 18, and great-grandmother of 8. She comes from a family of ''Rosies,'' as her mother and aunts were also part of the Association.

During World War II, Ms. Robbins applied for a training position at the Philadelphia Naval Shipyard, the first and only female in her class. There, she gained the skills necessary to work as a draftsman in the Shipyard during the War. In addition to a full time job, Ms. Robbins volunteered for the War effort through the Red Cross and the United Service Organizations (USO). As a volunteer for the USO, she was honored by the Netherlands government for her service as a Rosie in helping save the lives of the Holland people during the War.

Wesley Enhanced Living Main Line honored Ms. Robbins for her service as a Rosie the Riveter with a celebration on September 4, 2016. The celebration included a special planting of a Pink Dogwood, which is a symbol of the Riveter movement and of women who served as Rosies.

Mr. Speaker, the United States of America owes a great debt of gratitude to Ms. Robbins. It is an honor to represent her in Congress.

IN HONOR OF BRAMBLETON'S 15TH BIRTHDAY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to honor the town of Brambleton, Virginia on its 15th birthday. Established in 2001, Brambleton has grown to become a thriving community in Loudoun County full of wonderful families and extraordinary localities.

In the span of 15 years Brambleton has gone from a newly planned community to the home of almost 10,000 people. The community has received multiple awards, including the Loudon County Environmental Preservation Award, and in 2013 was named Community of the Year by the Great American Living Awards. In addition to the six excellent schools which already serve the community, three additional schools will be added by 2020. Its many parks, trails, and pools allow for its residents to enjoy the outdoors and spend time with their friends and family. I am proud to represent such a vibrant community.

Mr. Speaker, I ask my colleagues to join in recognizing the 15th birthday of the Brambleton community and thanking the residents who bring it to life. I know the community will continue to provide a wonderful environment for families to call home for many years to come.

TRIBUTE TO EMILY ABBAS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Emily Abbas, Chief Marketing Officer and Chief of Staff at Bankers Trust Company for being named a 2016 Women of Influence honoree as Meredith Emerging Woman of Influence by the award-winning central Iowa publication, Business Record.

For 17 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavors throughout the Greater Des Moines Area. Ms. Abbas has devoted her life to doing so many challenges which many others might avoid. She has spent countless hours on various boards while blazing a trail for others to follow. She was selected for the chosen field of expertise, the lasting impact on the community, involvement with civic or nonprofit organization and being seen as a role model because of her lofty achievements and high ethical standards.

Emily Abbas has the determination and drive to be successful in anything she does. Ms. Abbas is charged with furthering Bankers Trust's strategic focus on customers, community and employees, and solid business relationships. In all aspects of her life Emily Abbas is an example of hard work and service who makes Iowans proud.

Mr. Speaker, it is a profound honor to represent leaders like Emily Abbas in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating Emily Abbas on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Ms. Abbas a long and successful career.

RED ROCKS COMMUNITY COLLEGE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and congratulate Red Rocks Community College on the completion of their Arvada campus expansion. This expansion triples the size and capacity of the current campus located in Arvada, Colorado. I applaud Red Rocks Community College on this $22.5 million expansion project as it is the largest expansion project in the history of the college. This expansion will have a lasting impact on generations to come as well as result in significant economic impact for the Kipling Corridor and Ralston Road Corridor and Arvada and Wheat Ridge communities.

The Physician's Assistant Program at Red Rocks Community College is one of the first of its kind in the country. The relocation of this program to the new Arvada Campus will allow for even more students to participate in this unique program. In addition, the new campus will house all of the college's health professions programs in one place and will host more than four times the current number of faculty and staff.

I congratulate the Red Rocks team for their success on this important expansion. I applaud the school and faculty for their dedication to this project and their leadership and commitment to helping community college students blaze a path for our country's future leaders and innovators. I am proud of the work Red Rocks Community College does every day and I look forward to celebrating future accomplishments of the school and its students in the years to come.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF THE BOROUGH OF SHENANDOAH

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Borough of Shenandoah, which celebrated its 150th anniversary on August 27, 2016. Shenandoah is located in Schuylkill County, Pennsylvania.

The area that became Shenandoah was first settled in 1835 by Peter Kehley, who developed the land for farming. The settlement was maintained for two decades. After anthracite coal was discovered, the land was sold to the Philadelphia Land Company. Planning for the town began under Peter Schaeffer in 1862.

Shenandoah was officially incorporated on January 16, 1866. Situated in the Middle Western Coal Field, the area around Shenandoah contained rich deposits of anthracite. As mining got under way, the borough's population grew in response to the increased demand for labor. Shenandoah became a hub for business, attracting depots for three major railroad companies to ship coal to New York and Philadelphia. Immigrants came first from Wales, Ireland, and Germany. Later, immigrants from Lithuania, Poland, Ukraine and Slovakia arrived. With each new wave of immigrants, parochial schools and places of worship arose unique to their own ethnic group. By the 1920s, Shenandoah had developed a garment industry with 15 large factories at the peak of clothing production.

Today, Shenandoah is experiencing a revitalization. People are moving into the region, some in retirement and many to raise their families. Houses are being restored, businesses are being opened. Shenandoah is now home to popular brands such as Mrs. T's Pierogies, Lee's Oriental Foods, Kowalonek's Kielbasy Shop, Lucky's, and Capitol's Kielbasy.

It is an honor to recognize Shenandoah on its sesquicentennial. I am proud to represent a community so rich in history. May the people of Shenandoah be proud of their past and look forward to a bright future as they celebrate the city's 150th anniversary.

CONGRATULATIONS TO THE SOCORRO POLICE DEPARTMENT

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. HURD of Texas. Mr. Speaker, I rise today to congratulate the Police Department of the City of Socorro for their selfless and dedicated service to the City of Socorro. The extraordinary efforts of the 28 uniformed officers and their civilian counterparts have helped ensure that Socorro remains a safe city for residents and businesses and for the third time in three years, led to Socorro being named one of the 50 safest cities in the State of Texas. I am proud to represent a community as closely-knit and dedicated to service and safety as Socorro, TX.

I would also like to acknowledge the extraordinary leadership of Police Chief Carlos R. Maldonado, who has used his leadership skills and intimate knowledge of community-focused law enforcement to keep Socorro safe. Chief Maldonado's work in bringing a new training facility to Socorro, his role in ensuring upper-level training for his officers, and his influence in bringing a canine unit to Socorro have benefited the City tremendously. On behalf of the 23rd Congressional District of Texas, congratulations to the entire Socorro Police Department for their excellent work.

IN RECOGNITION OF CWO4 CHAD ADAMS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BURGESS. Mr. Speaker, I rise today to honor Chief Warrant Officer Chad Adams upon his retirement from 28 years of honorable service to the United States Army, the Kentucky National Guard, the United States Coast Guard, and this great nation.

Adams currently serves as the Coast Guard Food Service Program Manager within the Office of Work-Life, Health, Safety, and Work-Life Directorate at Coast Guard Headquarters (Commandant CG–1111). In this capacity, he is responsible for providing strategic policy and support to the entire $175M Food Service enterprise, consisting of 1,200 Food Service Specialist (FS) members and over 370 Coast Guard Dining Facilities worldwide. The Food Service Program office is the central authority responsible for the overall technical and administrative management policy, planning, and subsistence requirements to ensure service-wide mission success.

Upon graduation from Shelby County High School in May 1988, Chief Warrant Officer Adams served with the U.S. Army in the 82nd Airborne Division during Operations Just Cause (Panama) and Desert Shield/Storm as a paratrooper in the Infantry. After being released from the Army, and later the Kentucky National Guard, he enlisted into the Coast Guard in March 1994 and graduated boot camp as the basic training honor graduate for Company E–144. His first assignment was CGC WHITE PINE out of Mobile, AL where he decided to become a Subsistence Specialist (SS) after only six months aboard mess cooking. He graduated SS ''A'' school as an SS3 in 1995 and was assigned to the CGC MADRONA in Charleston, SC. As the duty cook, he advanced to SS2 and fleeted-up into the Jack of the Dust position, responsible for developing menus and ordering supplies to feed a crew of 50 personnel. He also took over as the Food Service Officer (FSO) when the FS1 was unable to get underway. On his last day aboard the cutter, he advanced to FS1 and reported to isolated duty at LORAN Station St. Paul Island, AK where he served as FSO and was awarded runner-up for galley of the year small ashore for the entire Coast Guard. After one year in isolation, he was selected to become a Company Commander (Drill Instructor) at Cape May, NJ. He trained over 1,500 recruits and advanced to Chief Petty Officer (E–7) during this tour. He also piloted one of the first training sessions with Coast Guard Academy cadets for swab summer in 2001, where he and another Company Commander indoctrinated 100 academy cadets from the Class of 2003. Chief Adams transferred to TRACEN Petaluma, CA in 2002 and took over as Chief of the Watch for FS ''A'' School, running one of the largest galleys in the Coast Guard. He led a team of three other FSs to re-open the upper galley which had been dormant for over a decade. He was promoted to Chief Warrant Officer in 2005 and transferred to ISC NOLA six weeks before Hurricane Katrina made land fall and flooded his home. In 2006, he graduated from Chief Warrant Officer professional development at the Coast Guard Academy in New London, CT, where he was selected by his peers as the Distinguished Officer of his class. His duties included assisting the Comptroller and Logistics Branch Chief in providing support to all lower 8th Coast Guard District units. He was the D8 IMT Logistics Chief during Hurricanes Gustav and Ike and the 2008 New Orleans oil spill. He was selected to become the FS Assignment Officer in 2010, executing assignments (orders) for hundreds of FSs including the White House, DHS Secretary's Mess, Commandant and Flag Officer Special Command Aides, Instructor, and FSO positions and operational units. In 2012, he was invited to the White House to help cook for the United Kingdom State Dinner and Greek Independence Day Dinner and has assisted the White House chefs for many events since. In July 2014, he was assigned to his current position at CG–1111. In September 2016, he will assume the duties as the new Subsistence Program Manager as a civil service employee.

PERSONAL EXPLANATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. WILSON of South Carolina. Mr. Speaker, on Roll Call Number 480, which took place Tuesday, September 6, 2016, I am not recorded because of a scheduling conflict. Had I been present, I would have voted AYE. I stand with my colleagues in the House in support of H.R. 3881, the Cooperative Management of Mineral Rights Act.

HONORING THE WORLD WAR II AND KOREAN WAR VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II and Korean War veterans who traveled to Washington, D.C. on August 10, 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 August 10th answered our nation's call to service during one of its greatest times

of need. From the European Campaign to the Pacific Asian Theatre 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.

John A. Andersen, Thomas L. Bajt, Floyd Seine, Gerald Allen Bendle, Richard T. Blaskie, Louis Bommelje, Sarkis Boyajian, Robert P. Campbell, Manuel A. Ceralde, Rudolph F. Chavez Sr., Mark L. Dames, Edward G. Dasbach, Frank J. DePaul, Charles F. Dickason Jr., Jessie B. Dodd, Ronald C. Donner, Richard C. Druse, John R. Durrbeck, William R. Elliott, William P. Erzig, Charles Felski, Harold P. Fleig, William J. Ganson, Salvador T. Garcia, Robert A. Garritano, Edward J. Gawel, Charles T. Germann, Robert A. Green, John Grzywa, Pleze Haynes, Robert M. Healy, Steve J. Horgash, James L. Hubbs, Donald T. Humphrey, Clarence A. Jannush, George Jasencak, Robert J. Jaskula, Ralph S. Jensen, Andrew E. Joseph, John J. Kanya, Michael J. Kidney Jr., Donald E. Klein, Gene R. Krohn, Donald P. Kuech, Joseph T. Lakatos, Frank Laos Jr., Tony Lara, Kenneth W. Larsen, Albert L. Lemak, Robert G. Lemke, John M. Ley, Harlan M. Lunde, Arthur R. Manson, Gerald L. Martin, Glenn J. Masek, James R. Matela, William McNutt, Robert T. McPeek, Edward F. Meier, Robert J. Moore, Joseph J. Muren, Richard E. Nelson, Carl J. Noto, Stuart L. Novy, William F. O'Brien, Daniel D. Ogilvie, Thomas P Oker, Anthony P. Oleynichak, Charles E. Olson, Henry F. Osters, Raymond J. Paluch, Vernon Mitchell Penland, Joseph A. Pisarczyk, Myron J. Rasmussen, Ricardo E. Reyna, James W. Riordan, John B. Ritzema, Paul William Rodewald, Ramon M. Rodriguez, William L. Rogers, Paul E. Rueff, Robert M. Schiavone, Raymond G. Schmid, Roy E. Schroeder Sr., Lawrence W. Schweik, Henry C Schwenk, John M. Sherly, Richard S. Simester, Edmond J. Sinnema, Donald David Slovin, Ronald C. Smith, Robert H. Sroka, Robert Stanbery, Creighton Styler, Bruce M. Sublette, Andrew Szocka, Myles N. Tlusty, John Torchalski, Thomas J. Vanek, Sherman Vaughn, Gerald G. Veglia, Arthur T. Vos, Daniel R. Walsh Sr., Philip Warren, Clarence W. Young, James J. Zalusky.

MEDIA DOWNPLAYS ''RANSOM PAYMENT'' TO IRAN

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. SMITH of Texas. Mr. Speaker, last month the Wall Street Journal reported that the Obama administration secretly sent $400 million in cash to Iran on the same day four American hostages detained in Tehran were released.

The president should admit that the ransom payment to the world's leading state sponsor of terrorism was bad policy and endangers the lives of Americans at home and abroad.

The spokesman for the State Department even admitted that the payment was ''leverage,'' which sounds like he's trying to find a nice word for ''ransom.''

The media also has not been forthcoming. The Media Research Center found that the Big Three networks devoted ten times more coverage to Olympic swimmer Ryan Lochte's alleged robbery in Brazil than to the $400 million cash payment to Iran.

It's not a surprise why three-quarters of Americans feel the news media are biased in their reporting.

IN RECOGNITION OF THE DOUGLASS SCHOOL'S 75TH ANNIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the Douglass School, of Leesburg, Virginia, on their 75th anniversary. This is an important milestone for this wonderful school in my District. The Douglass School celebrated this anniversary in Loudoun County last month on the 13th of August, and it is my pleasure to briefly highlight the impact this school has had on my constituents.

The Douglass School has had a terrific history of success since first opening its doors in 1941. Named after Fredrick Douglass, the famous African-American anti-slavery leader, the Douglass School has stood as a pillar of education for those it serves. Before its founding, African-American families needed a place to educate their children. These parents worked tirelessly to raise the four thousand dollars necessary to purchase the land for building the school. Since the school was desegregated in 1968, it has provided high quality education to students from every race, background, and creed. Equipped with top tier teachers and staff, this school has produced countless student success stories.

Coming from a family of educators, I understand how important a strong education is to the future of our nation. It is schools like the Douglass School that will continue to help shape the United States' role in the ever-changing global economy, while also producing many of our nation's future leaders. Over the years, the faculty has shown an impressive dedication not only to its students, but to the Loudoun community as a whole. The success of this school is a tremendous accomplishment that should make past and present faculty proud.

Mr. Speaker, I ask that my colleagues join me in congratulating the Douglass School for 75 years of serving children and their families. I wish them all the best in their future endeavors.

OSCAR REISS, PH.D.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Oscar Reiss, Ph.D. and World War II Army veteran for his service to our country.

Dr. Reiss served in the United States Army from January 1944 to 1947. During his time he was assigned as a replacement to the 79th Infantry, 315th Division B Company, in Alsace, France, guarding the right flank during the Battle of the Bulge. His company was transported to a small town in the Netherlands, near the German border to practice crossing the Rhine in confiscated German boats. In 1945, he was wounded by shrapnel and taken to a hospital in Liege, Belgium. He was later awarded the Purple Heart for these injuries. His awards and decorations include the Silver Star Medal, the Purple Heart Medal, the Army Good Conduct Medal, European-African-Middle Eastern Campaign Medal (with 2 bronze service stars), World War II Victory Medal, the Army of Occupation of Germany Medal, and the Honorable Service Lapel WWII pin.

In 1947, after being discharged from the U.S. Army he returned to the U.S. and was accepted to the University of Chicago chemistry program, beginning his long career in medical research. Dr. Reiss received his Ph.D. from the University of Chicago and continued his postdoctoral fellowship with the American Heart Association's Department of Cardiology. Dr. Reiss's decades long service in environmental biochemistry and medicine culminated in 1991. During his distinguished career he served as a lecturer in various courses on environmental and dental biochemistry at the University of Colorado Medical School and taught foreign seminars, most notably in Germany, France and Bulgaria. Through his courageous service in the military and medical fields, Dr. Reiss charted the path for future generations in this country.

I extend my deepest appreciation to Dr. Reiss for his dedication, integrity and outstanding service to the United States of America.

HONORING THE SERVICE OF COKE HALLOWELL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize my good friend Ms. Coke Hallowell in honor of the outstanding contributions she has made to the arts community and the entire San Joaquin Valley. Coke is being honored by the Fresno Arts Council in appreciation of her tireless efforts on behalf of the Valley. Her commitment and dedication to her community deserve to be commended.

Coke's career began by teaching remedial reading for ten years at Sanger Unified School District. Later she was elected and served two terms on the State Center Community College District and continued her educational leadership by going on to serve on the State Center Foundation for seventeen years. Coke has been very active in various community organizations such as, the National Parks Conservation Association, the Fresno Arts Council, the U.C. Merced Foundation, the Downtown Fresno Coalition and Revive the San Joaquin. Coke presently serves on the boards of the Planning and Conservation League Foundation and the California Council of Land Trusts.

Coke has strong roots in San Joaquin Valley and is the founding member of the San Joaquin River Parkway and Conservation Trust, and she has served as President of Board of Directors for twenty years. Most recently Coke was elected Chairman of the new San Joaquin River Parkway and Conservation Trust Board.

In addition to all her career accomplishments she also has numerous awards including the YWCA Business and Professional Women of the Year, the Fresno Arts Council Horizon Award, and the NSFRE Outstanding Philanthropist and Volunteer Fund Raiser. In 2002, she received an Honorary Doctorate of Humane Letters from California State University Fresno, and in 2005 she was selected by the Jefferson Awards Board to receive the Jacquiline Kennedy Onassis Award for ''Outstanding Community Service Benefiting Local Communities.''

Mr. Speaker, it is with great pleasure that I ask my colleagues to join me as we honor and celebrate Coke Hallowell for her dedication to the arts, her community, and education. I am grateful to have had the opportunity to work with Coke and witness firsthand her giving spirit and commitment to causes near to her heart. She is a true steward of the San Joaquin Valley and we are grateful for her service and the lasting impact of her efforts in the Valley.

TRIBUTE TO EILEEN WIXTED

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Eileen Wixted, Owner and Principal for Wixted & Company for being named a 2016 Women of Influence honoree as CAPTRUST Woman Business Owner of the Year by the award-winning central Iowa publication, Business Record.

For 17 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavors throughout the Greater Des Moines Area. Ms. Wixted has devoted her life to doing so many challenges which many others might avoid. She has spent countless hours on various boards while blazing a trail for others to follow. She was selected for the chosen field of expertise, the lasting impact on the community, involvement with civic or nonprofit organization and being seen as a role model because of her lofty achievements and high ethical standards.

Eileen Wixted has the determination and drive to be successful in anything she does. She is nationally recognized as an expert in strategic communication and crisis management. For over 20 years, Ms. Wixted has actively assisted clients manage potentially brand-damaging issues and prepared them for the media, shareholder meeting and government investigations. In all aspects of her life Eileen Wixted is an example of hard work and service who makes Iowans proud.

Mr. Speaker, it is a profound honor to represent leaders like Eileen Wixted in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Eileen Wixted on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Ms. Wixted a long and successful career.

IN RECOGNITION OF KELLER HIGH SCHOOL SOFTBALL WINNING THE 6A STATE CHAMPIONSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BURGESS. Mr. Speaker, I rise today to honor the Keller High School softball team, winners of the Texas UIL state championship in the 6A conference. The Indians defeated Pearland High School on June 4th with a final score of 5–0. This is the third state championship in the school's history. Keller ISD Athletics Hall of Fame teams also took home the state championship title in both 2003 and 2005.

Bryan Poehler, head coach of the Indians, was named 2016 All-Area Softball ''Coach of the Year'' by the Dallas Morning News. All spring, Coach Poehler pushed his team to prepare for the anticipated difficult season ahead. The advancements made in practice and during the course of competition resulted in players being recognized for their achievements at both the district and state levels.

Kaylee Rodgers, senior pitcher for the Keller Indians, was awarded numerous accolades throughout the season. She was recognized as a 1st team All-American pitcher, UIL State All-Tournament pitcher, Dallas Morning News All-Area pitcher of the year, Texas Girls Coaches Association All-State pitcher, and was named MVP of the state game after pitching a shut-out. In addition, Kaylee's teammate, senior catcher Shelby Henderson, was chosen as a 2nd team All-American for the 2015–2016 season, 1st team for the Dallas Morning News All-Area Team, and was awarded UIL State All-Tournament catcher. Other accolades granted to individual players included 2nd basewoman Camryn Woodall receiving the title as a 1st team All-American for the 2015–2016 season, UIL State All-Tournament 2nd basewoman, and 1st team Dallas Morning News All-Area Team. Additionally, Amanda Desario was awarded UIL State All-Tournament outfielder and 1st team Dallas Morning News All-Area Team.

Congratulations to the Keller Indian Softball team! The Indians were able ambassadors for Keller High School and effectively advanced the athletic achievements of Keller ISD. It is my privilege to represent such an outstanding group of student athletes in the U.S. House of Representatives.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Tuesday, September 6, 2016. Weather across the Midwest delayed my flight to Washington, DC until after votes had been called. Had I been present, I would have voted in favor of H.R. 5578 and H.R. 3881.

LOOKING BACK OVER THE PAST 13 YEARS OF THE CATALINA ISLAND CONSERVANCY

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LOWENTHAL. Mr. Speaker, as Dr. Ann M. Muscat retired on June 25, 2016 as president and CEO of the Catalina Island Conservancy, it is important to step back and look over her successful tenure. She has served as president and CEO for more than 13 years—the second longest tenure of any previous Conservancy president.

''Ann and the Conservancy have achieved a lot,'' said Los Angeles County Supervisor Don Knabe. ''I've had the great pleasure of working with Ann and her team, all of them consummate professionals who are dedicated to getting things done.''

''Under Ann's leadership, the Conservancy has become a living laboratory of innovation in conservation, education and financial sustainability for nonprofit organizations,'' said Catalina Island Conservancy Board of Directors Chair Stephen Chazen, PhD. ''The Conservancy has significantly improved the Island's ecological health, greatly increased access to Catalina's wildlands and expanded and enhanced its educational programs to better serve students living in Avalon and visitors from the mainland.''

Here is a look back at how the Conservancy and its stewardship of Catalina Island have flourished since Muscat joined the organization in 2003:

During Ann's 13-year tenure, and through its Catalina Habitat Improvement and Restoration Program (CHIRP), the Conservancy staff has completed vegetation mapping of the entire Island, including non-native and invasive plant species. It has controlled and eradicated numerous invasive plant species that were eliminating native and rare biodiversity. It also expanded the native plant nursery's scope to include landscaping initiatives on the Island, along with restoration, and significantly expanded the native seed collection.

The Conservancy has been a leader in removing non-native and highly destructive animal species from the Island, leading to the rediscovery of native plants previously believed to be extinct. It also brought the Catalina Island fox back from the brink of extinction and supported the successful recovery of the bald eagle.

Its wildlife biologists have implemented innovative social (repatriation) and scientific methodologies (contraception) for managing the bison herd. They also have conducted bird and small mammal surveys, discovering nesting sea birds on cliffs and nearby rocks, and implementing protective measures for bat populations.

In addition, the Conservancy has pursued research partnerships with universities and museums from across the country, including a multi-institution collaboration that resulted in a

comprehensive look at the Island's oak woodlands.

Working with the Long Beach Unified School District, the community and philanthropic organizations, the Conservancy has greatly increased access to natural and intellectual resources over the past 13 years. It implemented extensive educational enrichment and internship programs for the local school population through the establishment of the K–12 NatureWorks workforce development and STEM education initiative.

In its continuing service to the local community, the Conservancy provided free access to the wildlands of Catalina for Island families without vehicles. It implemented a free of charge Naturalist Training Program for tour operators and local businesses, as well as Conservancy front line staff.

To ensure visitors to the Island could access the wildlands and learn about Catalina's ecosystem, the Conservancy created the 37.5 mile Trans-Catalina Trail. It also has secured funding and developed plans for further trail improvements and expansions.

It significantly expanded and improved the Jeep Eco-Tour program and developed a signage and way finding system across the Island. It added new running and biking events, an Island Ecology Travel Program and Wild Side Art Program to increase access and awareness. In addition, it increased volunteer program initiatives to include AmeriCorps, American Conservation Experience and numerous university-level spring break programs.

So that visitors and others had more information about Catalina Island and the Conservancy, it added a Nature Center in Avalon and a Mobile Nature Station that has served Avalon and Two Harbors, along with interpretive panels in the Garden and at campgrounds and trailheads. The Conservancy also expanded and revamped its outreach and marketing materials, including maps, field guides, monthly e-newsletters, videos, an extensive photo library and expanded web site.

To serve a greater good beyond Catalina's shores, the Conservancy launched a successful radio show and web site, Isla Earth, on environmental issues that aired for 10 years on over 320 radio stations across the country.

To provide the needed programs and ensure the organization's long-term financial health, the Conservancy has focused on raising revenues and creating a sustainable business model that will ensure the Island will continue to be restored and protected for future generations.

In the past 13 years, the Conservancy has increased its operating budget nearly three times through an increase in philanthropic giving and mission-based earned income. It has significantly expanded its donor base and created a reserve fund to address deferred maintenance projects across its 42,000 acres. Projects have included improvements at Airport in the Sky, across its road and bridge system, a new pier, replacement and expansion of its vehicle fleet and upgrades to its numerous buildings.

The Conservancy also revamped its organizational structure, adding new departments and expanding existing functions while providing professional development and training for all staff. The Conservancy's staff has doubled in size and moved to a more customer service/community orientation. The Conservancy also expanded and updated employee housing, adding 14 new units, to support recruitment and retention of staff.

The Board of Directors and the Conservancy's staff have worked together to develop a strategic vision for the organization's future, called IMAGINE CATALINA. They worked with nationally recognized sustainability architect William McDonough and landscape architect Thomas Woltz to develop a long-term strategic vision.

It imagines an Island that represents California as it can be, demonstrating how nature and humans can thrive together. It envisions Catalina and the Conservancy serving as models for science-based conservation, for training tomorrow's stewards of the natural world, for connecting people to nature and for creating sustainable finances and operations.

To implement IMAGINE CATALINA, the Board and staff launched the Conservancy's first-ever capital campaign, and they are more than three-fourths of the way to fully funding the first phase. They celebrated the groundbreaking for the campaign's flagship project, the Trailhead Visitor Center, on June 24, 2016. Another groundbreaking is scheduled on October 14, 2016 for the next major project, improvement and expansion of Catalina's trail system, and planning is well underway for a major ecological restoration effort on the Island's West End.

''Ann and her team's excellent stewardship work at the Catalina Island Conservancy is leading edge and has served as a model for many other land trusts,'' said California Council of Land Trusts Executive Director Darla Guenzler.

Ann has also been a leader beyond Catalina. She was a founding Board member of the California Council of Land Trusts and served as its Chair of the Board. She is also a member of the Steering Committee for the Southern California Open Space Council and an Advisory Board member of University of Southern California's Wrigley Institute for Environmental Studies.

FORT HUNTER LIGGETT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. FARR. Mr. Speaker, I am pleased to bring to my colleagues' attention the seventy-fifth anniversary of Fort Hunter Liggett, California. On December 12, 1940, the War Department purchased 266,950 acres of land between the Salinas River and the Pacific Ocean from William Randolph Hearst, in anticipation of the need to prepare U.S. troops for combat in Europe in 1940. On January 10, 1941, the Hunter Liggett Military Reservation was established and combat troops immediately began training. It is ideally located to provide excellent training opportunities to all U.S. Armed Forces and allied nations.

From its inception, Fort Hunter Liggett has provided a realistic training environment for large-scale military exercises for U.S. Armed Forces. It is the largest installation in the Army Reserve, with more than 165,000 acres of unencroached mountains, valleys, rivers, plains, and forests, providing ideal maneuver areas to meet today's training requirements. Fort Hunter Liggett is one of only a few installations that have a 360-degree live-fire capability for small arms. Its state-of-the-art ranges, training areas, and facilities support year-round joint, multi-component, and interagency training.

In its early history, the installation had five airstrips that were used during WWII to transport troops, supplies and the wounded. William Randolph Hearst's Milpitas Ranch House, commonly referred to as ''The Hacienda'', was used as the post headquarters. The Army has maintained and preserved the building designed by renowned California architect Julia Morgan, which is on the National Register of Historic Places. Today, the historic building is a hotel and enjoyed by the public as a tourist attraction.

During the 1970s, Fort Hunter Liggett was the home of the Combat Development and Experimentation Center which provided critical testing and fielding of new weapons and warfare techniques, such as the Cobra Attack Helicopter and M16 Assault Rifle. The 4th and 7th Infantry Divisions used the installation as their primary training grounds, as well as Army Reserve and National Guard units.

Today, Fort Hunter Liggett primarily serves as a world class training platform for Army Reserve combat support and combat service support training and large-scale exercises. Fort Hunter Liggett is funded by the U.S. Army Reserve and falls under the command of the U.S. Army Installation Management Command.

Fort Hunter Liggett is also a leader in meeting the Department of Defense 2020 Net Zero Initiative. The Energy Conservation Investment Program established Fort Hunter Liggett as a prototype since it will be the first installation to achieve Net Zero goals. As one of nine pilot installations chosen by the Assistant Secretary of the Army for Installations, Energy and Environment, the Garrison has installed solar panels and energy storage systems, upgraded the waste water treatment plant, demolished Korean War-era buildings to conserve energy consumption, and ensured that all new construction meets the Leadership in Energy and Environmental Design standards. In addition, Fort Hunter Liggett has partnered with the County of Monterey to field a waste-to-energy gasification plant.

Since 1941, countless numbers of troops have come through Fort Hunter Liggett to train for their deployments to support WWII, the Korean War, the Vietnam War, the Cold War, and today's war on global terrorism. The Fort Hunter Liggett military and civilian workforce proudly serves all branches of the Armed Forces, as well as allied forces. I commend the Installation for all its role in enabling unit, Soldier, and family readiness.

Mr. Speaker, for seventy five years, Fort Hunter Liggett has been an essential training platform for the U.S. Armed Forces, contributing to the security of our nation and strengthening international partnerships that build peace. In times of global unrest both past and present, Fort Hunter Liggett has demonstrated its capacity to ensure the readiness of its troops to defend the American ideals and freedom. I end with the refrain from the Army's Official Song, ''First to fight for the right, And to build the Nation's might, And the Army goes rolling along.''

RECOGNIZING SEPTEMBER AS NATIONAL PREPAREDNESS MONTH

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the month of September as National Preparedness Month. I commend the Guam Homeland Security/Office of Civil Defense (GHS/OCD), first responders and all community organizations, local government agencies, our military partners, and advocates who work to raise awareness and stress the importance of emergency preparedness in our community.

The National Preparedness Month theme for 2016 is ''Don't Wait. Communicate. Make your emergency plan today.'' National Preparedness Month serves as a reminder that we all must take action to prepare, now and throughout the year, for the types of emergencies that could affect us where we live, work, and also where we visit. Guam joins the national campaign throughout the month of September to stress the importance of planning and preparing for natural, man-made and technological disasters. National Preparedness Month gets everyone in the community involved to build a sager, more prepared island community.

I call upon our community to do our part to ensure that we are prepared for any emergency that may occur. Family members may not all be together when a disaster strikes so it is important to work in our individual families to create a plan. National Preparedness Month also encourages businesses, schools and communities to take the steps to prepare.

Additionally, I commend the Guam Homeland Security/Office of Civil Defense along with our island's numerous community partners, organizations and agencies that have come together to actively promote, educate, and provide resources for our people through various programs and initiatives. Guam Homeland Security/Office of Civil Defense carries out the mission of coordinating and facilitating all Government of Guam, military and Federal liaison response agencies and their resources in mitigating, preparing, responding, and recovering from any and all types of emergencies in order to protect the lives, environment, and property of the island of Guam.

On behalf of the people of Guam, I join Guam Homeland Security/Office of Civil Defense and all local government agencies, our military partners, organizations and advocates in recognizing survivors on Guam and commending those who assist in building a stronger, safer and more prepared island community.

HONORING ALABAMA MUSIC LEGEND JEFF COOK

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. ADERHOLT. Mr. Speaker, I want to recognize Alabama country music legend Jeff Cook in honor of his birthday and the music festival named in his honor in Guntersville, Alabama.

Cook is a lifetime resident of the Fourth Congressional District. He was born and raised in DeKalb County in Fort Payne. It was in Fort Payne that he formed a band with his cousins Randy Owen and Teddy Gentry. The three young men would first call themselves Wild Country, and then in 1977 they changed the group's name to Alabama.

During the next four decades their group, Alabama, would become one of the best-selling music groups in history. Fans of Alabama have bought more than 75 million albums and singles. They were named the 1980s Entertainers of the Decade.

Then, in 2004, Jeff formed the Allstar Good Time Band. Jeff plays backup to his wife, Lisa, who also sings. Jeff and Lisa spend a great deal of their time in Guntersville, Alabama, which is in the heart of the Fourth Congressional District. It is where, each year, Jeff is honored for his birthday with the Jeff Cook Days.

On behalf of the citizens of the Fourth Congressional District of Alabama, I commend, recognize and honor Jeff for his accomplishments and the work he has done and for being a positive image for Alabama, and for his dedication to his home state. Also, I want to take this opportunity to wish him a very happy birthday and many more.

IN RECOGNITION OF DR. JAMES M. LALLY

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. TORRES. Mr. Speaker, I rise today to honor Dr. James M. Lally for his dedicated service to the medical community in the Inland Empire and across the United States.

Dr. Lally is the President and Chief Medical Officer at the Chino Valley Medical Center in California's 35th district where he leads by example and works tirelessly every single day to give back to his community. In my district alone, he oversees the sports medicine programs of four local high schools in the Chino Valley Unified School District; is a member of the YMCA Board of Directors; serves as medical director for clinics in Chino and Montclair; and serves on the Board of Trustees for Chino Valley Medical Center and Montclair Hospital Medical Center.

Dr. Lally is also committed to educating the next generation of physicians, serving as a clinical professor of family medicine at Western University of Health Sciences, College of Osteopathic Medicine in Pomona, California, and at Touro University California, College of Osteopathic Medicine, in Vallejo.

However, Mr. Speaker, his generous character and service reaches far beyond my district and the state of California. Dr. Lally is a past President of the American Osteopathic Association and currently serves on the Board of Trustees for the Association. Dr. Lally also serves as the team physician as well as the President of the USA Shooting Team. He is the Chairman of the Medical Committee of the International Shooting Sports Federation and a member of the International Olympic Medical Committee.

Today, Mr. Speaker, it is my honor to recognize Dr. James M. Lally for yet another lifetime achievement. He is being honored as the Physician of the Year by the American Osteopathic Foundation. This accolade is designated to an individual whose extraordinary accomplishments and service bring a sense of pride to the profession and whose actions promote the science of medicine and the betterment of public health.

For his many contributions to my community, and to the greater national healthcare community, I would like to recognize Dr. James M. Lally here on the House floor today.

HONORING COACH STAN SLABY

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the memory and life of Coach Stan Slaby, of the Third Congressional District, and to express my sincerest condolences to his family and loved ones he has left behind, as well as to recognize his career of service and community engagement.

Coach Slaby was a beloved educator at Admiral Farragut Academy for 39 years at its northern campus in Pine Beach, New Jersey. He was born in 1924 to Polish immigrants and enlisted in the United States Navy almost immediately after graduating high school. He received the Navy & Marine Corps medal for saving a drowning marine in the sea at Normandy on June 9th of 1944 and continued on to receive four more service medals before being honorably discharged in April of 1946.

After resuming his education and receiving his BA in History with a Minor in Physical Education, Coach Slaby was hired by Admiral Farragut Academy where he taught history and eventually became the full-time Athletic Director. Coach Slaby coached many great teams and outstanding student-athletes, won coaching awards, and was admired by his peers. He is remembered fondly for his teachings and legacy of discipline, self-reliance, and respect that his coaching philosophy was centered upon.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had Coach Stan Slaby as a selfless and dedicated member of their community, whose coaching legacy and vivacious spirit will never be forgotten. It is with a heavy heart that I commemorate his honorable service to our nation, as well as his coaching career and life, before the United States House of Representatives.

MOMENT OF SILENCE FOR VICTIMS OF AUGUST FLOODS IN LOUISIANA

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BOUSTANY. Mr. Speaker, I rise today with a heavy heart in the aftermath of a trying and challenging time felt throughout Louisiana, where 13 of our own lost their lives as a result of the recent flooding.

The rain started falling on August 10th and continued for weeks. Water rose up to rooftops, families lost most of their possessions,

schools were damaged, and as the water has continued to recede, the extent of devastation is still being realized. It was most definitely a flood of historic proportions.

Louisiana is known for its joie de vivre: we work together, we play, fish and hunt together, and this event showed just how strong that community spirit shines throughout our state. We came together to volunteer at shelters, dispatch our own ''Cajun Navy'' in rescue efforts, lend hands to gut flood-stained homes, and donate millions of dollars to post storm relief efforts.

It has been said before, and remains true, Louisianans are resilient. We have persevered before and we will again.

Unfortunately, this tragic event resulted in the death of 13 individuals—two deaths in Livingston Parish, two in St. Helena, five in East Baton Rouge, three in Tangipahoa and one in Rapides Parish.

As our community begins to recover from this devastation, I simply ask my colleagues to stand with me, my colleagues from our Louisiana delegation, and with the State of Louisiana for a moment of silence in remembrance of those we lost.

JESSICA NOFFSINGER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jessica Noffsinger, teacher at the STEM Magnet Lab School in Northglenn, CO, for her 2016 Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST).

The PAEMST program, administered by the National Science Foundation on behalf of the White House Office of Science and Technology Policy, recognizes outstanding teachers for their contributions to the teaching and learning of mathematics and science. Jessica has been an active teacher at the STEM Magnet Lab School and has played an integral role in ensuring her students are prepared with critical thinking and problem-solving skills that are vital to their future success.

Jessica's dedication to teaching and commitment to her students serves as a role model for other teachers and is exemplary of the type of achievement that can be attained with hard work and perseverance.

I extend my deepest congratulations to Jessica Noffsinger for her PAEMST Award and for representing the great State of Colorado on a national level. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF THE LOUDOUN COUNTY DIVISION OF PROCUREMENT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the Loudoun County Division of Procurement (LCDP) which has received the Achievement of Excellence in Procurement Award from the National Procurement Institute.

The Loudoun County Division of Procurement has worked tirelessly to achieve this award consecutively for the past 18 years. Loudoun County is one of only nine government agencies in Virginia and one of only 48 counties in the United States and Canada to receive this important award. By skillfully acquiring all goods and services, including professional services and construction for Loudoun County Government operations, the LCDP has continued to exude excellence. This has helped many businesses throughout Loudoun to receive the tools they need to advance and prosper.

This accolade exemplifies the great levels of service which the division provides to its citizens. The LCDP has succeeded in its mission to provide resources and strengthen the economic stability of the Loudoun County area and has successfully created an environment which conveys expertise and excellence. I am certain that it has the resources and the backing to continue this trend and live up to its reputation.

Mr. Speaker, this is an institution which helps the American people to thrive and to live out their aspirations within Loudoun. It embodies accomplishing the American dream by giving our citizens a chance to let their ideas grow. I would ask my colleagues to join me in congratulating the Loudoun County Division of Procurement. I wish this institution continued success in the future.

TRIBUTE TO BARB AND LANNY WALKER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Barb and Lanny Walker of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on June 4, 1966 at Henderson Christian Church in Henderson, Iowa.

Barb and Lanny's lifelong commitment to each other, their children and grandchildren truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING NORTHWEST INDIANA'S NEWEST CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate twenty-five individuals who will take their oath of citizenship on Friday, September 16, 2016. This memorable occasion, presided over by Judge Philip Simon, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On September 16, 2016, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Jolly Rameshchandra Joshi, Placido Agustin Lopez Garcia, Gun Margaret Porter, Mei Han, Huong Ngoc Kha, Albino Akon Ibrahim Akon, Sergio Alaniz, Rozeta Bajmakoska, Anjin Balleza Carter, Patty Ann Veronica Cornwall, Morten Ring Eskildsen, Shylaja Balakrisnan, Balakrishnan Rajagopala Iyer, Jihwan Jeff Jeong, Vania Nshuti Kagabo, Elizabeth Lopez de Martinez, Pedro Martin Marin, Celia Martinez de Campos, Patricia Navarrete-Arceo, Yejee Oh, Pamellah Akinyi Otieno Owilli, Ericka Alejandra Sanchez, Oretha Fannie Smith, Abel Soto, and Shuhui Grace Yang.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country ''. . .of the people, by the people, and for the people.'' They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on September 16, 2016. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

HONORING ELIZABETH MARY BURKO

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. HUFFMAN. Mr. Speaker, I, along with my colleague, Representative MIKE THOMPSON, rise today in memory of Elizabeth ''Liz'' Mary Burko who gave nearly thirty years of service to the California Department of Parks and Recreation, and whose career was recently commemorated by a bridge dedication in her name in Bodega Bay, California.

Liz died tragically on Saturday, August 22, 2015 in Duncan Mills, California, cutting short a career dedicated to our state's public lands. Liz began her career as a volunteer interpreter at Año Nuevo State Reserve and serving as a Park Aide. For half of her career, she worked as a ranger in several state parks including Lake Perris State Recreation Area and parks in the Santa Cruz District. Her strong leadership and deep commitment to parks was apparent. She was promoted to Supervising Ranger at Big Basin Redwoods State Park and then to Sector Superintendent in the North Coast Redwoods District. In 2007, she was promoted again to District Superintendent of the Sonoma-Mendocino Coast District.

As a leader, Liz was a mentor, helping to enhance her team's professional development. She had a deep commitment to protecting public lands and sharing nature with the public, and she was dedicated to the mission of the California State Parks: providing for the health, inspiration, and education of Californians while protecting the state's natural and cultural resources and creating opportunities for high-quality recreation. She held this mission to heart and executed her duties with professionalism and respect. Her advocacy to keep parks open during state budget cuts is a testament to her passion and commitment.

Liz fostered strong working relationships with nonprofits like LandPaths for assistance with management of the Willow Creek Addition to the Sonoma Coast State Park. She saw the great value in leveraging community resources for the benefit of parks and its users.

She will be forever missed for her integrity, generosity, sense of humor, unmatched work ethic, and warm smile. Her love and devotion to parks will continue on in the many lives she has touched, the policies she has influenced while serving at the California Department of Parks and Recreation, and now the bridge dedication in her honor at the Bodega Bay Coastal Prairie that will be enjoyed by many visitors for years to come.

It is therefore appropriate that we pay tribute to Liz today for her enduring legacy and express our deepest condolences to her family and friends.

HONORING FLAT WORLD SUPPLY CHAIN ON THEIR 10TH ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a business in my district, Flat World Supply Chain, LLC. It is celebrating their 10th anniversary on September 16, 2016. In 2006, this business was founded by St. Charles County residents, Jeff Rothermich and Kirk Ferrell. Two employees and one client made up the first Flat World Supply Chain office that was located in St. Peters, Missouri. Today, there are sixty-three employees at the current office location in O'Fallon, Missouri. It has several hundred clients throughout the United States in addition to many international clients. Currently, Flat World Holdings includes four operating companies; Flat World Supply Chain, Prologue Technology, Ram International, and Ram Custom Crating.

Flat World Supply Chain provides solutions that are delivered through proprietary software that is customizable to each client's needs. The software has the ability to integrate with almost any Enterprise Resource Planning or operating system. Prologue Technology was founded by Rothermich and Ferrell in 2008; this service provides a custom technology tool that typically involves logistics and improving business processes through various technologies. In 2011, Flat World Hospitality was created to expand their logistical services to the hotel and hospitality industry. The year 2013 was an exciting year for Flat World Supply Chain as it moved to their current office location in O'Fallon, Missouri. In 2015, Flat World Supply Chain purchased Ram International, a St. Louis based international freight forwarder and U.S. Customs House Brokers that was founded in 1982, and Ram Custom Crating, a custom crating company that specializes in building wooden crates for export of any size for transport around the world. In January of 2016, Flat World Supply Chain, Ram International, Prologue Technology, and Ram Custom Crating formed Flat World Holdings as their operating company. The Flat World Supply Chain office expanded in July 2016 to welcome Ram International freight forwarding and U.S. Customs House Brokerage staff into the expanded office.

Flat World Supply has been recognized on numerous occasions, starting in 2014 with being named the ''Fastest Growing'' privately held company in St. Louis by the St. Louis Business Journal. In 2014 and 2015, it was recognized by Inc. Magazine as one of the ''Fastest Growing'' companies in the United States. Small Business Monthly recognized Flat World Supply Chain as ''Leader in Technology'' in 2015.

I ask you to join me in recognizing Flat World Supply Chain on their 10th anniversary. The services it provides and commitment it has to its clients is what sets Flat World Supply Chain apart in this field. Best of luck in the future to the owners of Flat World Supply Chain, Jeff Rothermich and Kirk Ferrell.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Tuesday, September 6, 2016. Had I been present, I would have voted ''yea'' on roll call votes 479 and 480.

I strongly support the passage of H.R. 5578, the Survivors' Bill of Rights Act of 2016, which takes an important and much-needed step in ensuring that survivors of sexual assault will have access to the administration of a rape kit as well as rights to have that kit preserved, to be informed of the results, and to be notified of intended disposal of that kit. Although the rape kit backlog still overwhelms forensic labs throughout the country, this bill takes concrete steps to empower survivors to be informed of and make decisions regarding key evidence.

MR. LOGAN PATE WINS TEXAS JUNIOR STATE CHAMPIONSHIP

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Richmond native Logan Pate for winning the 90th Texas Junior State Championship.

After ending two rounds in a three-way tie for first place during the local golf tournament, Logan beat two brothers in the sudden-death playoff hole. Getting par in that last hole put him over the edge past the competing brothers, securing this impressive win. Logan is a recent graduate from William B. Travis High School and is no stranger to placing first, having won the 2016 UIL Region 3–6A individual title. He will continue his promising golf career at the University of Arkansas-Little Rock.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Logan Pate for winning the 90th Texas Junior State Championship. Thank you for bringing this prestigious honor to Richmond. I wish him success on the links in his impressive golf career.

CONGRATULATING YEOMAN CHIEF NATHANIEL L. ROUNDY ON 22 YEARS OF HONORABLE SERVICE IN THE U.S. NAVY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and congratulate Yeoman Chief Nathaniel L. Roundy, who is retiring from the Navy after 22 years of honorable service. This career U.S. Navy Flag Writer is from Mystic, Connecticut, and the son of a U.S. Naval Academy graduate. Chief Roundy graduated from Choate Rosemary Hall and joined the U.S. Navy in 1994, attending Recruit Training Command Great Lakes followed by Yeoman training in Meridian, Mississippi.

Chief Roundy has served onboard two aircraft carriers, USS *Independence* (CV 62) and USS *Kitty Hawk* (CV 63), both forward deployed to Yokosuka, Japan. While serving on these ships, he earned designation as both an Enlisted Surface Warfare and Enlisted Aviation Warfare specialist and served in multiple positions including Air Department Leading Yeoman and Executive Officer's Yeoman. He also earned the distinction of being the only Third Class Petty Officer and non-Damage Control rating Sailor to qualify and serve as an aircraft carrier repair locker investigator.

After brief service with the Navy's Pacific Board of Inspection and Survey in San Diego, California, Chief Roundy attended Yeoman Class 'C' Flag Writer School in Millington, Tennessee, and served as the Flag Writer to Rear Admiral Tom S. Fellin, Commander, U.S. Naval Forces Marianas in Apra Harbor, Guam. Remaining in the South Pacific, Chief Roundy then served Rear Admiral Patrick W. Dunne, the Department of Defense Representative to Guam, the Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, and Republic of Palau. He transferred

with Rear Admiral Dunne to Monterey, California, and continued his service as Admiral Dunne's Flag Writer at Naval Postgraduate School. Following Rear Admiral Dunne's retirement, Chief Roundy joined the staff of Rear Admiral William D. French, Commander, Navy Region Northwest in Silverdale, Washington. He returned to Guam when Rear Admiral French assumed command of Navy Region Marianas and followed Rear Admiral French to San Diego at Navy Region Southwest and subsequently during Vice Admiral French's command of Navy Installations Command in Washington, D.C. He currently serves as Flag Writer to Vice Admiral Dixon R. Smith, Commander, Navy Installations Command at the Washington Navy Yard in Washington, D.C.

During his illustrious career, Chief Roundy was awarded the Joint Service Commendation Medal, six Navy and Marine Corps Commendation Medals, four Navy and Marine Corps Achievement Medals, six Good Conduct Medals, the Humanitarian Service Medal, and numerous unit, campaign, and service awards.

Not only has Chief Roundy's career greatly benefitted the Navy, his exemplary service during his three assignments in Guam greatly enhanced the Navy's relationship with the people and leadership of Guam. He was awarded the Ancient Order of the Chamorri from the Governor of Guam in 2009. Additionally, two of his four children were born on Guam, making it a place that he will forever remember and cherish his time spent there.

On behalf of the people of Guam and a grateful nation, I commend Yeoman Chief Nathaniel L. Roundy and his family for their extraordinary service and sacrifice to the U.S. Navy and our country. I extend a sincere with deepest gratitude (un dangkulo na si Yu'os ma'ase) and I wish him the best in his retirement.

RECOGNITION OF EMPLOYEES OF THE OFFICERS AND INSPECTOR GENERAL OF THE U.S. HOUSE OF REPRESENTATIVES WITH 25 YEARS OF SERVICE TO THE HOUSE AND RECIPIENTS OF THE HOUSE EMPLOYEE EXCELLENCE AWARD AND THE OFFICERS' AND INSPECTOR GENERAL'S TEAM PLAYER AWARD

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. MILLER of Michigan. Mr. Speaker, Ranking Member ROBERT BRADY and I stand today to recognize the outstanding employees of the Officers (Clerk of the House, Sergeant at Arms, and Chief Administrative Officer) and the Inspector General of the U.S. House of Representatives and congratulate those who have reached the milestone of 25 years of service to the U.S. House of Representatives, as well as the recipients of the House Employee Excellence Award and Officers' and Inspector General's Team Player Award.

The House's most important asset is its extraordinary and dedicated employees, whose work, which is often behind the scenes, is essential to keeping the operations and services of the House running efficiently and effectively. The employees we acknowledge today are commended for their hard work, commitment, professionalism, teamwork, support of House Members and their staffs and constituents, and for their contributions day-in and day-out to the overall operations of the House. These employees possess a wide range of responsibilities and skills that support the legislative process, ensure the security of the institution, maintain our technology and service infrastructure, and contribute to a more effective and proficiently operating House support structure. These dedicated employees have accomplished many great things in a wide range of activities, and the House of Representatives, its Members, staff, and the American public is better served because of them.

We recognize and honor the individuals named below for 25 years of dedicated service to the House. Collectively, this group has provided 450 years of service to the U.S. House of Representatives:

Bernard E. Beidel, Office of the Chief Administrative Officer;

Sherleen V. Boyde, Office of the Chief Administrative Officer;

Thomas E. Coyne III, Office of the Chief Administrative Officer;

Troy N. Derrington, Office of the Sergeant at Arms;

Peggy Fields, Office of the Clerk;

John A. Forgione, Office of the Chief Administrative Officer;

Anthony W. Griffith, Office of the Sergeant at Arms;

Michelle Jones, Office of the Chief Administrative Officer;

Christopher W. Martin, Office of the Chief Administrative Officer;

Lisbeth McBride-Chambers, Office of the Chief Administrative Officer;

James P. Muncy, Office of the Chief Administrative Officer;

Patricia A. Rouse, Office of the Chief Administrative Officer;

David P. Russell, Office of the Clerk;

Barbara A. Smith, Office of the Sergeant at Arms;

Clayton V. Williams, Office of the Chief Administrative Officer;

De'Shun Wimberly, Office of the Chief Administrative Officer;

Nei F. Wu, Office of the Chief Administrative Officer;

James A. Yerge, Office of the Chief Administrative Officer.

We also recognize and congratulate the House employees receiving the Employee Excellence Award. This is a merit-based award, given to an employee from each House Officer organization and the Office of Inspector General. Selected employees exhibited outstanding overall job performance and displayed a willingness to go above and beyond the call of duty for their organization throughout the last year. We honor the individuals named below for receiving this prestigious award.

Kathleen M. Johnson, Office of the Clerk;

Lisbeth McBride-Chambers, Office of the Chief Administrative Officer;

Debessa M. Moore, Office of the Sergeant at Arms;

Alexander S. Stewart, Jr., Office of Inspector General.

And finally, we recognize and congratulate several House employees being presented the Team Player Award. This award recognizes the value the House Officers and Inspector General place on working collaboratively across House organizations to strengthen and protect the U.S. House of Representatives. These awardees have demonstrated a collaborative attitude, commitment to achieving team objectives, respect and support of their teammates, and dedication to the betterment of House operations. We honor the individuals named below for receiving this distinguished award.

Toinetta A. Bridgeforth, Office of the Chief Administrative Officer;

Curt Coughlin, Office of the Sergeant at Arms;

Robin Reeder, Office of the Clerk;

Susan E. Simpson, Office of Inspector General.

On behalf of the entire House community, I offer our congratulations and once again acknowledge and thank these employees for their professionalism and commitment to the U.S. House of Representatives as a whole, and in particular to their respective House Officers, the Inspector General, and collaboratively across these organizations. Their long hours, hard work, diverse skills, and team spirit are invaluable, and their years of unwavering service, dedication, and commitment to the House set an example for their colleagues and other employees who will follow in their footsteps. I celebrate our honorees, and I am proud to stand before you and the Nation on their behalf to recognize the importance of their public service.

JENNY SIMPSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jenny Simpson for her Bronze Medal finish in the 1500 meter race at the 2016 Rio Olympic Games. Jenny is the first American woman to win an Olympic Medal in this event.

Jenny is a native of Florida and was an eight-time state high school champion. She attended the Univeristy of Colorado, Boulder and represented the Buffs winning four NCAA titles and set five NCAA records. After graduation, she continued her success where she took gold in the 2011 World Championships and a silver medal in the 2013 World Championships. She was a member of the U.S. Olympic Team in the 2008 Beijing and 2012 London Olympic Games. In addition to her elite performances, I had the pleasure of working with Jenny while she interned for my office in 2009 and have enjoyed watching her success ever since.

The dedication demonstrated by Jenny Simpson is exemplary of the type of achievement that can be attained with hard work and perseverance. Jenny is a role model for other runners and athletes to strive to make the most of their education and develop a strong work ethic.

I extend my deepest congratulations to Jenny Simpson for her Bronze Medal finish at the Rio Olympic Games and for proudly representing the great State of Colorado and the University of Colorado Buffaloes. I have no doubt she will exhibit the same dedication and character in all of her future endeavors.

HONORING MRS. ARLENE TAYLOR FOR HER 38 YEARS OF SERVICE TO THE MISSOURI STATE GOVERNMENT

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mrs. Arlene Taylor who retired on Thursday, September 1, 2016 after thirty-eight years with various departments within the Missouri State Government. Mrs. Taylor most recently worked as a Personnel Officer for the Missouri Department of Labor and Industrial Relations/Human Resources. Previously, she worked for the Missouri Department of Social Services and the Missouri Department of Corrections. For thirty-two of the thirty-eight years, Mrs. Taylor has enjoyed working in the human resources field. Throughout her time working in human resources, Mrs. Taylor has served many employees. Some of her responsibilities have included career counseling, assisting employees preparing for retirement, explaining benefits, and helping employees with disability retirement.

Mrs. Taylor grew up in Linn, Missouri and has called Jefferson City, Missouri home for the last thirty-four years. Throughout her lifetime, Mrs. Taylor has been a member of Cathedral of St. Joseph, Missouri Farm Bureau, and the Daughters of Isabella. She has also been involved with the Jefferson City Apartment Association and Women's Auxiliary Officer. Mrs. Taylor enjoys participating in various craft classes in her spare time. She also loves to travel with her husband, Joe.

With this retirement, Mrs. Taylor will now be able to spend more time with her husband of thirty-three years, Joe. She'll also treasure more moments with her daughter, Kathryn Taylor; son, Brian Taylor and daughter-in-law, Dawn Taylor.

I ask you in joining me in recognizing Mrs. Arlene Taylor on her retirement. The commitment she has shown to the State of Missouri and to the employees she has helped throughout her human resources career is a commendable accomplishment.

HONORING JOE & JULIE MARCHINI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Joe and Julie Marchini. The Marchini's are being honored by Catholic Charities of Merced in appreciation of their years of dedicated service to the community. Both Joe and Julie have contributed countless hours to causes that are close to their hearts in order to make their community a better place.

Joe Marchini was born on December 9, 1938 in Merced, California to Florindo and Elisa Marchini. Joe has lived in Merced County most of his life. A natural love of being outdoors led Joe to begin working on his father's farm from a young age. At 20 years old he was invited to become a partner in his father's business, the Giampaoli-Marchini Company. Upon founding his own company with his brother Richard, Joe became the original radicchio grower in the United States.

Julie Marchini was born on September 14, 1942 in Modesto, California to Jim and Mary Louise Thompson. Her family moved to Merced when she was ten years old. The family is a staple in the community, as business owners in the area, including Merced area fixture Helen and Louise Dress Shop.

Joe and Julie were married 56 years ago and purchased a ranch in Le Grand where they raised their three children. They are parents to Lisa, Jeff and Fania. Joe and Julie are proud grandparents to ten, and come this winter, great-grandparents to six.

It has always been important to Joe and Julie to have balance between work, family, charity and church. They have been active in organizations, such as the Le Grand volunteer firefighters, Italian Catholic federation and the California Tomato Board. Joe has spent many hours cooking BBQ for fundraisers, events, and people in need.

Julie has volunteered time to Hinds Hospice, Our Lady of Lourdes religious education program, and school activities her family has participated in.

Mr. Speaker, I urge my colleagues to join me in honoring the Marchini Family for their commitment to serving Merced County. The community is grateful for their service and the impact they have made in the Valley. I congratulate the Marchini family for this honor and ask that you join me in wishing them continued success.

CONGRATULATING KELLE LYN SCOTT ON RECEIVING A PRESIDENTIAL AWARD FOR EXCELLENCE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Ms. Kelle Lyn Scott on being selected for a Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST). This special honor is one shared with a select group of other teachers throughout the United States. Ms. Scott has earned this award through imparting her passion and commitment to learning with all of her students.

The PAEMST program, administered by the National Science Foundation (NSF) on behalf of the White House Office of Science and Technology Policy, recognizes teachers who have demonstrated excellence in giving students the tools they need to succeed in becoming the leaders of tomorrow. Because of this achievement, Ms. Scott will receive a signed citation from President Obama, a $10,000 award from NSF, and the opportunity to attend an awards ceremony in Washington D.C.

Ms. Scott's hard work, perseverance, and academic excellence are exemplified in her receipt of this honor. Coming from a family of educators, I understand how important a strong education is to the future of our country. We need to encourage more teachers like Ms. Scott who work hard and dedicate their lives to educating our children.

Mr. Speaker, it is my honor to highlight the importance of this award and what it represents for Ms. Scott and our district. I ask that my colleagues join me in congratulating Ms. Scott on receiving a Presidential Award for Excellence in Mathematics and Science Teaching. I wish her all the best in her future endeavors.

TRIBUTE TO VIOLA AND MYRON ROKER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Viola and Myron Roker of Glenwood, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on June 2, 1946 in Beatrice, Nebraska.

Viola and Myron's lifelong commitment to each other, their seven children, 21 grandchildren, 27 great-grandchildren, and one great-great-grandchild, truly embodies Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, and may they continue to love and cherish one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating Viola and Myron on this momentous occasion.

IN HONOR OF THE LIFE OF KAYLA MUELLER AND CELEBRATING THE OPENING OF THE KAYLA MUELLER PLAYGROUND

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. GOSAR. Mr. Speaker, I rise today to join The Kiwanis Club of Prescott in honoring the memory of a constituent in my district who I believe is the personification of a compassionate American citizen. On February 6, 2015, Kayla Mueller of Prescott, AZ was killed by her ISIS captors in Syria. A visage of what it means to be a selfless human-being, Kayla's life was taken too short at the young age of 26.

In such tragic times it can often be difficult to find the light of hope for a better tomorrow. Kayla Mueller embodied this every day in her service and sacrifice to those less fortunate, especially to the children of the world.

Arizona is blessed to have been home to such a compassionate citizen as Kayla. It is easy to see that her spirit has touched not only the hearts of those in her community and state but across this great nation. And with the opening of this new playground, that spirit will continue to impact lives for the better.

I extend my sincere admiration and thanks to the Kiwanis Club of Prescott for their diligent efforts on this playground and for their engagement in the community. To Mr. and Mrs. Mueller, I want to once again express my

sincerest condolences. While your daughter may no longer be with us, her loving spirit will live eternally.

HONORING PROFESSOR CAROL ROBERTSON FOR RECEIVING THE PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Professor Carol Robertson. She has been selected to receive the Presidential Award for Excellence in Mathematics and Science Teaching. This is a prestigious award that will be presented in Washington, DC at the Daughters of the American Revolution Constitution Hall. In addition to Professor Robertson having the opportunity to attend various recognition events and development activities, she will also receive a $10,000 award from the National Science Foundation. A citation from President Obama will be presented as well. Professor Robertson is one of only one hundred and eight teachers to receive this award for the 2014–2015 school year.

Professor Robertson is receiving this award for her work at Fulton High School where she was a science teacher for twenty-eight years. She retired from Fulton High School following the 2015–2016 school year. Professor Robertson also taught as an adjunct professor at Central Methodist University from 2007 through 2014 and Missouri State University from 2014 through 2016. She started teaching as an adjunct professor at Westminster College this school year.

The Presidential Awards for Excellence in Mathematics and Science Teaching was established by Congress in 1983. This award is the highest honor bestowed by the United States Government specifically for educators that teach mathematics and science. Since the establishment of the program, over 4,600 teachers have been recognized for their contributions to their students and school districts.

Professor Robertson has had a lifelong interest in science and is passionate about teaching the next generation the importance of engaging in the study of science. Throughout her teaching career, she has seen some of her students obtain a Ph.D. which affirms the dedication with which she teaches. She has utilized partnerships with researchers to enhance the experience of her students. Through those partnerships, students have been able to explore Golden Retriever Muscular Dystrophy, Osteogenesis Imperfecta, Arabidopsis, or maize. This research allowed her students to have real-life applications. Professor Robertson received her B.S. in Science Education and a M.Ed. in curriculum and instruction from the University of Missouri.

I ask you to join me in recognizing Professor Robertson on her achievement and this honor of receiving the Presidential Award for Excellence in Mathematics and Science Teaching.

TRIBUTE TO FORMER RECORD AND CLARION OWNER ROGER MOON

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to the late editor and publisher of Record and Clarion, Roger Moon. As the son of Paul and Velma, the husband of Patricia and the father of Tracy, Renee and Shane, Roger made many contributions to Gladwin County and the great state of Michigan.

Roger began his career in news when he was twelve years old, working at the Record and Clarion, sweeping and taking out the trash. He completed his degree in Journalism at Michigan State University in 1960. After Roger graduated he returned to Gladwin and began working, yet again, for Record and Clarion. He became the head of the newspaper in 1972 when his father retired. After twenty-one years as the head of the Record, Roger sold the newspaper and retired in 1993.

Roger was more than the editor of the newspaper. Roger also served the community by working as a firefighter for thirty-three years, rising to the rank of assistant chief. He was an active member of the Gladwin Rotary Club and was honored by the organization for his generous donations of time and resources.

Roger loved to hunt and fish, as well as golf. He enjoyed sharing Michigan's outdoor heritage with his children and grandchildren, driving his boat and teaching them to waterski. He was also a Hall of Fame bowler.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Roger Moon for his lifetime of work to the people of Gladwin County.

IN RECOGNITION OF DR. T. BERRY BRAZELTON

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize the life and accomplishments of Dr. Thomas Berry Brazelton. Throughout his 98 years, Dr. Brazelton has been celebrated as a critically acclaimed leader in pediatric medicine and a change-maker in the lives of countless Massachusetts families.

Although Dr. Brazelton was born in Waco, Texas, the Bay State has been lucky to claim him as its own since 1945, when he completed his residency at Massachusetts General Hospital in Boston. In the decades since, Dr. Brazelton became a pioneering expert in neonatal behavior, authoring more than 200 journal articles and textbook chapters on the subject. Any parent might recognize his name from one of his thirty books on child development and parenting.

However, his primary contribution to the medical community is the Brazelton Neonatal Behavioral Assessment Scale. The scale itself is a metric to highlight behavioral differences among newborns within the first months of their lives. His methods drew the parallel between differing parental methods and infant behavioral development in the first four months of a child's life. These discoveries led to his recognition as a tireless advocate for paternal and medical leave, bringing him from the halls of Congress to interviews with Oprah Winfrey and Ellen DeGeneres to advance that cause. His work earned him a Presidential Citation from President Obama in February of 2013. Today, Dr. Brazelton remains an active member of the pediatric medicine community. He has become a fixture at the Baby Center in Hyannis, helping the underprivileged parents of Cape Cod provide for their children.

Mr. Speaker, I am proud to recognize Dr. T. Berry Brazelton, not simply for his dedicated service to the communities of Massachusetts, but for the work he has done for families across the globe.

IN HONOR OF BONNIE EDMONDSON, UNITED STATES TRACK AND FIELD COACH

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COURTNEY. Mr. Speaker, today I rise to congratulate Bonnie Edmondson of Coventry, Connecticut, an exceptional athlete and public servant, for being chosen as a coach for Team USA's track and field team at the 2016 Summer Olympics in Rio de Janeiro.

Bonnie has a long and dedicated track and field career. During her time at Eastern Connecticut State University in 1987, she threw discus and hammer, earning the title of All-American. Thanks to her talent and commitment, Bonnie ranked tenth in the world and fifth in the nation in hammer throw between 1990 and 1996 and won national championships for her skills in both 1990 and 1991. Later, Bonnie dedicated her career to coaching at all levels of the sport. Most notably, she held positions as an assistant coach in the 1998 World Junior Championship and as a coach for the Team USA throwing events in 2012 and 2014 during the IAAF World Indoor Championships. Most recently, she served as a mentor to the 2015 NESCAC hammer throw champion, Lily Talesnick. Currently, Bonnie is a track and field coach at Trinity College, while also working at the Connecticut Department of Education, overseeing a comprehensive school health education program aimed at motivating children to lead healthier lifestyles.

During her years as a thrower, Bonnie's scores in the 1992 Olympic trials would have qualified her for the Games if there had been a women's division in her sport. However, it wasn't until 1995 that the International Olympic Committee established the Women and Sport Advocacy group which works to implement gender equality policies in all Olympic competitions. In 2000, women's hammer throw was included in the Olympics for the first time. Instead of succumbing to disappointment and defeat, Bonnie contributed to the evolution of the sport, and of the Games, by helping to introduce women's events in the hammer throw. Her talent and passion for the sport makes her an incredible coach, and she has served as a wonderful representative of the United States, and of Connecticut, this August in Rio de Janeiro. Bonnie is more than deserving of this opportunity, and her debut at the games is long overdue.

Mr. Speaker, I ask all my colleagues to join me in congratulating Bonnie and the U.S. track and field team for a terrific performance in the Summer Games. Bonnie and her team have not only brought pride to the State of Connecticut, but to the entire nation.

ELDON LAIDIG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Eldon Laidig for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

Known for his passion for education and community service, Eldon has been a pillar of the Jefferson County community for more than fifty years. Before becoming a financial planner, Eldon spent 42 years in the U.S. Coast Guard Reserves and 27 years working for Jefferson County Public Schools, 25 of which were spent as a middle school principal.

In 1990, Eldon started Personal Benefit Services Wealth Management, which has been recognized by 5280 Magazine and the Arvada Chamber of Commerce. Eldon's involvement in the Arvada community is unparalleled. He was named the Arvada Sentinel's Man of the Year, has served as club president of the Arvada Council for the Arts and Humanities and Arvada Rotary Club and Friendship Force of Greater Denver, as well as vice president of the Arvada Historical Society. In his five decades in the Jefferson County area, Eldon has worked tirelessly to improve the City of Arvada through community service.

I extend my deepest congratulations to Eldon Laidig for this well-deserved recognition by the West Chamber.

TRIBUTE TO RUBY AND DON GODFREY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Ruby and Don Godfrey of Emerson, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on June 2, 1946 at Henderson Christian Church in Henderson, Iowa.

Ruby and Don's lifelong commitment to each other, their children, Richard and Darrell, and their grandchildren, truly embodies Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories, may their commitment grow even stronger, and may they continue to love and cherish one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF ERSILIA MARIA ANTONIA VERONICA GHIRLANDA MONETT BALCAEN

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge one of my constituents, Ersilia Balcaen, who will be turning 105 this upcoming September the 17th. Mrs. Balcaen's life has been a truly American story in that despite coming from far away, she made the United States her home. Facing some of the most uncertain times in American history, she not only endured, but flourished.

Ersilia was born in the small comune of Sesta Godano in Italy. She was only five years old when she made the dangerous journey to America with her family. She quickly proved her tenaciousness in her work ethic before she had even grown up through helping her family look after their animals and grow crops, and even held several jobs while studying in high school. She later moved to San Francisco and began work for an insurance company where she inspirationally fought to keep her job despite her recent marriage and did so successfully, only finally being let go after seven months of pregnancy.

Ersilia's tireless aspirations did not end there. She eventually showed her aptitude by doing a test for the civil service and was soon hired by the U.S. Army as a stenographer with the Army's Overseas Supply Division at Presidio, California. During her time in service to her nation, she was part of the first evacuations from Pearl Harbor while attempting to bring back the wounded from the attacks. Her career eventually took her back to California where she helped many veterans and civil servants find work following the end to the war. She was heavily praised for her selfless efforts in caring for all those who worked for her. Despite some levels of discrimination she received, she endured and persisted, leading a highly notable career which she retired from in 1972, after 31 years. Her public service did not end upon retirement. Mrs. Balcaen continued to serve her community through her involvement in local charities.

Mr. Speaker, this is a woman of extreme courage and fortitude, whose tireless efforts in spite of discrimination and difficulties, serves as an inspiration to all. She has spent nearly her entire life in service to others and her selflessness should be acknowledged for all to witness. I would ask my fellow members to stand with me and applaud Mrs. Balcaen and wish her well.

BEAUTY BEHIND BARS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. BLACKBURN. Mr. Speaker, I rise today to acknowledge a wonderful event that 94 FM the Fish hosted called Beauty Behind Bars. This event took place on July 30th of this year at the Vanderbilt Student Life Center. It was an excellent opportunity for women in the community to be transformed, inspired, and empowered.

Beauty Behind Bars is an organization designed to help women and girls break away from mental incarceration and self-imprisonment of low self-esteem, doubt, depression, suicide, and dream killing. They also teach the importance of forgiveness, accountability, and the significance of loving self from the inside out. They educate the community by providing seminars and conferences.

I commend Beauty Behind Bars and 94 FM the Fish for their willingness to host a free training workshop that will continue to influence and change women for the rest of their lives. They have set an excellent example of what it means to ''set the captives free.'' My hope is that they will continue to bring freedom to women of all ages and for generations to come.

MR. SHAYAK SENGUPTA RECEIVES PRESTIGIOUS FULBRIGHT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Shayak Sengupta of Sugar Land, TX for receiving a Fulbright award for his energy research in India during the 2015 through 2016 academic year.

Each year the Fulbright Program grants students with the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable U.S. relationships. Shayak graduated from Hightower High School and attended Rice University. Under the Fulbright program, he studied the effectiveness and cost of air pollution control technologies in Indian coal power plants.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Mr. Shayak Sengupta for receiving this Fulbright award. Keep up the great work.

HONORING THE SERVICE OF FRESNO POLICE CHIEF JERRY DYER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Police Chief Jerry Dyer of Fresno, California. Chief Dyer is being honored by the Fresno Police Department in appreciation of his 15 years of service as Police Chief. The Fresno community is fortunate to have someone who has devoted his career to serving as an advocate for our city.

Chief Dyer attended California State University, Fresno where he would receive his Bachelor's Degree in Criminology. He would go on to obtain a Master's Degree in Management from California Polytechnic University at Pomona and graduate from the California Command College for law enforcement leaders. He began his service with the Fresno Police Department in 1979.

Chief Dyer has been committed to community policing since becoming the Chief of Police on August 1, 2001. He has made it a priority of the Department to build strong relationships with the community, and instill trust between the officers and the people they serve. These efforts have even been recognized nationally for their effectiveness. Under Chief Dyer, the Department's block parties, forums and numerous community events have helped build trust between the residents and the officers.

Under his leadership, the Fresno Police Department has been in the forefront of implementing the reforms proposed by President Barack Obama's Task Force on 21st Century Policing. By employing new technologies, Chief Dyer has made the Fresno Police Department more effective than ever before.

During his time as the Chief of Police, Dyer and the Department have been acknowledged on many occasions for their achievements. In 2005, Chief Dyer was awarded the Excellence in Public Service Award, which is sponsored by The Fresno Bee, The Fresno Business Council, and the Maddy Institute at California State University, Fresno. That same year, the Department would become nationally accredited through the Commission on Accreditation for Law Enforcement Agencies; something only fourteen other agencies in the state have achieved. The Department was also granted the prestigious California Highway Patrol Commissioner's Award for its traffic safety efforts.

Mr. Speaker, I ask my colleagues to join me in recognizing Chief Jerry Dyer in celebration of this great achievement. It has been a pleasure to work with Chief Dyer in serving the community we both love. We are lucky to have someone who has put in a great effort to make the Fresno Police Department one of the state's top law enforcement agencies. I ask that you join me in wishing Chief Dyer continued success.

PERSONAL EXPLANATION

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LONG. Mr. Speaker, on September 6, 2016, I was away from the Capitol and was unable to vote on any legislative measures on this date.

On Motion to Suspend the Rules and Pass H.R. 5578, the Survivors' Bill of Rights Act, Roll Call Vote Number 479, had I been present I would have voted yes.

On Motion to Suspend the Rules and Pass, as Amended, H.R. 3881, the Cooperative Management of Mineral Rights Act, Roll Call Vote Number 480, had I been present I would have voted yes.

DAWN BAUER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dawn Bauer, a teacher at the Carson Elementary School in Denver, CO, for her 2016 Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST).

The PAEMST program, administered by the National Science Foundation on behalf of the White House Office of Science and Technology Policy, recognizes outstanding teachers for their contributions to the teaching and learning of mathematics and science. Dawn has been an active teacher at the Carson Elementary School and now in the College and Career Readiness Office at Denver Public Schools has played an integral role in ensuring her students are prepared with critical thinking and problem-solving skills that are vital to their future success.

Dawn's dedication to teaching and commitment to her students serve as a role model for other teachers and is exemplary of the type of achievement that can be attained with hard work and perseverance.

I extend my deepest congratulations to Dawn Bauer for her PAEMST Award and for representing the great State of Colorado on a national level. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE LIFE OF PETER CHOU VANG

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Lieutenant Colonel Peter Chou Vang who passed away May 4, 2016. He was 82. Vang Chou was a respected leader in the Hmong American community, whose contributions spanned decades.

Vang Chou was born on April 5, 1938 in the Phac Lac village of Laos to Xia Chong Vang and Xay Lo. Vang Chou completed primary education and went on to receive his Certificat d 'Etudes Primaires Complementaires (French High School Diploma). From an early age he was known as a benevolent man, providing for many members of his extended family. Vang Chou made the decision not to pursue his education further, due to his family's financial hardship and in order to help his mother provide for his seven half siblings. At the age of 20 he became a national police officer in Laos.

1961 was an eventful year for Vang Chou. He began his service as a first Air Guide officer for the CIA and married his wife May Yang. Vang Chous's intricate knowledge of the terrain led to his service as a guide for aerial missions during the Vietnam War. His flying career included 116 aerial missions. In 1968, he was wounded in battle, leaving him partially paralyzed in his right arm. Vang Chou then became the commander of the joint operation center at Long Tien Air Base. He quickly earned the respect of his Hmong, Thai and American counterparts.

Following the end of the war, Vang Chou and his family arrived in the United States as refugees in 1976. The family relocated to Santa Ana, California before eventually settling in Merced County. He initially found work as a machinist, before joining the program to assist newly arrived refugees with resettlement. He was one of the founding members of Merced Lao Family Community, Inc.—an organization that was founded to serve the Southeast Asian immigrant community. He was instrumental in founding similar organizations in California and the Western United States. According to historian Noah Vang, he was a significant member of the community and played a role in building the strong and thriving Hmong community we know today.

Vang Chou is survived by his wife, May Yang Vang; their children, Maly, Wayne, Maykou, Bee and Mayko; twelve grandchildren and three great grandchildren.

Mr. Speaker, I urge my colleagues to join me on this day in a moment of silence in memory of the life and service of Lieutenant Colonel Peter Chou Vang. He will be remembered as a hardworking man, who went above and beyond in the service of his community. His leadership and dedication to the Hmong community will be missed.

IN HONOR OF LOUDOUN COUNTY DISTRICT JUDGE TOM HORNE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize the tremendous work of my constituent Tom Horne, a 2016 honoree at the Loudoun Laurels Gala. Judge Horne exemplifies the very best of the traditions of public service, stewardship, and personal contributions to the life and history of Loudoun County. His dedication to a high standard of conduct allowed him to remain honest and loyal while making a positive impact in the legal community.

Mr. Horne graduated from Muhlenberg College in Allentown, Pennsylvania in 1965, and went on to attend the Marshall-Wythe School of Law at the College of William and Mary. He served as a Commonwealth's Attorney for three years before taking the bench in 1982. Chief Judge Thomas D. Horne retired after over 21 years, having served longer than any other judge in the Loudoun County Circuit.

In addition to his long and distinguished legacy as a judge, Judge Horne was a driving force in education as well. He established the 20th Judicial Circuit's Law Camp, a landmark educational experience of young people considering a career in the law. The Law Camp gives students interested in the legal sphere an opportunity to interact with professionals in both a classroom lecture and moot court setting.

Judge Horne is a keen preservationist and has diligently protected and served Loudoun County's historic courthouse building in Leesburg. He is also a member of the Board of the Friends of the Thomas Balch Library.

Mr. Speaker, I now ask that my colleagues join me in thanking Judge Thomas Horne for the outstanding services he provided to the United States throughout his long-lasting career. I wish him all the best in his future endeavors.

TRIBUTE TO NORMA AND JACK POPE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Norma and Jack Pope of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married May 26, 1956 at St. John Lutheran Church in Council Bluffs, Iowa.

Norma and Jack's lifelong commitment to each other and their children, Scott and Julie, grandchildren, and great-grandchildren, truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating Norma and Jack on this momentous occasion.

MINNESOTA MOURNS FOR JACOB WETTERLING

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. MCCOLLUM. Mr. Speaker, on October 22, 1989 a heinous, evil crime was committed against a young boy. For nearly twenty-seven years that unsolved crime devastated a family, terrorized a community, and has haunted the people of Minnesota.

The young boy was eleven-year-old Jacob Wetterling of St. Joseph, MN and this week we finally learned the truth. Jacob was abducted and murdered by a sexual predator who is presently facing federal child pornography charges.

For twenty-seven years the disappearance and uncertainty of Jacob's whereabouts unleashed a mix of emotions—grief, anger, sadness, but always there was hope. Jacob's mother and father—Patty and Jerry Wetterling—never gave up hope. They inspired hope and compassion from the unimaginable pain of losing their son. Patty's advocacy on behalf of missing and exploited children has made her a national expert and a leading national voice for laws and policies that keep children safe. Not only has she dedicated her life to bringing Jacob home, but she has made protecting families and children her mission. Patty is a woman with incredible courage, strength, and determination whom I admire and respect.

In 1989, Jacob's disappearance transfixed Minnesota. My own household was no different. My son was Jacob's age and my daughter a few years younger. We all wanted to see Jacob come home. I feared for my children's safety. Parents were afraid and so were children all across Minnesota.

It is with much sadness and grief that we now know that Jacob was murdered soon after he was abducted. His remains have been found. The truth has been revealed. And, the Wetterling family can bring their son home and mourn for him with all the love, dignity and respect that Jacob deserves.

May Jacob now rest in peace and may the prayers of all Minnesotans give the Wetterling family comfort during this difficult and sad time. And, this October 22nd, as I have every year since his disappearance, I leave a light on to remember Jacob and all the children who are still missing.

IMPROVED EMPLOYMENT OUTCOMES FOR FOSTER YOUTH ACT OF 2016

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MCDERMOTT. Mr. Speaker, along with my colleagues Mr. REICHERT, Mr. DOGGETT, Mr. DAVIS of Illinois, and Mr. REED, I am proud to introduce today the Improving Employment Outcomes for Foster Youth Act, which provides federal tax incentives to private sector employers that hire youth transitioning from the foster care system to independence.

The outcomes for transition age foster youth in this coup are heartbreaking: half are unemployed at age 24; half will spend time in a homeless shelter; and 70 percent will be reliant on government assistance after emancipating from foster care. The federal government has both an economic and moral interest in improving outcomes for these youth.

In 2008, we passed the Fostering Connections to Success and Increasing Adoptions Act, which recognized the challenges faced by youth transitioning out of foster care and enables them to continue to receive supports and services until they turn 21. In passing that bill our goal was not to extend dependency on the foster care system, but rather to use the additional time spent in extended foster care to help them become independent. While extended foster care is providing a critical lifeline for thousands of youth across the country, more needs to be done to help these youth connect with career opportunities and attain self-sufficiency.

A key strategy will be engaging the private sector in this effort. There is a developing partnership in California between the nonprofit iFoster, public child welfare agencies, community-based organizations, and the grocery industry to create an employment pipeline for foster youth that is already demonstrating great success in preparing foster youth for competitive work, and supporting them on the job to ensure retention and promotion. The Improving Employment Outcomes for Foster Youth Act will make transition age foster youth categorically eligible for the Work Opportunity Tax Credit (WOTC), an existing federal credit that provides incentives to businesses to hire employees from certain populations with specific employment challenges. In doing so, this bill will help encourage other sectors to follow the grocery industry's lead in hiring and investing in our nation's foster youth and starting them on a successful career path.

I look forward to working with my colleagues to advance this important legislation.

HONORING OLYMPIC GOLD MEDALIST KELSI WORRELL

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor Olympic gold medalist Kelsi Worrell, of the Third Congressional District, in her recent accomplishments at the 2016 Summer Olympic Games in Rio, and to commend her for her outstanding dedication to the sport of swimming.

Kelsi, who is a resident of Westampton, worked diligently to help the United States Women's Swim Team win a gold medal in the women's 4x100m medley relay. In addition to her great accomplishment at the Summer Olympic Games, Kelsi has continued to be a role model for so many young children with aspirations of greatness. Her hard work and determination has instilled a great sense of pride within the local communities of South Jersey. Her achievements exhibit the great pride with which Kelsi represents herself and the United States of America.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have Olympic gold medalist Kelsi Worrell as a member of their community, who has shown a desire to represent her nation with great honor and has worked continuously to do so to the best of her ability. I am honored to recognize her accomplishment and dedication to her sport, before the United States House of Representatives.

DAN PIKE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dan Pike for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

An active Colorado conservationist, Dan began advocating for the environment in 1976 when he opened an office for the Nature Conservancy and drafted the first ever Colorado conservation easement. Since then, Dan has continued to defend the environment as a founding member of both the Mountain Area Land Trust in Evergreen and Gunnison Ranchland Conservation Legacy and as retired president of Colorado Open Lands. Under Dan's leadership, Colorado Open Lands has made vast contributions to the protection of open space, preserving five thousand acres of Jefferson County land overall.

Dan's civic achievements include Vice Chair of the Colorado Coalition of Land Trusts, Chair and Founder of the Mountain Area Land Trust, and a legislative member of the Colorado Conservation Easement Tax Credit Task Force. In 2015, Dan received the Friend of Open Space Award from the Palmer Land Trust for his recent efforts to protect southern Colorado. Recently, Dan has been working on the Jeffco Vision 2020 plan as well as coaching youth sports.

I extend my deepest congratulations to Dan Pike for this well-deserved recognition by the West Chamber.

IN HONOR OF MARGARET MORTON

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize the tremendous work of my constituent Margaret Morton, a 2016 honoree at the Loudoun Laurels Gala. Ms. Morton exemplifies the very best of the traditions of public service, stewardship, and personal contributions to the life and history of Loudoun County. Her dedication to a high standard of conduct allowed her to remain honest and loyal while making a positive impact in the journalistic community.

Margaret Morton is a graduate of Edinburgh University in Scotland. She left her home in Britain to come to America in 1966. Twenty-six years later she entered the world of journalism when she joined the staff of Leesburg Today. Last year, she became a founding member of the writing staff of Loudoun Now, recently judged to be Loudoun County's best new business.

Ms. Morton has nearly a quarter century of experience, granting her the skills and style to serve Loudoun. Her writing illustrates both her intelligence and her deep understanding of the community she loves, and is similarly reflected in her meritorious career. Currently, Ms. Morton is the Dean of the Loudoun County Press Corps.

Serving on Loudoun County's first Historic Review Board, Ms. Morton is an active preservationist. She is an avid supporter of numerous community charitable activities, for which we readily commend her.

Mr. Speaker, I now ask that my colleagues join me in thanking Margaret Morton for the outstanding services she provided to our great Commonwealth throughout her long-lasting career. I wish her all the best in her future endeavors.

TRIBUTE TO PATTY AND JIM COWNIE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Patty and Jim Cownie for being awarded the 2016 Robert D. Ray Pillar of Character Award, presented by the Robert D. and Billie Ray Center at Drake University. They were presented with the honor during the annual Ray Center's Iowa Character Awards in Altoona, Iowa.

Each year, a selection committee of 50 members selects recipients who have exemplified a life filled with volunteerism and sacrifice. The Cownies embody each of those qualities. Ever since the Ray Center opened its doors as Character Counts back in 1997, Patty and Jim Cownie have given their time and resources to make sure it was a total success.

Patty Cownie has always displayed a commitment to volunteerism throughout her life. From 1999 to 2014 she served on the Drake University Board of Trustees and now dedicates her time and expertise to the Iowa Board of Regents. She has also contributed her time to organizations such as the Iowa State Fair Blue Ribbon Foundation, Meals from the Heartland and Bravo! Greater Des Moines.

Recognized as one of the top businessmen in the State of Iowa, Jim Cownie has still found time to dedicate himself to causes and organizations of which he cares. Along with his wife, Patty, Jim has sacrificed his time and given his expertise to many charitable organizations throughout the state and continues to utilize his own resources to improve the lives of others.

Mr. Speaker, I applaud and congratulate Patty and Jim Cownie for receiving this esteemed designation. It is truly an honor to represent them in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating them and in wishing them nothing but continued success.

HONORING ALICIA DICOCHEA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Alicia Dicochea. Alicia is known throughout Merced County for her dedication and service to her community. She is retiring this year after serving as one of the founding members of the Board of Directors of Golden Valley Health Centers since 1971. Alicia has gone above and beyond in the effort to make her community a better place, volunteering her time in health care, education and church.

Alicia was born in Cutler, California. She is the youngest of five siblings, born to parents who immigrated to the Central Valley from Mexico in the 1920s. From an early age she learned the meaning of hard work, working in the fields with her siblings in order to help support the family.

In 1947 Alicia married Jesus Dicochea. The young family, along with their children moved to Los Banos in 1965 in order to pursue work opportunities, where they have lived ever since.

Alicia's involvement with Golden Valley Health Centers began when it was just a single clinic for farm workers. Today the medical center has 25 clinics and serves Merced and Stanislaus counties. Alicia has been an advocate for health care for the Valley's underserved since the beginnings of her involvement with Golden Valley.

Alicia has also been an advocate in education. She made the decision to play an active role in her children's school from the day the first of her ten children began school. She was selected to be a part of a group of parents and UC Davis students to assess the needs of the community in order to properly use funding available to local students and families. She was involved in Merced College's Los Banos campus from its beginnings. She taught Spanish and advised on the curriculum for English as a Second Language students.

Her strong faith has led to a natural involvement with her church. Alicia served as a delegate for the Guadalupanas Society in Los Banos and served as secretary for District 7, which includes Los Banos, Dos Palos, and Atwater.

Alicia's service to her community knows no limits. She has served on the Los Banos Planning Commission and as a member of the National Board of National Association of Farmworkers Organization. During the holiday season, she participates in initiatives to feed the homeless.

Mr. Speaker, I urge my colleagues to join me in honoring Alicia Dicochea. Her forty-five years of service on the Board of Directors of Golden Valley Health Centers, in addition to the wonderful work she has done in the community, should be commended. Los Banos will be forever grateful for the impact she has made in the community.

REMEMBERING LESLIE WITT REICHENBACH

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. QUIGLEY. Mr. Speaker, I rise today to remember and honor the life of an important and respected member of the Chicago community, Ms. Leslie Witt Reichenbach.

For nearly 40 years, she woke up generations of Chicago's WXRT listeners on weekend mornings. A native Chicagoan, she earned a bachelor's degree in communications and environmental science from the University of Wisconsin in Madison. Shortly after, she began her radio career as a disc jockey at a progressive rock station in Massachusetts. With her growing enthusiasm for radio, she returned to Chicago to work at WXRT 93.1 FM in 1977. Leslie was also a news reporter for WBEZ, Chicago's Public Radio station in the 1980s, while still DJ'ing on weekend mornings at WXRT.

Leslie, often referred to as ''the overnight angel,'' was known for her kind smile and her ability to connect with others. Her sense of wonder was the source of her ability to communicate about the music with conviction. Leslie's dedication helped mentor many new D.J.'s who preceded her radio shift.

Sadly, Leslie passed away on July 17th, 2016 at age 63 in Riverwoods, Illinois after her battle with ovarian cancer.

Leslie bravely fought her illness by listening to new albums, attending concerts, and practicing ballet. Leslie's top priority was always her family, and the love and support they provided her was the most important thing in her life. Leslie is survived by her husband, Chuck Reichenbach and their adult children Kay and Kurt.

Mr. Speaker, may God bless the Reichenbach family and the memory of a woman who was truly loved by her friends, her community, and her family.

IN MEMORY OF SERGEANT KENNETH D. JUMPER, SR.

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. WILSON of South Carolina. Mr. Speaker, South Carolina is paying positive tribute to the service of American Patriot Kenneth D.

Jumper, Sr., of Cayce, South Carolina. I especially appreciate his dedicated model of military service in the National Guard. He was an inspiration to me when we served together in the 218th Mechanized Infantry Brigade as he lived up to the highest standards of service by being the most patriotic, competent, and capable of citizens.

A thoughtful obituary was published in The State newspaper on August 27, 2016:

CAYCE.—Kenneth D. Jumper, 89, of Cayce, South Carolina passed away peacefully with his family by his side on Thursday, August 25, 2016. He was born in Swansea, South Carolina to the late Dewey and Myrtis Smith Jumper.

Kenneth retired from the State Highway Department and The SC Army National Guard as a Staff Sargent. He was a member of Cayce First Baptist Church for over 60 years. He served several terms on the Cayce City Council. Kenneth coached Little League baseball for many years in Cayce and spent many days helping his neighbors. He will be long remembered for his Godly character, his acts of kindness and Christian faith. He will be missed by all.

Kenneth is survived by his sons, Kenneth D. (Sally) Jumper, Jr. of West Columbia, Keith (Emily) Jumper of Lexington, Karl Jumper of Cayce and Kim (Kimberley) Jumper of Lexington; his brothers, Conley (Joanne) Jumper of Pacolet and Coy (Esca) Jumper of Swansea; his sister, Orene Carter of Cayce; and his daughter-in-law, Lisa Jumper of Swansea. He also leaves behind his 11 grandchildren and 9 great grandchildren.

He was preceded in death by his loving wife of 60 years, Verna B. Jumper and his son, Kelvin M. Jumper.

The family will receive friends at Thompson Funeral Home of Lexington on Saturday, August 27, 2016 from 6–8 p.m. Funeral services will be held at The Harvest, 4865 Sunset Blvd., Lexington, SC on Sunday, August 28, 2016 at 2 p.m. Interment will follow in Southland Memorial Gardens.

The funeral services were lovingly conducted by his son, Pastor Kenneth D. Jumper, Jr.

BETTY MILLER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Betty Miller for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

When Betty Miller moved in 1959, Jefferson County gained a selfless public servant who had a significant impact on the community until her death in January of 2012. Betty began her involvement by volunteering with both the local League of Women Voters and PTA, and later turned her attention to resolving school finance and county zoning issues until her election to the Colorado House of Representatives in 1964. In that role, she helped establish the City of Lakewood, and served on the first Lakewood City Council from 1965 to 1975.

The Lakewood Sentinel recognized Betty's hard work and awarded her Outstanding Woman of 1972 and the Jeffco Board of Realtors named her Citizen of the Year in 1977. Betty continued her commitment to Jefferson County as Director of Colorado Local Affairs under Governor Dick Lamm and as Chief Administrator for Senator Tim Wirth, where she famously helped shut down Rocky Flats. Betty was named the Leo Riethmayer Outstanding Public Administrator in 1980 and recognized for her "outstanding achievement and distinguished service" as Regional Administrator of HUD under President Jimmy Carter. In 1992, Betty was elected Jefferson County Commissioner, where she helped inspire and lead Jeffco's first long-term planning efforts that helped make our community what it is today.

I extend my deepest congratulations to Betty Miller's family for this well-deserved recognition by the West Chamber.

IN HONOR OF THE LADIES BOARD OF INOVA LOUDOUN HOSPITAL

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the Ladies Board of Inova Loudoun Hospital, which is commemorating over a century of nursing in the Leesburg emergency room. I would like to personally commend these unselfish women who inspire others through their dedication and generosity in service to their neighbors, friends, and strangers. These commendable citizens embody the very best of this nation's values through their service to our community and exemplary performance in healthcare practice.

The Ladies Board of Inova Loudoun Hospital has been "the heart and soul" of the hospital since 1912, when it was formed simultaneously with Loudoun's first healthcare center. Ever since, it has been raising money to support the hospital in renovations and supplies, and has been consistently rated in the top one percent of patient satisfaction in the nation. Even more recently, the board gifted one million dollars toward the renovation at the Leesburg campus, which was completed three years ago and continues to make important strides for the betterment of our Commonwealth. This is a clear testament to the outstanding work which is conducted by these exemplary individuals every day and they are deserving of recognition.

Mr. Speaker, it brings me immense pride to recognize such a fine group, and I sincerely hope that we all can live up to their tremendous example. I ask my colleagues to join me in congratulating the Ladies Board. I wish them good luck and hope that they continue to better the future of Loudoun's exceptional healthcare.

TRIBUTE TO EAGLE SCOUT JARED KAUFMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jared Kaufman of Council Bluffs, Iowa for achieving the rank of Eagle Scout. Jared is a member of Boy Scout Troop 550 in Council Bluffs.

The Eagle Scout designation is the highest advancement rank in scouting. Approximately five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Jared's Eagle Project involved community service at Jennie Edmundson Hospital in Council Bluffs. Jared led a team of scouts who collected donations and built carts to hold entertainment supplies such as books, magazines, and puzzles for the patients confined to the hospital. The work ethic Jared has shown in his Eagle Project and every other project leading to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by Jared Kaufman and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Jared and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING MS. KATHERINE SCHACK FOR RECEIVING THE PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Ms. Katherine Schack. She has been selected to receive the Presidential Award for Excellence in Mathematics and Science Teaching. This is a prestigious award that will be presented in Washington, DC at the Daughters of the American Revolution Constitution Hall. In addition to Ms. Schack having the opportunity to attend various recognition events and development activities, she will also receive a $10,000 award from the National Science Foundation. A citation from President Obama will be presented as well. Ms. Schack is one of only one hundred and eight teachers to receive this award for the 2014–2015 school year.

Ms. Schack is receiving this award for her work at Lakeview Elementary where she taught 2nd Grade. During her twelve years as an educator, she has taught first and second grade in the Wentzville School District at Lakeview Elementary School. In 2014, Ms. Schack became the first K–8 Mathematics Coach/Content Lead in her district.

The Presidential Awards for Excellence in Mathematics and Science Teaching was established by Congress in 1983. This award is the highest honor bestowed by the United States Government specifically for educators that teach mathematics and science. Since the establishment of the program, over 4,600 teachers have been recognized for their contributions to their students and school districts.

Ms. Schack has been involved in local district level committees throughout the years, including: Mathematics Curriculum Writing Team, Assessment Writing Team, and Curriculum Review Committee. During her years in the classroom setting, she served as a Singapore Math trainer which required serving the district's ten elementary schools. Most recently, this past year Ms. Schack took the lead in establishing and implementing the district's New Teacher Math Curriculum Training and Beyond Math In Focus Training. Currently as the K–8 Mathematics Coach/Content Lead, she works closely with teachers to increase student engagement, allow for problem solving within and beyond the classroom, and aid in creating a structure of learning in the classroom.

I ask you to join me in recognizing Ms. Schack on her achievement and this honor of receiving the Presidential Award for Excellence in Mathematics and Science Teaching.

HONORING THE LIFE OF RUBY WILSON

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COHEN. Mr. Speaker, I rise today to honor the life of Ruby Wilson, a legendary Memphis Blues singer who was known as the ''Queen of Beale Street'' and was beloved not only by the city of Memphis but by fans all over the world. Ruby Wilson was born in 1948 in Fort Worth, Texas before making Memphis, Tennessee her home in 1972. Over time, Ruby became one of the greatest ambassadors for Memphis and Blues music alike.

Ruby's passion for singing began early as a child in Texas singing in her church choir, which was directed by her mother. Through the choir, Ruby performed with notable gospel singers Rosetta Tharpe, The Blind Boys of Alabama and Reverend James Cleveland. At age 15, Ruby accepted renowned gospel singer Shirley Ceasar's invitation to sing backup during a summer tour.

During this same time in her youth, Ruby learned her love of the Blues from her father, who was an associate of famed guitarist and blues singer Freddie King. It was time spent with her father listening to Muddy Waters and other Blues musicians on the radio that influenced her future music career. This included listening to Memphis Blues legend B.B. King, whom she met in Texas at age 14. They formed a friendship that lasted his lifetime. It was then that B.B. King named Ruby his goddaughter, six years before she would sing with him for the first time.

By 1972, Ruby had lived and worked in Chicago singing gospel and directing church choirs, and had returned to Texas to sing jazz. She was touring by then and had, on occasions, performed in Memphis, where she met Stax Records songwriter, recording artist and producer Isaac Hayes, who suggested she move there. After relocating to Memphis, Ruby taught kindergarten for eight years while building her music career on the nightclub stages of Beale Street and surrounding venues, including Club Handy, Rum Boogie Café, Club Royale, Mallard's, Alfred's, Silky 'O Sullivan's, The Blues Room, In The Alley on Beale, Neil's, Bosco's, 50/50 Tower, The Spot, The Other Place, Beale Street Blues Club, Elvis Presley's (on Beale), and the New Daisy and Old Daisy Theaters. Ruby was also a regular performer at B.B. King's Blues Club and its upstairs restaurant, Itta Bena.

Ruby enjoyed new experiences and performing in new venues across the globe. Throughout her career, Ruby performed in Asia, Europe and New Zealand for audiences that included British and Monégasque royalty. She also performed for U.S. President Bill Clinton and Vice President Al Gore, and she was a featured performer at the New Orleans Jazz & Heritage Festival in 2008, 2011 and 2012. In addition to touring, Ruby Wilson recorded 10 albums and worked alongside Ray Charles, the Four Tops, Willie Nelson, Isaac Hayes, Al Green's Full Gospel Tabernacle Choir in Memphis and countless others. She also appeared in over 10 major films, including The Firm (1993), The Client (1994), The People vs. Larry Flynt (1996), Black Snake Moan (2006), and Delta Rising: A Blues Documentary (2008).

Ruby was the recipient of numerous awards and recognitions. She earned the title ''Queen of Beale Street'' in 1992 and has received the ''Authentic Beale Street Musician Award,'' the ''Memphis Sound Award for Best Entertainer,'' the ''Blues Ball Award: Special Achievement,'' the ''Willie Mitchell Jus Blues Award,'' and the ''W.C. Handy Heritage Awards: Lifetime Achievement.'' Ruby also received the St. Jude Children's Hospital ''Supporter Award,'' the ''Networking for Memphis Community Service Award,'' and the ''Arc of the Mid-South Community Leader Award.'' She has been inducted into the African American Hall of Fame, the Afro-American Walk of Fame at Lemoyne Owen College in Memphis and has a brass note in her honor on the Beale Street Walk of Fame. Ruby Wilson received accolades from critics and fans throughout her career and she will always be remembered for her great voice and warm personality.

For the city of Memphis, Ruby Wilson was more than just the Queen of Beale Street. She possessed a voice that was sought after by businesses and politicians for television commercials and radio ads because hers was a credible voice of endorsement. She recorded for small local businesses and I am forever grateful for the ads that she recorded for me and the support that she gave me. I am also thankful for the opportunity to have watched her perform many times in Memphis, including at her last benefit performance at B.B. King's Blues Club on July 31st, less than two weeks before her passing. As always, she was beautiful and smiling while performing to a packed house as was befitting of her life, achievements, contributions and memory.

Ruby Wilson's passing places her on the same level, if not higher, as many Memphis legendary geniuses that we've recently lost, including Elvis Presley's guitarist Scott Moore, Stax Records and American Sound Studio producer Chip Moman, The Memphis Horns saxophone and trumpet players Andrew Love and Wayne Jackson, and Maurice White, founder of the multi-Grammy Award winning music group Earth, Wind and Fire.

Ruby Wilson passed away on Friday, August 12, 2016 at 68 years of age. She is survived by her daughters Shallisa Alexander and Stacey Ragston, her sons Keith and Kenneth Moseley, and 12 grandchildren and five great-grandchildren. Ruby Wilson had a unique and incredible voice that Memphis, Beale Street, the entire music community and all of her fans around the world will miss. Hers was a life well-lived.

COMMEMORATING THE BEGINNING OF WORLD WAR II

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. POE of Texas. Mr. Speaker, the date was September 1, 1939. It was a date that would change the world forever. Nazi Germany, under Adolf Hitler, invaded Poland by air, land, and sea, igniting the Second World War and throwing the world into turmoil. Hitler used what is known as the ''blitzkrieg strategy'' to occupy Poland. He attacked the country by air to destroy its infrastructure; meanwhile, he directed a massive land and sea invasion to take the nation. Poland's troops and military were unequipped to effectively fight the Germans, so consequently Poland quickly fell under the control of Germany and the Soviet Union. Hitler had hoped that Britain and France would tolerate the invasion like they had when Hitler invaded Sudetenland and Czechoslovakia. However, the invasion of Poland was one invasion too many, and it significantly altered the course of history, launching the allied and axis powers into a full scale world war.

Germany initially intended to invade Poland on August 26, not September 1. Hitler had signed a nonaggression pact with the Soviet Union on August 23 to ensure that the USSR would not come to Poland's aid, and within the treaty, Hitler and Stalin agreed to divide Poland between them once conquered. However, Hitler made a last minute decision to postpone the attack because, on August 25, Britain signed the Polish-British Common Defense Pact, guaranteeing Poland military support if invaded. Hitler utilized false propaganda throughout the next few days in an attempt to justify Germany's impending invasion of Poland and to prevent Britain from coming to its aid. Hitler secretly attacked small installations inside Germany and framed it on Poland, attempting to pose as the victim instead of the aggressor. The propaganda failed, though, and both Britain and France entered the conflict when Germany overtook Poland.

The breakout of WWII, however, cannot be attributed to any single event, but rather an accumulation of issues that climaxed in a destructive standoff between the Axis powers (Germany, Italy, Japan, Hungary, Romania, Slovakia, and Bulgaria) and the Allies (The United States, Great Britain, France and—later—the Soviet Union). The world had been anticipating war for a long time preceding Adolf Hitler's invasion of Poland. The global balance was unstable after World War I (initially and ironically considered ''the War to End All Wars'') and international tensions remained high. Germany especially was dealing with significant instability and neglect as a consequence of the First World War, and this national crisis led to the election of Adolf Hitler. Hitler's invasion on this day 77 years ago provoked Britain and France to declare war against the malicious power on September 3,

1939, leading to a long and bloody international conflict.

For nearly two years, America attempted to remain out of the military conflict, calling itself a neutral power. However, on several occasions before entering the war, American military vessels (including USS *Reuben James* and USS *Kearny*) and British civilian vessel SS *Athenia* were attacked by German submarines, resulting in American military and civilian casualties. The breaking point for the United States eventually occurred during the morning hours of December 7, 1941. It was a date that would live in infamy, as President Franklin Delano Roosevelt announced. Hundreds of Japanese fighter planes soared over Pearl Harbor, the American naval base near Honolulu, Hawaii, destroying a significant portion of our nation's Pacific Fleet and taking thousands of American lives with it. This unforgivable attack against the United States provoked Roosevelt and Congress to declare war on Japan on December 8, 1941. Subsequently, Germany and Italy declared war on the United States, and America joined the Allied Powers' fight against the Axis. In the end, we notably contributed to the extinguishment of Nazi Germany and the defeat of its allies.

World War II transformed the globe as the deadliest war in history. Over the course of the war, more than 72 million people lost their lives, leaving nations and families from all around the globe in deep despair. Out of the 690 million people who fought in WWII, 16.1 million were Americans; of those 16.1 million courageous soldiers, nearly 292,000 sacrificed their most precious possessions—their lives—for the greater good of our nation and our world. The United States was left in grieving. Wives cried for their fallen husbands, sisters for their brothers, and mothers for their sons. These heroes honorably gave everything to fight one of the vilest brands of evil the world has ever seen. Thanks to our brave military and committed allies who fought in World War II, the world is a better place.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. DUCKWORTH. Mr. Speaker, on September 6, 2016, on Roll Call Number 479 on the motion to suspend the rules and pass H.R. 5578, Survivors' Bill of Rights Act of 2016, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 5578.

On September 6, 2016, on Roll Call Number 480 on the motion to suspend the rules and pass H.R. 3881, Cooperative Management of Mineral Rights Act of 2016, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 3881.

THE GROWING CRISIS IN SOUTH SUDAN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. SMITH of New Jersey. Mr. Speaker, on April 27 of this year, the subcommittee I chair held a hearing on South Sudan's prospects for peace. An accord that appeared to finally end the civil war that broke out in December 2013 was reluctantly signed by both the Government of South Sudan and the Sudan People's Liberation Movement—In Opposition in August 2015. Perhaps too much was read into the signing of that agreement and not enough into the continuing criticism of the accords by both sides.

Peace was never fully established in South Sudan as a result of the August 2015 agreement. In fact, fighting spread to areas that had not previously seen armed conflict. An estimated 50,000 South Sudanese have been killed since December 2013, more than 2.5 million have been displaced, and 4.8 million face severe hunger. According to the UN Mission in the Republic of South Sudan, or UNMISS, ''gross violations of human rights and serious violations of humanitarian law have occurred on a massive scale.''

South Sudanese women have long reported cases of sexual assault by armed forces throughout the country—sometimes in sight of UNMISS bases. This past July, between 80–100 armed soldiers broke into the Terrain apartment compound, which houses aid workers and international organization staff, and for several hours, they sexually assaulted women, beat residents, murdered one South Sudanese journalist and looted the facility.

UNMISS did not respond to the desperate calls for help from residents, even though their own personnel lived in the Terrain compound, and UNMISS officials say the various components of UNMISS didn't respond to orders to mobilize from within the organization.

UN peacekeepers were minutes away but refused to intervene despite being asked and having a robust legal mandate to do so. A contingent of the South Sudanese military ultimately rescued the victims from other rampaging troops. The investigation by the South Sudanese government is scheduled to be completed within days, and there must be consequences for those found guilty. The rapidly deteriorating security and the increasingly dire humanitarian situation led me to undertake an emergency mission to South Sudan two weeks ago along with Staff Director Greg Simpkins.

I have known Salva Kiir since he became First Vice President in the Government of the Republic of Sudan in 2005—as a matter of fact I met him in Khartoum only weeks after he assumed that office—and I hoped my visit might convey to him the outrage over the murder, rape, sexual assault, attack on aid workers, and the precarious situation his government faces. South Sudan is at a tipping point. The United Nations will likely take up a measure to impose an international arms embargo on South Sudan this month. The International Monetary Fund has strongly recommended a mechanism for financial transparency and meets next month, likely expecting a response from South Sudan. Meanwhile the House and Senate both have measures that contain an arms embargo and other sanctions.

In Juba, we met with President Kiir, his Defense Minister Kuol Manyang Juuk and the top members of the general staff, including Chief of General Staff Paul Malong, considered by many to be a major power behind the scenes. I emphasized to them that the widespread rape and sexual exploitation and abuse by soldiers must stop now, and that perpetrators of these despicable crimes must be prosecuted. In response, both President Kiir and Defense Minister Jook agreed to produce a 'zero tolerance' presidential decree against rape and sexual exploitation and abuse by all armed forces. Such a decree not only informs perpetrators that they will be punished for their actions, but it places the government on the line to enforce such a decree.

The UN High Commissioner for Human Rights has previously described the South Sudan government's efforts to hold perpetrators of abuses accountable as ''few and inadequate.'' That must change.

President Kiir also gave us a copy of a presidential order forming a commission to investigate the incident at the Terrain compound. The result of that investigation is due any day now. There are four military officers and one civilian in custody for looting the Terrain compound, but no one has been arrested for the sexual assaults, beatings or the public murder of the South Sudanese journalist.

One of the victims of sexual assault at Terrain is from my congressional district. After relaying horrible details of the sexual assault by two soldiers, she gave us the name of the soldier who ''rescued'' her and who might be able to provide information that could be used to find and prosecute those who attacked her at the Terrain compound.

There are about 20,000 humanitarian aid workers in South Sudan—2,000 of whom are from the United States and other foreign countries. If there is not greater security for these humanitarian personnel and supplies, vital assistance will diminish at the time it is needed most.

The exploitation of children as child soldiers must stop as well. According to UNICEF, 16,000 child soldiers have been recruited by all sides since civil war began in December 2013. Moreover, this year's US State Department Trafficking in Persons Report gave South Sudan a failing grade—Tier 3—in part because of child soldiers.

South Sudan faces the possibility of a UN arms embargo and other sanctions. A new 4,000 Regional Protection Force—designed to augment the over 13,000 UN uniformed peacekeepers—has already been approved by the UN Security Council.

There is yet time for South Sudan to make its pivot to peace and good governance by faithfully implementing the comprehensive peace accord—including and especially the establishment of a Hybrid Court—signed one year ago but time is running out.

The governments of the three guarantors of South Sudan's peace—the United States, the United Kingdom and Norway—all have expressed their disgust with the South Sudan government and its armed opposition for not adhering to the August 2015 peace agreement and providing to the extent it can for the security and well-being of its own people. However, expressions of disdain are not enough.

This hearing I convened on South Sudan today was not only intended to examine culpability for the current situation, but also to try to find solutions that will safeguard the future of one of the world's newest nations and its citizens. As a guarantor of the peace, we can and should do no less.

TRIBUTE TO TYPHANIE AND NICK MAHLSTADT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Typhanie and Nick Mahlstadt of Indianola, Iowa as honorees of the 2016 Angels in Adoption Award.

Each year, the Congressional Coalition on Adoption Institute (CCAI) selects individuals, families or organizations who demonstrate a commitment to improving the lives of children in need of permanent, loving homes. Many have come away from this experience with a renewed commitment to serve the needs of the millions of children who are waiting for a loving family to call their own.

I am proud that you are being welcomed into a select group of distinguished leaders who CCAI recognizes as 2016 Angels in Adoption honorees. Your tireless dedication to children sets you apart as a shining example in Indianola, across Iowa and throughout the United States, earning you well-deserved recognition as extraordinary individuals and quite worthy of this award.

Mr. Speaker, it is an honor to represent Typhanie and Nick Mahlstadt in the United States Congress and it is with great pride that I recognize them today. I ask that my colleagues in the United States House of Representatives join me in congratulating the Mahlstadt family as they receive this honor and wish them nothing but the best in their lives and the lives of children everywhere.

IN RECOGNITION OF INOVA LOUDOUN EMERGERCY DEPARTMENT EXPANSION

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Inova Loudoun's brick breaking ceremony for the emergency department expansion, taking place on September 7th, 2016. Since 1912, Inova Loudoun's healthcare professionals have worked to provide their patients with the best care and treatments to continue saving lives. Not only does Inova Loudoun provide a crucial service for its community, but the hospital uses state-of-the-art technology to give their doctors the tools they need to treat their patients. This is an important milestone for this wonderful hospital.

One of the foundations of modern society is the ability of all people to have access to quality emergency care. The mission of Inova Loudoun, providing top-notch medical services, has given residents in Virginia peace of mind, knowing that some of the country's best medical care is right around the corner. Through its stellar work, Inova Loudoun has proven that it ranks among the best hospitals in the country.

Over the years, this hospital has bettered the lives of countless Americans, not only through its emergency services, but also through its mobile health screenings and education initiatives. Its outstanding work has earned it many accolades and awards. Inova Loudoun has continued to provide a valuable service to communities and their families.

Mr. Speaker, I ask that my colleagues join me in congratulating Inova Loudoun on its brick breaking ceremony of the emergency department expansion. I wish this hospital all the best for its promising future.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 8, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 12

5 p.m.
Committee on Foreign Relations
To receive a closed briefing on the failed coup in Turkey and the future of United States-Turkish cooperation.
SVC–217

SEPTEMBER 13

9:30 a.m.
Committee on Armed Services
To hold hearings to examine encryption and cyber matters; with the possibility of a closed session in SVC–217, following the open session.
SH–216

10 a.m.
Committee on Agriculture, Nutrition, and Forestry
Business meeting to consider H.R. 2647, to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands.
SR–328A

Committee on Foreign Relations
To hold hearings to examine Brexit, focusing on United States interests in the United Kingdom and Europe.
SD–419

10:30 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the National Flood Insurance Program, focusing on reviewing the recommendations of the Technical Mapping Advisory Council's 2015 Annual Report.
SD–538

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security
To hold hearings to examine an original bill entitled, ''Better Online Ticket Sales Act of 2016''.
SR–253

SEPTEMBER 14

10 a.m.
Committee on the Judiciary
Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts
To hold hearings to examine protecting Internet freedom, focusing on the implications of ending United States oversight of the Internet.
SD–226

10:30 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on National Security and International Trade and Finance
To hold hearings to examine terror financing risks of America's $400 million cash payment to Iran.
SD–538

2:15 p.m.
Committee on Foreign Relations
To hold hearings to examine North Atlantic Treaty Organization expansion, focusing on the accession of Montenegro.
SD–419

Committee on Indian Affairs
To hold hearings to examine S. 2636, to amend the Act of June 18, 1934, to require mandatory approval of applications for land to be taken into trust if the land is wholly within a reservation, S. 3216, to repeal the Act entitled ''An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation'', S. 3222, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and an original bill entitled, ''The Hualapai Tribe Water Rights Settlement Act of 2016''.
SD–628

2:30 p.m.
Committee on Appropriations
Subcommittee on Energy and Water Development
To hold hearings to examine the future of nuclear power.
SD–138

Committee on the Budget
To hold an oversight hearing to examine the Congressional Budget Office.
SD–608

Committee on Veterans' Affairs
To hold hearings to examine the future of the Department of Veterans Affairs, focusing on examining the Commission on Care report and the VA's response.
SR–418

Special Committee on Aging
To hold hearings to examine maximizing Social Security benefits.
SD–562

SEPTEMBER 15

10 a.m.
Committee on Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Communications Commission.
SR–253

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the state of health insurance markets.
SD–342

10:30 a.m.
Committee on Small Business and Entrepreneurship
To hold hearings to examine the Federal response and resources for Louisiana flood victims.
SR–428A

2:15 p.m.
Committee on Foreign Relations
To hold hearings to examine reviewing the civil nuclear agreement with Norway.
SD–419

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5301–S5420

Measures Introduced: Nine bills were introduced, as follows: S. 3290–3298. **Pages S5368–69**

Measures Considered:

Water Resources Development Act—Agreement: Senate began consideration of S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, after agreeing to the motion to proceed, withdrawing the committee reported amendments, and taking action on the following amendments proposed thereto:

Pages S5324–61

Pending:

McConnell (for Inhofe) Amendment No. 4979, in the nature of a substitute. **Page S5356**

Inhofe Amendment No. 4980 (to Amendment No. 4979), to make a technical correction.

Pages S5356–57

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Thursday, September 8, 2016. **Page S5420**

Moment of Silence—Agreement: A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Thursday, September 8, 2016, Senate observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001. **Page S5420**

Messages from the House: **Page S5368**

Measures Referred: **Page S5368**

Measures Placed on the Calendar: **Page S5368**

Measures Read the First Time: **Page S5368**

Additional Cosponsors: **Pages S5369–70**

Statements on Introduced Bills/Resolutions: **Pages S5370–73**

Additional Statements: **Pages S5365–68**

Amendments Submitted: **Pages S5373–S5420**

Authorities for Committees to Meet: **Page S5420**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:53 p.m., until 9:30 a.m. on Thursday, September 8, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5420.)

Committee Meetings

(Committees not listed did not meet)

COMPREHENSIVE NUCLEAR TEST-BAN TREATY

Committee on Foreign Relations: Committee concluded a hearing to examine the Administration's proposal for a United Nations resolution on the Comprehensive Nuclear Test-Ban Treaty, after receiving testimony from Stephen G. Rademaker, The Podesta Group, and Michael Krepon, The Stimson Center, both of Washington, D.C.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 2711, to expand opportunity for Native American children through additional options in education, with an amendment in the nature of a substitute;

S. 2959, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, with an amendment; and

S. Con. Res. 49, supporting efforts to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items of Indians, Alaska Natives, and Native Hawaiians in the United States and internationally, with an amendment.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2285, to provide for the recognition of the Lumbee Tribe of North Carolina, S. 3234, to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, the Indian Trader Act, and the Native American Programs Act of 1974 to

provide industry and economic development opportunities to Indian communities, S. 3261, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities, and H.R. 4685, to take certain Federal lands located in Tulare County, California, into trust for the benefit of the Tule River Indian Tribe, after receiving testimony from Cheryl Andrews-Maltais, Senior Policy Advisor, Assistant Secretary—Indian Affairs, Department of the Interior; Harvey J. Godwin Jr., Lumbee Tribe of North Carolina, Pembroke; Kenneth McDarment, Tule River Tribe of California, Porterville; and Derrick Watchman, The National Center for American Indian Enterprise Development, Mesa, Arizona.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Walter David Counts, III, to be United States District Judge for the Western District of Texas, Karen Gren Scholer, to be United States District Judge for the Eastern District of Texas, and E. Scott Frost, James Wesley Hendrix, and Irma Carrillo Ramirez, each to be a United States District Judge for the Northern District of Texas, after the nominees testified and answered questions in their own behalf.

VETERANS HEALTH ADMINISTRATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine Veterans Health Administration best practices, focusing on exploring the Diffusion of Excellence initiative, after receiving testimony from Carolyn Clancy, Deputy Under Secretary of Veterans Affairs for Organizational Excellence, Veterans Health Administration.

SECURING AMERICA'S RETIREMENT FUTURE

Special Committee on Aging: Committee concluded a hearing to examine securing America's retirement future, focusing on the Bipartisan Policy Center's recommendations to boost savings, after receiving testimony from former Senator Kent Conrad, and James B. Lockhart III, both of the Bipartisan Policy Center Commission on Retirement Security and Personal Savings, Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 5942–5950; and 2 resolutions, H. Res. 847–848, were introduced. **Page H5161**

Additional Cosponsors: **Pages H5162–63**

Report Filed: A report was filed today as follows:

H.R. 5178, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes, with an amendment (H. Rept. 114–727). **Page H5161**

Speaker: Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today. **Page H5099**

Recess: The House recessed at 11:07 a.m. and reconvened at 12 noon. **Pages H5106–07**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Marvin Jacobo, City Ministry Network, Modesto, CA. **Page H5107**

Stop Settlement Slush Funds Act of 2016: The House passed H.R. 5063, to limit donations made pursuant to settlement agreements to which the United States is a party, by a recorded vote of 241 ayes to 174 noes, Roll No. 488. **Pages H5119–36**

Rejected the Meng motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 181 ayes to 234 noes, Roll No. 487. **Pages H5134–35**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H5124**

Agreed to:

Price (GA) amendment (No. 6 printed in H. Rept. 114–724) that requires the head of each Federal agency to electronically submit a report to the Congressional Budget Office on each settlement agreement entered into pursuant to this bill; and **Pages H5130–31**

Price (GA) amendment (No. 7 printed in H. Rept. 114–724) that requires each agency's Inspector General to report annually to the House and Senate Committees on the Budget, the Judiciary, and Appropriations on any settlement agreement entered into by an during the previous year that are in violation of section 2. **Page H5131**

Rejected:

Jackson Lee amendment (No. 3 printed in H. Rept. 114–724) that sought to exempt settlement agreements that pertain to providing restitution for a State; **Pages H5126–27**

Conyers amendment (No. 1 printed in H. Rept. 114–724) that sought to exempt from the bill any settlement pertaining to discrimination based on race, religion, national origin, or any other protected category (by a recorded vote of 178 ayes to 234 noes, Roll No. 483); **Pages H5125, H5131–32**

Cicilline amendment (No. 2 printed in H. Rept. 114–724) that sought to exempt settlement agreements that strengthen the personal privacy of Americans from the blanket prohibition in this legislation (by a recorded vote of 175 ayes to 236 noes, Roll No. 484); **Pages H5125–26, H5132–33**

Jackson Lee amendment (No. 4 printed in H. Rept. 114–724) that sought to exempt settlement agreements that resolves a civil action or potential civil action in relation to sexual harassment, violence, or discrimination in the work place (by a recorded vote of 178 ayes to 235 noes, Roll No. 485); and **Pages H5128–29, H5133**

Gosar amendment (No. 5 printed in H. Rept. 114–724) that sought to cap settlement payments for attorney fees provided in relation to environmental cases at $125 per hour (by a recorded vote of 155 ayes to 262 noes, Roll No. 486). **Pages H5129–30, H5133–34**

H. Res. 843, the rule providing for consideration of the bill (H.R. 5063) was agreed to by a recorded vote of 231 ayes to 178 noes, Roll No. 482, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 177 nays, Roll No. 481. **Pages H5117–19**

Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run: The House agreed to take from the Speaker's table and agree to H. Con. Res. 131, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run. **Page H5119**

Unanimous Consent Agreement: Agreed by unanimous consent that it be in order at any time on the legislative day of September 9, 2016, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule 15, relating to the bill (S. 2040) to deter terrorism, and provide justice for victims. **Page H5136**

North American Energy Security and Infrastructure Act of 2016—Change in Conferees: The Chair appointed the following conferee on S. 2012, to provide for the modernization of the energy policy of the United States, to fill the vacancy caused by the resignation of Representative Whitfield: Representative Kinzinger (IL). **Page H5136**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights: H. Res. 634, amended, recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights; **Pages H5139–42**

Education for All Act of 2016: H.R. 4481, amended, to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy; **Pages H5142–46**

Digital Global Access Policy Act of 2016: H.R. 5537, amended, to promote internet access in developing countries and update foreign policy toward the internet; and **Pages H5146–49**

African Growth and Opportunity Act Enhancement Act: H.R. 2845, amended, to promote access to benefits under the African Growth and Opportunity Act. **Pages H5149–53**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Expressing the sense of the House of Representatives to support the territorial integrity of Georgia: H. Res. 660, expressing the sense of the House of Representatives to support the territorial integrity of Georgia. **Pages H5136–39**

John F. Kennedy Centennial Commission—Appointment: Read a letter from Representative Pelosi, Minority Leader, in which she appointed the following Member to the John F. Kennedy Centennial Commission: Representative Kennedy. **Page H5153**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5112.

Quorum Calls—Votes: One yea-and-nay vote and seven recorded votes developed during the proceedings of today and appear on pages H5117–18, H5118–19, H5131–32, H5132, H5133, H5133–34, H5135, and H5135–36. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:37 p.m.

Committee Meetings

DEFERRED MAINTENANCE IN THE NUCLEAR SECURITY ENTERPRISE: SAFETY AND MISSION RISKS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing entitled "Deferred Maintenance in the Nuclear Security Enterprise: Safety and Mission Risks". Testimony was heard from Frank Klotz, Administrator, National Nuclear Security Administration; James McConnell, Associate Administrator for Safety, Infrastructure, and Operations, National Nuclear Security Administration; and public witnesses.

CENTER FOR MEDICARE AND MEDICAID INNOVATION: SCORING ASSUMPTIONS AND REAL–WORLD IMPLICATIONS

Committee on the Budget: Full Committee held a hearing entitled "Center for Medicare and Medicaid Innovation: Scoring Assumptions and Real-World Implications". Testimony was heard from Mark Hadley, Deputy Director, Congressional Budget Office; and public witnesses.

FEDERAL POWER ACT: HISTORICAL PERSPECTIVES

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled "Federal Power Act: Historical Perspectives". Testimony was heard from public witnesses.

FEDERAL RESERVE DISTRICTS: GOVERNANCE, MONETARY POLICY, AND ECONOMIC PERFORMANCE

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled "Federal Reserve Districts: Governance, Monetary Policy, and Economic Performance". Testimony was heard from Jeffrey M. Lacker, President and Chief Executive Officer, Federal Reserve Bank of Richmond; Esther L. George, President and Chief Executive Officer, Federal Reserve Bank of Kansas City; and public witnesses.

THE GROWING CRISIS IN SOUTH SUDAN

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled "The Growing Crisis in South Sudan". Testimony was heard from Donald Booth, Special Envoy to Sudan and South Sudan, Department of State; and public witnesses.

OVERSIGHT OF THE JUDGMENT FUND: IRAN, BIG SETTLEMENTS, AND THE LACK OF TRANSPARENCY

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled "Oversight of the Judgment Fund: Iran, Big Settlements, and the Lack of Transparency". Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee began a markup on H.R. 3764, the "Tribal Recognition Act of 2015"; H.R. 4564, the "Robert Emmet Park Act of 2016"; H.R. 5032, to allow certain property in the town of Louisa, Virginia, to be used for purposes related to compliance with water quality standards, and for other purposes; and H.R. 5259, the "Certainty for States and Tribes Act".

OVERSIGHT OF THE DEPARTMENT OF DEFENSE OFFICE OF INSPECTOR GENERAL'S MILITARY WHISTLEBLOWER REPRISAL INVESTIGATIONS

Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled "Oversight of the Department of Defense Office of Inspector General's Military Whistleblower Reprisal Investigations". Testimony was heard from Representative Zinke; Glenn Fine, Principal Deputy Inspector General, Department of Defense; Lori Atkinson, Assistant Director, Defense Capabilities and Management, Government Accountability Office; and a public witness.

COMMERCIAL REMOTE SENSING: FACILITATING INNOVATION AND LEADERSHIP

Committee on Science, Space, and Technology: Subcommittee on Space held a hearing entitled "Commercial Remote Sensing: Facilitating Innovation and Leadership". Testimony was heard from public witnesses.

ENSURING OPPORTUNITIES: OVERSIGHT OF THE HUBZONE PROGRAM

Committee on Small Business: Full Committee held a hearing entitled "Ensuring Opportunities: Oversight of the HUBZone Program". Testimony was heard from William B. Shear, Director, Financial Markets and Community Investment, Government Accountability Office; and John Shoraka, Associate Administrator, Office of Government Contracts and Business Development, Small Business Administration.

FEDERAL MARITIME NAVIGATION PROGRAMS: INTERAGENCY COOPERATION AND TECHNOLOGICAL CHANGE

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation; and Subcommittee on Water Resources and Environment, held a joint hearing entitled "Federal Maritime Navigation Programs: Interagency Cooperation and Technological Change". Testimony was heard from Rear Admiral Paul F. Thomas, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Rear Admiral Shephard Smith, Director, Office of Coast Survey, National Oceanic and Atmospheric Administration; and Edward E. Belk, Jr., Chief, Operations and Regulatory Division, U.S. Army Corps of Engineers.

BUSINESS MEETING; FROM TUMULT TO TRANSFORMATION: THE COMMISSION ON CARE AND THE FUTURE OF THE VA HEALTHCARE SYSTEM

Committee on Veterans' Affairs: Full Committee held a business meeting on possible motions to subpoena information from the U.S. Department of Veterans Affairs; and hearing entitled "From Tumult to Transformation: The Commission on Care and the Future of the VA Healthcare System". Testimony was heard from Nancy Schlichting, Chairperson, Commission on Care; and Delos M. (Toby) Cosgrove, M.D., Vice Chairperson, Commission on Care.

UNEMPLOYMENT INSURANCE: AN OVERVIEW OF THE CHALLENGES AND STRENGTHS OF TODAY'S SYSTEM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled "Unemployment Insurance: An Overview of the Challenges and Strengths of Today's System". Testimony was heard from Cissy Proctor, Executive Director, Florida Department of Economic Opportunity; Michelle Beebe, Director, Unemployment Insurance, Utah Department of Workforce Services; and public witnesses.

THE EVOLUTION OF QUALITY IN MEDICARE PART A

Committee on Ways and Means: Subcommittee on Health held a hearing entitled "The Evolution of Quality in Medicare Part A". Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 8, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine Pakistan, focusing on challenges for United States interests, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine reviewing independent agency rulemaking, 10 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, S. 3155, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title, S. 3270, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases, and the nominations of Danny C. Reeves, of Kentucky, and Charles R. Breyer, of California, both to be a Member of the United States Sentencing Commission, Kathleen Marie Sweet, to be United States District Judge for the Western District of New York, Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, and Florence Y. Pan, to be United States District Judge for the District of Columbia, Time to be announced, S–216, Capitol.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled "Views on H.R. 4298: Vietnam Helicopter Crew Memorial Act and H.R. 5458: Veteran's TRICARE Choice Act", 3:30 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "Examining Legislation to Improve Public Health", 10 a.m., 2322 Rayburn.

Subcommittee on Communications and Technology, hearing entitled "Rural Call Quality and Reliability", 2 p.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled "Fueling Terror: The Dangers of Ransom Payments to Iran", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled "Reforming the National Security Council: Efficiency and Accountability", 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and North Africa; and the Subcommittee on Energy of the House Committee on Science, Space, and Technology, joint hearing entitled "Eastern Mediterranean Energy: Challenges and Opportunities for U.S. Regional Priorities", 2 p.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing entitled "Asia's Growing Hunger for Energy: U.S. Policy and Supply Opportunities", 3 p.m., 2255 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, hearing entitled ''State and Local Perspectives on Federal Information Sharing'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, markup on H.R. 3438, the ''Require Evaluation before Implementing Executive Wishlists Act of 2015'', 10 a.m., 2237 Rayburn.

Committee on Natural Resources, Full Committee, markup on H.R. 3764, the ''Tribal Recognition Act of 2015''; H.R. 4564, the ''Robert Emmet Park Act of 2016''; H.R. 5032, to allow certain property in the town of Louisa, Virginia, to be used for purposes related to compliance with water quality standards, and for other purposes; and H.R. 5259, the ''Certainty for States and Tribes Act'' (continued), 11 a.m., 2167 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Examining FOIA Compliance at the Department of State'', 10 a.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled ''Struggling to Grow: Assessing the Challenges for Small Businesses in Rural America'', 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Full Committee, markup on a bill to amend title XVIII of the Social Security Act to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; and H.R. 954, to amend the Internal Revenue Code of 1986 to exempt from the individual mandate certain individuals who had coverage under a terminated qualified health plan funded through the Consumer Operated and Oriented Plan (CO–OP) program, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine Federal debt, focusing on direction, drivers, and dangers, 9:30 a.m., SH–216.

Conference: meeting of conferees on S. 2012, to provide for the modernization of the energy policy of the United States, 9:30 a.m., SD–106.

Next Meeting of the **SENATE**

9:30 a.m., Thursday, September 8

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 2848, Water Resources Development Act.

(At 9:30 a.m., Senate will observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, September 8

House Chamber

Program for Thursday: Consideration of H.R. 2357—Accelerating Access to Capital Act of 2016 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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