



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, MONDAY, DECEMBER 5, 2016

No. 174

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 5, 2016.

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

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

MORNING-HOUR DEBATE

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

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

CELEBRATING CARTER HANSON, A GAGLIARDI RECIPIENT

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

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

This trophy is named after the former St. John's University Hall of Fame, renowned football coach John Gagliardi and is given to the best Division III football player of the year. Carter Hanson has started every season for 4 years, was a preseason All-American, and this year led his team in tackles.

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

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

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

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

CELEBRATING MIKE GOHMAN OF W. GOHMAN CONSTRUCTION

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

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

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

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

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

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

Congratulations, Mike.

DODD-FRANK

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

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

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

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

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



Printed on recycled paper.

H7145

supported it when it passed in the House last week.

RECESS

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

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

□ 1400

AFTER RECESS

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

PRAYER

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

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

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

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

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

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

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

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

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

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

HONORING AIR FORCE LIEUTENANT COLONEL ROCKO RODRIGUEZ

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

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

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

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

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

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

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

RECOGNIZING EL DORADO SPRINGS CHAMBER OF COMMERCE

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

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

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

I am honored to represent this distinguished organization.

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

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

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

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

CONGRATULATING NEW DEMOCRAT COALITION LEADERSHIP

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

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

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

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

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

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

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

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

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

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

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2016.
Speaker PAUL D. RYAN,
Washington, DC.

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

Sincerely,

CANDICE S. MILLER,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2016.
Governor RICK SNYDER,
Lansing, MI.

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

Sincerely,

CANDICE S. MILLER,
Member of Congress.

RECESS

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

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

□ 1630

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

ENHANCING WHISTLEBLOWER PROTECTION FOR CONTRACTOR AND GRANTEE EMPLOYEES

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

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

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 795

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

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

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

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

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

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

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

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

(ii) by striking subsection (i).

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

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

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

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

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

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

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

(2) CIVILIAN CONTRACTS.—

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

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

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

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

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

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

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

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

protected against retaliation when they blow the whistle on wrongdoing.

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

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

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

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

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

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A motion to reconsider was laid on the table.

APOLLO 11 50TH ANNIVERSARY COMMEMORATIVE COIN ACT

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

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2726

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

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS.

The Congress finds the following:

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 3. COIN SPECIFICATIONS.

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

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

(A) weigh 8.359 grams;

(B) be struck on a planchet having a diameter of 0.850 inches; and

(C) contain not less than 90 percent gold.

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

(A) weigh 26.73 grams;

(B) be struck on a planchet having a diameter of 1.500 inches; and

(C) contain not less than 90 percent silver.

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

(A) weigh 11.34 grams;

(B) be struck on a planchet having a diameter of 1.205 inches; and

(C) be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.

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

(A) weigh 5 ounces;

(B) be struck on a planchet having a diameter of 3 inches; and

(C) contain .999 fine silver.

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

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

(d) CONVEX SHAPE.—

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

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

SEC. 4. DESIGN OF COINS.

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

(1) selected by the Secretary after consultation with—

(A) the Commission of Fine Arts; and

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

(2) reviewed by the Citizens Coinage Advisory Committee.

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

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

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

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

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

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

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

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

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

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

SEC. 5. ISSUANCE OF COINS.

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

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

SEC. 6. SALE OF COINS.

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

(1) the face value of the coins;

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

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

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

(c) PREPAID ORDERS.—

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

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

SEC. 7. SURCHARGES.

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

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

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

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

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

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

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

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

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

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

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

SEC. 8. FINANCIAL ASSURANCES.

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

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

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

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

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

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

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

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

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

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

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

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

□ 1645

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

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

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

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

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

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

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

Sincerely,

KEVIN BRADY,
Chairman.

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

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

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

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

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

Sincerely,

JEB HENSARLING,
Chairman.

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

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

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

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

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

Sincerely,

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

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

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

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

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

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

Sincerely,

JEB HENSARLING,
Chairman.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A motion to reconsider was laid on the table.

CREATING FINANCIAL PROSPERITY FOR BUSINESSES AND INVESTORS ACT

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

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6427

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

Sec. 1. Short title; table of contents.

TITLE I—SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT

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

TITLE II—SEC SMALL BUSINESS ADVOCATE

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

TITLE III—SUPPORTING AMERICA'S INNOVATORS

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

TITLE IV—FIX CROWDFUNDING

Sec. 401. Crowdfunding vehicles.

Sec. 402. Crowdfunding exemption from registration.

TITLE V—FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EXPERTS

Sec. 501. Definition of accredited investor.

TITLE VI—U.S. TERRITORIES INVESTOR PROTECTION

Sec. 601. Termination of exemption.

TITLE I—SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT

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

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

“(e) The Commission shall—

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

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

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

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

TITLE II—SEC SMALL BUSINESS ADVOCATE

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

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

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

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

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

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

“(i) report directly to the Commission; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(6) ANNUAL REPORT ON ACTIVITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(a) **ESTABLISHMENT AND PURPOSE.**—

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

“(2) **FUNCTIONS.**—

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

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

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

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

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

“(b) **MEMBERSHIP.**—

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

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

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

“(i) who represent—

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

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

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

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

“(iii) who represent—

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

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

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

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

“(C) three non-voting members—

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

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

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

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

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

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

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

“(A) a chairman;

“(B) a vice chairman;

“(C) a secretary; and

“(D) an assistant secretary.

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

“(d) **MEETINGS.**—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TITLE III—SUPPORTING AMERICA'S INNOVATORS

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

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

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

(2) by adding at the end the following:

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

TITLE IV—FIX CROWDFUNDING

SEC. 401. CROWDFUNDING VEHICLES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(15) Any crowdfunding vehicle.”.

SEC. 402. CROWDFUNDING EXEMPTION FROM REGISTRATION.

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

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

“(A) IN GENERAL.—The Commission”;

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

(3) by adding at the end the following:

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

TITLE V—FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EXPERTS

SEC. 501. DEFINITION OF ACCREDITED INVESTOR.

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

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

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

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

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

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

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

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

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

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

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

TITLE VI—U.S. TERRITORIES INVESTOR PROTECTION

SEC. 601. TERMINATION OF EXEMPTION.

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

(b) EFFECTIVE DATE AND SAFE HARBOR.—

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

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

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

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

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

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

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

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

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

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

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

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

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

There are two more.

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

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

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

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

□ 1700

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1715

COMBAT-INJURED VETERANS TAX FAIRNESS ACT OF 2016

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

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5015

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

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS.

Congress makes the following findings:

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

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

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

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

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

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

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

(1) identify—

(A) the severance payments—

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

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

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

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

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

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

(A) notice of—

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

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

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

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

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

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

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

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

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

SEC. 5. REPORT TO CONGRESS.

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

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

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

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

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

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

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

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

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

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

ering today by Representative ROUZER does just that.

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

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

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

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

Sincerely,
KEVIN BRADY,
Chairman.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

Our veterans deserve to be treated with respect.

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

PREScribed BURN APPROVAL ACT OF 2016

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

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

S. 3395

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

SECTION 1. SHORT TITLE.

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

SEC. 2. DEFINITIONS.

In this Act:

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

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

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

SEC. 3. LIMITATIONS ON PRESCRIBED BURNS.

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

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

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

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

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

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

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

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

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

There was no objection.

□ 1730

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

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

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

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

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

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

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

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

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,

Washington, DC, December 1, 2016.

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

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

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

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

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

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

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

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

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

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

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

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

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

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

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

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

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

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

Again, I urge my colleagues to support the bill.

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

I urge my colleagues to vote in favor.

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

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

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

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

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

I yield back the balance of my time.

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

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

A motion to reconsider was laid on the table.

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

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

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1635

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

Sec. 1. Short title; Table of contents.

Sec. 2. Definitions.

TITLE I—EMBASSY SECURITY AND PERSONNEL PROTECTION

Subtitle A—Review and Planning Requirements

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

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

Sec. 103. Direct reporting.

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

Subtitle B—Physical Security and Personnel Requirements

Sec. 111. Capital security cost sharing program.

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

Sec. 113. Transfer authority.

Sec. 114. Security enhancements for soft targets.

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

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

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

Sec. 118. Annual report on embassy construction costs.

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

Subtitle C—Security Training

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

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

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

Sec. 131. Marine Corps Security Guard Program.

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

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

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

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

TITLE III—INTERNATIONAL ORGANIZATIONS

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

TITLE IV—PERSONNEL AND ORGANIZATIONAL ISSUES

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

TITLE V—CONSULAR AUTHORITIES

- Sec. 501. Codification of enhanced consular immunities.

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

TITLE VI—WESTERN HEMISPHERE DRUG POLICY COMMISSION

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

TITLE VII—MISCELLANEOUS PROVISIONS

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

SEC. 2. DEFINITIONS.

In this Act:

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

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

TITLE I—EMBASSY SECURITY AND PERSONNEL PROTECTION

Subtitle A—Review and Planning Requirements

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

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

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

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

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

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

“(d) **DEFINITIONS.**—In this section:

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

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

“(A) is located in a country—

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

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

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

“SEC. 105. BRIEFINGS ON EMBASSY SECURITY.

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

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

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

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

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

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

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

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

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

“(b) CONGRESSIONAL NOTIFICATION.—

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

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

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

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

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

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

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

“Sec. 105. Briefings on embassy security.”

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

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

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

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

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

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

SEC. 103. DIRECT REPORTING.

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

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

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

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

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

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

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

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

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

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

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

Subtitle B—Physical Security and Personnel Requirements

SEC. 111. CAPITAL SECURITY COST SHARING PROGRAM.

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

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

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

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

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

SEC. 113. TRANSFER AUTHORITY.

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

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

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

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

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

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

SEC. 114. SECURITY ENHANCEMENTS FOR SOFT TARGETS.

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

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

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

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

It is the sense of Congress that—

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

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

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

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

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

(2) ensure that necessary security procedures are implemented.

SEC. 118. ANNUAL REPORT ON EMBASSY CONSTRUCTION COSTS.

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

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

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

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

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

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

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

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

Subtitle C—Security Training

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

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

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

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

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

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

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

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

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

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

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

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

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

- “(1) development of skills to better evaluate threats;
- “(2) effective use of security resources to mitigate such threats; and
- “(3) improved familiarity of available security resources.

“(c) OFFICIALS DESCRIBED.—Officials referred to in subsection (a) are the following:

“(1) Members of the Senior Foreign Service appointed under section 302(a)(1) or 303 of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1) and 3943) or members of the Senior Executive Service (as such term is described in section 3132(a)(2) of title 5, United States Code).

“(2) Foreign Service officers appointed under section 302(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3942(a)(1)) holding a position in classes FS-1 or FS-2.

“(3) Foreign Service Specialists appointed by the Secretary under section 303 of the Foreign Service Act of 1980 (22 U.S.C. 3943) holding a position in classes FS-1 or FS-2.

“(4) Individuals holding a position in grades GS-14 or GS-15.

“(5) Personal services contractors and other contractors serving in positions or capacities similar to the officials described in paragraphs (1) through (4).

“(d) EFFECTIVE DATE.—The requirements of this section shall take effect beginning on the date that is one year after the date of the enactment of this section.”.

(b) CONFORMING AMENDMENT.—The table of contents of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after the item relating to section 415 the following new items:

“Sec. 416. Security training for personnel assigned to a high risk, high threat post.

“Sec. 417. Security management training for officials assigned to a high risk, high threat post.”.

SEC. 122. SENSE OF CONGRESS REGARDING LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH RISK, HIGH THREAT POST.

(a) IN GENERAL.—It is the sense of Congress that diplomatic security personnel assigned permanently to or who are in long-term temporary duty status as designated by the Secretary at a high risk, high threat post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a)

should prepare personnel described in such subsection to—

(1) speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

(2) read within an adequate range of speed and with almost complete comprehension on subjects germane to security.

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

SEC. 131. MARINE CORPS SECURITY GUARD PROGRAM.

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802; enacted as part of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99-399)), the Secretary, in consultation with the Secretary of Defense, shall conduct an annual review of the Marine Corps Security Guard Program, including the following:

(1) An evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements.

(2) An assessment of whether the Marine Corps security guards are appropriately deployed among United States embassies, consulates, and other diplomatic facilities to respond to evolving security developments and potential threats to United States interests abroad.

(3) An assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for three years, the Secretary, in consultation with the Secretary of Defense, shall submit to the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate an unclassified report, with a classified annex as necessary, that addresses the requirements specified in subsection (a).

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

SEC. 201. COMPETITIVE HIRING STATUS FOR FORMER EMPLOYEES OF THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.

Notwithstanding any other provision of law, any employee of the Office of the Special Inspector General for Iraq Reconstruction who completes at least 12 months of continuous employment within the Office at any time prior to October 5, 2013, and was not terminated for cause shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

SEC. 202. CERTIFICATION OF INDEPENDENCE OF INFORMATION TECHNOLOGY SYSTEMS OF THE OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.

Not later than one year after the date of the enactment of this Act and annually thereafter for four years, the Secretary shall submit to the appropriate congressional committees, with respect to the network, information systems, and files of the Office of

Inspector General of the Department and Broadcasting Board of Governors managed by the Department, a certification that the Department has ensured the integrity and independence of such network, information systems, and files, including the prevention of access to such network, information systems, and files other than as authorized by the Inspector General or the Attorney General, or, for purposes of ensuring information and systems security pursuant to applicable statute, the Chief Information Officer of the Department.

SEC. 203. PROTECTING THE INTEGRITY OF INTERNAL INVESTIGATIONS.

Subsection (c) of section 209 of the Foreign Service Act of 1980 (22 U.S.C. 3929) is amended by adding at the end the following new paragraph:

“(6) REQUIRED REPORTING OF ALLEGATIONS AND INVESTIGATIONS AND INSPECTOR GENERAL AUTHORITY.—

“(A) IN GENERAL.—The head of a bureau, post, or other office of the Department of State (in this paragraph referred to as a ‘Department entity’) shall submit to the Inspector General a report of any allegation of—

“(i) waste, fraud, or abuse in a Department program or operation;

“(ii) criminal or serious misconduct on the part of a Department employee at the FS-1, GS-15, or GM-15 level or higher;

“(iii) criminal misconduct on the part of a Department employee; and

“(iv) serious, noncriminal misconduct on the part of any Department employee who is authorized to carry a weapon, make arrests, or conduct searches, such as conduct that, if proved, would constitute perjury or material dishonesty, warrant suspension as discipline for a first offense, or result in loss of law enforcement authority.

“(B) DEADLINE.—The head of a Department entity shall submit to the Inspector General a report of an allegation described in subparagraph (A) not later than five business days after the date on which the head of such Department entity is made aware of such allegation.”.

SEC. 204. REPORT ON INSPECTOR GENERAL INSPECTION AND AUDITING OF FOREIGN SERVICE POSTS AND BUREAUS AND OTHER OFFICES OF THE DEPARTMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General shall submit to the appropriate congressional committees a report on the requirement under section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)) that the Inspector General inspect and audit, at least every five years, the administration of activities and operations of each Foreign Service post and each bureau or other office of the Department.

(b) CONSIDERATION OF MULTI-TIER SYSTEM.—The report required under subsection (a) shall assess the advisability and feasibility of implementing a multi-tier system for inspecting Foreign Service posts and bureaus and other offices of the Department under section 209(a)(1) of the Foreign Service Act of 1980 featuring more or less frequent inspections and audits based on risk, including security risk, as may be determined by the Inspector General.

SEC. 205. IMPLEMENTING GAO AND OIG RECOMMENDATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department has not implemented all of the recommendations made by the Government Accountability Office (GAO) and the Office of the Inspector General (OIG) related to embassy security and that some recommendations may yield potentially significant cost savings to the Department.

(b) BRIEFING.—The Secretary shall provide a briefing to the appropriate congressional

committees detailing the rationale for not implementing recommendations made by the GAO and OIG related to embassy security or those that may yield significant cost savings to the Department, if implemented.

SEC. 206. INSPECTOR GENERAL SALARY LIMITATIONS.

Section 412 of the Foreign Service Act of 1980 (22 U.S.C. 3972) is amended by inserting after subsection (a) the following new subsection:

“(b) The Inspector General of the United States Agency for International Development (USAID) shall limit the payment of special differentials to USAID Foreign Service criminal investigators to levels at which the aggregate of basic pay and special differential for any pay period would equal, for such criminal investigators, the bi-weekly pay limitations on premium pay regularly placed on other criminal investigators within the Federal law enforcement community. This provision shall be retroactive to January 1, 2013.”.

TITLE III—INTERNATIONAL ORGANIZATIONS

SEC. 301. OVERSIGHT OF AND ACCOUNTABILITY FOR PEACEKEEPER ABUSES.

(a) STRATEGY TO ENSURE REFORM AND ACCOUNTABILITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit, in unclassified form, to the appropriate congressional committees—

(1) a United States strategy for combating sexual exploitation and abuse in United Nations peacekeeping operations; and

(2) an implementation plan for achieving the objectives set forth in the strategy described in paragraph (1).

(b) OBJECTIVES.—The objectives of the strategy required under subsection (a) shall be the following:

(1) To dramatically reduce the incidence of sexual exploitation and abuse committed by civilian and military personnel assigned to United Nations peacekeeping operations.

(2) To ensure the introduction and implementation by the United Nations of improved training, oversight, and accountability mechanisms for United Nations peacekeeping operations and the personnel involved with such operations.

(3) To ensure swift justice for any such personnel who are found to have committed sexual exploitation or abuse.

(4) To assist the United Nations and troop- or police-contributing countries, as necessary and appropriate, to improve their ability to prevent, identify, and prosecute sexual exploitation or abuse by personnel involved in peacekeeping operations.

(c) ELEMENTS.—The strategy required under subsection (a) shall include the following elements and objectives:

(1) The amendment of the model memorandum of understanding and review of all current memorandums of understanding for troop- or police-contributing countries participating in United Nations peacekeeping operations to strengthen provisions relating to the investigation, repatriation, prosecution, and discipline of troops or police that are credibly alleged to have engaged in cases of misconduct.

(2) The establishment of onsite courts-martial, as appropriate, for the prosecution of crimes committed by military peacekeeping personnel, that is consistent with each peacekeeping operations' status of forces agreement with its host country.

(3) The exploration of appropriate arrangements to waive the immunity of civilian employees of the United Nations and its specialized agencies, funds, and programs to enable the prosecution of such employees who are credibly alleged to have engaged in sexual exploitation, abuse, or other crimes.

(4) The creation of a United Nations Security Council ombudsman office that—

(A) is authorized to conduct ongoing oversight of peacekeeping operations;

(B) reports directly to the Security Council on—

(i) offenses committed by peacekeeping personnel or United Nations civilian staff or volunteers; and

(ii) the actions taken in response to such offenses; and

(C) provides reports to the Security Council on the conduct of personnel in each peacekeeping operation not less frequently than annually and before the expiration or renewal of the mandate of any such peacekeeping operation.

(5) The provision of guidance from the United Nations on the establishment of a standing claims commission for each peacekeeping operation—

(A) to address any grievances by a host country's civilian population against United Nations personnel in cases of alleged abuses by peacekeeping personnel; and

(B) to provide means for the government of the country of which culpable United Nations peacekeeping or civilian personnel are nationals to compensate the victims of such crimes.

(6) The adoption of a United Nations policy and plan that increases the number of troop- or police-contributing countries that—

(A) obtain and maintain DNA samples from each national of such country who is a member of a United Nations military contingent or formed police unit, consistent with national laws, of such contingent or unit; and

(B) make such DNA samples available to investigators from the troop- or police-contributing country (except that such should not be made available to the United Nations) if allegations of sexual exploitation or abuse arise.

(7) The adoption of a United Nations policy that bars troop- or police-contributing countries that fail to fulfill their obligation to ensure good order and discipline among their troops from providing any further troops for peace operations or restricts peacekeeper reimbursements to such countries until appropriate training, institutional reform, and oversight mechanisms to prevent such problems from recurring have been put in place.

(8) The implementation of appropriate risk reduction policies, including refusal by the United Nations to deploy uniformed personnel from any troop- or police-contributing country that does not adequately—

(A) investigate allegations of sexual exploitation or abuse involving nationals of such country; and

(B) ensure justice for those personnel determined to have been responsible for such sexual exploitation or abuse.

(d) IMPLEMENTATION.—The United States Permanent Representative to the United Nations shall use the voice, vote, and influence of the United States at the United Nations to advance the objectives of the strategy required by subsection (a).

(e) PEACEKEEPING TRAINING.—The United States should deny further United States peacekeeper training or related assistance, except for training specifically designed to reduce the incidence of sexual exploitation or abuse, or to assist in its identification or prosecution, to any troop- or police-contributing country that does not—

(1) implement and maintain effective measures to enhance the discovery of sexual exploitation and abuse offenses committed by peacekeeping personnel who are nationals of such country;

(2) adequately respond to complaints about such offenses by carrying out swift and effective disciplinary action against the personnel who are found to have committed such offenses; and

(3) provide detailed reporting to the ombudsman described in subsection (c)(4) (or other appropriate United Nations official) that describes the offenses committed by the nationals of such country and such country's responses to such offenses.

(f) **ASSISTANCE.**—The United States should develop support mechanisms to assist troop- or police-contributing countries, as necessary and appropriate—

(1) to improve their capacity to investigate allegations of sexual exploitation and abuse offenses committed by nationals of such countries while participating in a United Nations peacekeeping operation; and

(2) to appropriately hold accountable any individual who commits an act of sexual exploitation or abuse.

(g) **HUMAN RIGHTS REPORTING.**—In coordination with the ombudsman described in subsection (c)(4) (or other appropriate United Nations official), the Secretary shall identify, in the Department's annual country reports on human rights practices, the countries of origin of any peacekeeping personnel or units that—

(1) are characterized by noteworthy patterns of sexual exploitation or abuse; or

(2) have failed to institute appropriate institutional and procedural reforms after being made aware of any such patterns.

SEC. 302. REIMBURSEMENT OF CONTRIBUTING COUNTRIES.

It is the policy of the United States that—

(1) the present formula for determining the troop reimbursement rate paid to troop- and police-contributing countries for United Nations peacekeeping operations should be clearly explained and made available to the public on the United Nations Department of Peacekeeping Operations website;

(2) regular audits of the nationally-determined pay and benefits given to personnel from troop- and police-contributing countries participating in United Nations peacekeeping operations should be conducted to help inform the reimbursement rate referred to in paragraph (1); and

(3) the survey mechanism developed by the United Nations Secretary General's Senior Advisory Group on Peacekeeping Operations for collecting troop- and police-contributing country data on common and extraordinary expenses associated with deploying personnel to peacekeeping operations should be coordinated with the audits described in paragraph (2) to ensure proper oversight and accountability.

SEC. 303. WITHHOLDING OF ASSISTANCE.

It is the policy of the United States that security assistance should not be provided to any unit of the security forces of a foreign country if such unit has engaged in a gross violation of human rights or in acts of sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation.

SEC. 304. UNITED NATIONS PEACEKEEPING ASSESSMENT FORMULA.

The Secretary shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to urge the United Nations to share the raw data used to calculate Member State peacekeeping assessment rates and to make available the formula for determining peacekeeping assessments.

SEC. 305. REIMBURSEMENT OR APPLICATION OF CREDITS.

Notwithstanding any other provision of law, the President shall direct the United

States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek and timely obtain a commitment from the United Nations to make available to the United States any peacekeeping credits that are generated from a closed peacekeeping operation.

SEC. 306. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS RELATING TO PEACEKEEPING OPERATIONS.

(a) **IN GENERAL.**—Paragraph (1) of section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) A description of all assistance from the United States to the United Nations to support peacekeeping operations that—

“(i) was provided during the previous fiscal year;

“(ii) is expected to be provided during the fiscal year or

“(iii) is included in the annual budget request to Congress for the forthcoming fiscal year.”;

(2) by amending subparagraph (D) to read as follows:

“(D) For assessed or voluntary contributions described in subparagraph (B)(iii) or (C)(iii) that exceed \$100,000 in value, including in-kind contributions—

“(i) the total amount or estimated value of all such contributions to the United Nations and to each of its affiliated agencies and related bodies;

“(ii) the nature and estimated total value of all in-kind contributions in support of United Nations peacekeeping operations and other international peacekeeping operations, including—

“(I) logistics;

“(II) airlift;

“(III) arms and materiel;

“(IV) nonmilitary technology and equipment;

“(V) personnel; and

“(VI) training;

“(iii) the approximate percentage of all such contributions to the United Nations and to each such agency or body when compared with all contributions to the United Nations and to each such agency or body from any source; and

“(iv) for each such United States Government contribution to the United Nations and to each such agency or body—

“(I) the amount or value of the contribution;

“(II) a description of the contribution, including whether it is an assessed or voluntary contribution;

“(III) the purpose of the contribution;

“(IV) the department or agency of the United States Government responsible for the contribution; and

“(V) the United Nations or United Nations affiliated agency or related body that received the contribution.”; and

(3) by adding at the end the following new subparagraph:

“(E) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.”.

(b) **PUBLIC AVAILABILITY OF INFORMATION.**—Not later than 14 days after submitting each report under section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)), the Director of the Office of Management and Budget shall post a text-based, searchable version of any unclassified information described in paragraph (1)(D) of such section (as amended by subsection (a) of this section) on a publicly available website.

SEC. 307. WHISTLEBLOWER PROTECTIONS FOR UNITED NATIONS PERSONNEL.

The President shall direct the United States Permanent Representative to the

United Nations to use the voice, vote, and influence of the United States at the United Nations to—

(1) call for the removal of any official of the United Nations or of any United Nations agency, program, commission, or fund who the Secretary has determined has failed to uphold the highest standards of ethics and integrity established by the United Nations, including such standards specified in United Nations Codes of Conduct and Codes of Ethics, or whose conduct, with respect to preventing sexual exploitation and abuse by United Nations peacekeepers, has resulted in the erosion of public confidence in the United Nations;

(2) ensure that best practices with regard to whistleblower protections are extended to all personnel serving the United Nations or serving any United Nations agency, program, commission, or fund, especially personnel participating in United Nations peacekeeping operations, United Nations police officers, United Nations staff, contractors, and victims of misconduct, wrongdoing, or criminal behavior involving United Nations personnel;

(3) ensure that the United Nations implements protective measures for whistleblowers who report significant allegations of misconduct, wrongdoing, or criminal behavior by personnel serving the United Nations or serving any United Nations agency, program, commission, or fund, especially personnel participating in United Nations peacekeeping operations, United Nations staff, or contractors, specifically by implementing best practices for the protection of such whistleblowers from retaliation, including—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation;

(4) insist that the United Nations provides adequate redress to any whistleblower who has suffered from retribution in violation of the protective measures specified in paragraph (3), including reinstatement to any position from which such whistleblower was wrongfully removed, or reassignment to a comparable position at the same level of pay, plus any compensation for any arrearage in salary to which such whistleblower would have otherwise been entitled but for the wrongful retribution;

(5) call for public disclosure of the number and general description of—

(A) complaints submitted to the United Nations' Ethics Office, local Conduct and Discipline teams, or other entity designated to receive complaints from whistleblowers;

(B) determinations that probable cause exists to conduct an investigation, and specification of the entity conducting such investigation, including the Office of Internal Oversight Services, the Office of Audit and Investigations (for UNDP), the Office of Internal Audit (for UNICEF), and the Inspector General's Office (for UNHCR);

(C) dispositions of such investigations, including dismissal and referral for adjudication, specifying the adjudicating entity, such as the United Nations Dispute Tribunal; and

(D) results of adjudication, including disciplinary measures proscribed and whether such measures were effected, including information with respect to complaints regarding allegations of sexual exploitation and abuse by United Nations peacekeepers, allegations of fraud in procurement and contracting, and all other allegations of misconduct, wrongdoing, or criminal behavior;

(6) insist that the full, unredacted text of any investigation or adjudication referred to in paragraph (5) are made available to Member States upon request; and

(7) call for an examination of the feasibility of establishing a stand-alone agency at the United Nations, independent of the Secretary General, to investigate all allegations of misconduct, wrongdoing, or criminal behavior, reporting to the Member States of the General Assembly, paid for from the United Nations regular budget, to replace existing investigative bodies, including the Office of Internal Oversight Services, the Office of Audit and Investigations, the Office of Internal Audit, and the Office of Inspector General of the Department of State and the Broadcasting Board of Governors.

SEC. 308. ENCOURAGING EMPLOYMENT OF UNITED STATES CITIZENS AT THE UNITED NATIONS.

Section 181 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 276c-4) is amended to read as follows:

“SEC. 181. EMPLOYMENT OF UNITED STATES CITIZENS BY CERTAIN INTERNATIONAL ORGANIZATIONS.

“Not later than 180 days after the date of the enactment of the Department of State Authorization Act, Fiscal Year 2017, and annually thereafter for three years, the Secretary of State shall submit to Congress a report that provides—

“(1) for each international organization that had a geographic distribution formula in effect on January 1, 1991, an assessment of whether that organization—

“(A) is taking good faith steps to increase the staffing of United States citizens, including, as appropriate, as assessment of any additional steps the organization could be taking to increase such staffing; and

“(B) has met the requirements of its geographic distribution formula; and

“(2) an assessment of United States representation among professional and senior-level positions at the United Nations, including—

“(A) an assessment of the proportion of United States citizens employed at the United Nations Secretariat and at all United Nations specialized agencies, funds, and programs relative to the total employment at the United Nations Secretariat and at all such agencies, funds, and programs;

“(B) an assessment of compliance by the United Nations Secretariat and such agencies, funds, and programs with any applicable geographic distribution formula; and

“(C) a description of any steps taken or planned to be taken by the United States to increase the staffing of United States citizens at the United Nations Secretariat and such agencies, funds and programs.”

SEC. 309. STATEMENT OF POLICY ON MEMBER STATE'S VOTING PRACTICES AT THE UNITED NATIONS.

It is the policy of the United States to strongly consider a Member State's voting practices at the United Nations before entering into any agreements with the Member State.

SEC. 310. QUALIFICATIONS OF THE UNITED NATIONS SECRETARY GENERAL.

(a) **SENSE OF CONGRESS.**—The Secretary shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to urge each future candidate for the position of the United Nations Secretary General to circulate to the Member States of the General Assembly a description of his or her priorities and objectives for leading the organization and ensuring that it upholds the principles outlined by the United Nations Charter, including specific recommendations to improve strategic planning and enact far-reaching management, performance, and accountability reforms.

(b) **PROPOSAL FOR UNITED NATIONS REFORM.**—The descriptions referred to in subsection (a) shall include the following elements:

(1) A process for determining the goals, objectives, and benchmarks for the timely withdrawal of peacekeeping forces prior to the approval by the United Nations Security Council of a new or expanded peacekeeping operation.

(2) A proposal for ensuring that the numbers and qualifications of staff are clearly aligned with the specific needs of each United Nations agency, mission, and program, including measures to ensure that such agencies, missions, and programs have the flexibility needed to hire and release employees as workforce needs change over time.

(c) **STATEMENT OF POLICY.**—It is the policy of the United States to withhold support for any candidate for the position of United Nations Secretary General unless such candidate has produced a clear vision for leading the United Nations, including a robust reform agenda as described in subsection (b), and circulated such 1 to the Member States of the General Assembly.

SEC. 311. POLICY REGARDING THE UNITED NATIONS HUMAN RIGHTS COUNCIL.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States should use its voice, vote, and influence at the United Nations to work to ensure that—

(1) the United Nations Human Rights Council takes steps to remove permanent items on the United Nations Human Rights Council's agenda or program of work that target or single out a specific country or a specific territory or territories;

(2) the United Nations Human Rights Council does not include a Member State of the United Nations—

(A) subject to sanctions by the United Nations Security Council;

(B) under a United Nations Security Council-mandated investigation for human rights abuses;

(C) which the Secretary has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism; or

(D) which the President has designated as a country of particular concern for religious freedom under section 402(b) of the International Religious Freedom Act of 1998; and

(3) the percentage of United States citizens employed at the senior level in each of the Research and Right to Development Division, the Human Rights Treaties Division, the Field Operations and Technical Cooperation Division, and the Human Rights Council and Special Procedures Division of the United Nations Human Rights Office of the High Commissioner during the most recently completed plenary session of the United Nations General Assembly is at least equivalent to the percentage of the total United States assessed contribution to the United Nations regular budget during such plenary session of the United Nations General Assembly.

(b) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for each of the following five years, the Secretary shall submit to the appropriate congressional committees a report that describes—

(1) the resolutions that were considered in the United Nations Human Rights Council during the previous 12 months;

(2) the steps that have been taken during that 12-month period to remove permanent items on the United Nations Human Rights Council's agenda or program of work that target or single out a specific country or a specific territory or territories;

(3) a detailed list of any country currently on, or running for a seat on, the United Nations Human Rights Council that meets any of the criteria described in subparagraph (A), (B), (C), or (D) of subsection (a)(3); and

(4) the current employment breakdown by nationality at each of the four major divisions of the United Nations Human Rights Office of the High Commissioner as specified in subsection (a)(4).

SEC. 312. ADDITIONAL REPORT ON OTHER UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on all assessed and voluntary contributions with a value greater than \$100,000, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(b) **CONTENT.**—The report required under subsection (a) shall include the following elements:

(1) The total amount of all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

(2) The approximate percentage of United States Government contributions to each United Nations affiliated agency or body in such fiscal year when compared with all contributions to each such agency or body from any source in such fiscal year.

(3) For each such United States Government contribution—

(A) the amount of each such contribution;

(B) a description of each such contribution (including whether assessed or voluntary);

(C) the department or agency of the United States Government responsible for each such contribution;

(D) the purpose of each such contribution; and

(E) the United Nations or its affiliated agency or related body receiving the contribution.

(c) **SCOPE OF INITIAL REPORT.**—The first report required under subsection (a) shall include the information required under this section for the previous three fiscal years.

(d) **PUBLIC AVAILABILITY OF INFORMATION.**—Not later than 14 days after submitting a report required under subsection (a), the Director of the Office of Management and Budget shall post a public version of such report on a text-based, searchable, and publicly available Internet Web site.

SEC. 313. COMPARATIVE REPORT ON PEACEKEEPING OPERATIONS.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the costs, strengths, and limitations of United States and United Nations peacekeeping operations, which shall include—

(1) a comparison of the costs of current United Nations peacekeeping operations and the estimated cost of comparable United States peacekeeping operations; and

(2) an analysis of the strengths and limitations of—

(A) a peacekeeping operation led by the United States; and

(B) a peacekeeping operation led by the United Nations.

TITLE IV—PERSONNEL AND ORGANIZATIONAL ISSUES

SEC. 401. LOCALLY-EMPLOYED STAFF WAGES.

(a) MARKET-RESPONSIVE STAFF WAGES.—Not later than 180 days after the date of enactment of this Act and periodically thereafter, the Secretary shall establish and implement a prevailing wage rates goal for positions in the local compensation plan, as described in section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968), at each diplomatic post that—

(1) is based on the specific recruiting and retention needs of each such post and local labor market conditions, as determined annually; and

(2) is not less than the 50th percentile of the prevailing wage for comparable employment in the labor market surrounding each such post.

(b) EXCEPTION.—The prevailing wage rate goal established under subsection (a) shall not apply if compliance with such subsection would be inconsistent with applicable United States law, the law in the locality of employment, or the public interest.

(c) RECORDKEEPING REQUIREMENT.—The analytical assumptions underlying the calculation of wage levels at each diplomatic post under subsection (a), and the data upon which such calculation is based—

(1) shall be filed electronically and retained for not less than five years; and

(2) shall be made available to the appropriate congressional committees upon request.

SEC. 402. EXPANSION OF CIVIL SERVICE OPPORTUNITIES.

It is the sense of Congress that the Department should—

(1) expand the Overseas Development Program from 20 positions to not fewer than 40 positions within one year of the date of the enactment of this Act;

(2) analyze the costs and benefits of further expansion of the Overseas Development Program; and

(3) expand the Overseas Development Program to more than 40 positions if the benefits identified in paragraph (2) outweigh the costs identified in such paragraph.

SEC. 403. PROMOTION TO THE SENIOR FOREIGN SERVICE.

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by adding at the end the following new paragraph:

“(6)(A) The promotion of any individual joining the Service on or after January 1, 2017, to the Senior Foreign Service shall be contingent upon such individual completing at least one tour in—

“(i) a global affairs bureau; or

“(ii) a global affairs position.

“(B) The requirements under subparagraph (A) shall not apply if the Secretary certifies that the individual proposed for promotion to the Senior Foreign Service—

“(i) has met all other requirements applicable to such promotion; and

“(ii) was unable to complete a tour in a global affairs bureau or global affairs position because there was not a reasonable opportunity for such individual to be assigned to such a position.

“(C) In this paragraph—

“(i) the term ‘global affairs bureau’ means any bureau of the Department that is under the responsibility of—

“(I) the Under Secretary for Economic Growth, Energy, and Environment;

“(II) the Under Secretary for Arms Control and International Security Affairs;

“(III) the Under Secretary for Management;

“(IV) the Assistant Secretary for International Organization Affairs;

“(V) the Under Secretary for Public Diplomacy and Public Affairs; or

“(VI) the Under Secretary for Civilian, Security, Democracy, and Human Rights; and

“(ii) the term ‘global affairs position’ means any position funded with amounts appropriated to the Department under the heading ‘Diplomatic Policy and Support’.”

SEC. 404. LATERAL ENTRY INTO THE FOREIGN SERVICE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Foreign Service should permit mid-career entry into the Foreign Service for qualified individuals who are willing to bring their outstanding talents and experiences to the work of the Foreign Service.

(b) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a three-year pilot program for lateral entry into the Foreign Service that—

(1) targets mid-career individuals from the civil service and private sector who have skills and experience that would be extremely valuable to the Foreign Service;

(2) is in full comportment with current Foreign Service intake procedures, including the requirement to pass the Foreign Service exam;

(3) offers participants in such pilot program placement in the Foreign Service at a grade level higher than FS-4 if such placement is warranted by the education and qualifying experience of such individuals;

(4) requires only one directed assignment in a position appropriate to such pilot program participant's grade level;

(5) includes, as part of the required initial training, a class or module that specifically prepares participants in such pilot program for life in the Foreign Service, including conveying to such participants essential elements of the practical knowledge that is normally acquired during a Foreign Service officer's initial assignments; and

(6) includes an annual assessment of the progress of such pilot program by a review board consisting of Department officials with appropriate expertise, including employees of the Foreign Service, in order to evaluate such pilot program's success.

(c) ANNUAL REPORTING.—Not later than one year after the date of the enactment of this Act and annually thereafter for the duration of the pilot program described in subsection (b), the Secretary shall submit to the appropriate congressional committees a report that describes the following:

(1) The cumulative number of accepted and unaccepted applicants to such pilot program.

(2) The cumulative number of pilot program participants placed into each Foreign Service cone.

(3) The grade level at which each pilot program participant entered the Foreign Service.

(4) Information about the first assignment to which each pilot program participant was directed.

(5) The structure and operation of such pilot program, including—

(A) the operation of such pilot program to date; and

(B) any observations and lessons learned about such pilot program that the Secretary considers relevant.

(d) LONGITUDINAL DATA.—The Secretary shall—

(1) collect and maintain data on the career progression of each pilot program participant for the length of each participant's Foreign Service career; and

(2) make the data described in paragraph (1) available to the appropriate congressional committees upon request.

SEC. 405. REEMPLOYMENT OF ANNUITANTS AND WORKFORCE RIGHTSIZING.

(a) WAIVER OF ANNUITY LIMITATIONS.—Subsection (g) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) is amended—

(1) in paragraph (1)(B), by striking “to facilitate the” and all that follows through “Afghanistan.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) REPEAL OF SUNSET PROVISION.—Subsection (a) of section 61 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733) is amended to read as follows:

“(a) AUTHORITY.—The Secretary of State may waive the application of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis, for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.”

(c) RIGHTSIZING REPORT.—On the date on which the President's annual budget request is submitted to Congress each year through 2022, the Secretary shall submit to the appropriate congressional committees a report that describes the implementation status of all rightsizing recommendations made by the Office of Management, Policy, Rightsizing, and Innovation of the Department related to overseas staffing levels, including whether each such recommendation was accepted or rejected by the relevant chief of mission and regional bureau.

SEC. 406. INTEGRATION OF FOREIGN ECONOMIC POLICY.

(a) IN GENERAL.—The Secretary, in conjunction with the Under Secretary of Economic Growth, Energy, and the Environment, shall establish—

(1) foreign economic policy priorities for each regional bureau, including for individual countries, as appropriate; and

(2) policies and guidance for integrating such foreign economic policy priorities throughout the Department.

(b) DEPUTY ASSISTANT SECRETARY.—Within each regional bureau of the Department, the Secretary shall task an existing Deputy Assistant Secretary with appropriate training and background in economic and commercial affairs with the responsibility for economic matters and interests within the responsibilities of each such regional bureau, including the integration of the foreign economic policy priorities established pursuant to subsection (a).

(c) TRAINING.—The Secretary shall establish curriculum at the George P. Shultz National Foreign Affairs Training Center to develop the practical foreign economic policy expertise and skill sets of Foreign Service officers, including by making available distance-learning courses in commercial, economic, and business affairs, including in the following:

(1) The global business environment.

(2) The economics of development.

(3) Development and infrastructure finance.

(4) Current trade and investment agreements negotiations.

(5) Implementing existing multilateral and World Trade Organization agreements, and United States trade and investment agreements.

(6) Best practices for customs and export procedures.

(7) Market analysis and global supply chain management.

SEC. 407. TRAINING SUPPORT SERVICES.

Subparagraph (B) of section 704(a)(4) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(4)) is amended by striking “language

instructors, linguists, and other academic and training specialists” and inserting “education and training specialists, including language instructors and linguists, and other specialists who perform work directly relating to the design, delivery, oversight, or coordination of training delivered by the institution”.

SEC. 408. SPECIAL AGENTS.

(a) IN GENERAL.—Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

“(1) conduct investigations concerning—
“(A) illegal passport or visa issuance or use;

“(B) identity theft or document fraud affecting or relating to the programs, functions, or authorities of the Department of State; or

“(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States (as defined in section 7(9) of title 18, United States Code), except as such jurisdiction relates to the premises of United States military missions and related residences;”.

(b) CONSTRUCTION.—Nothing in the amendment made by subsection (a) may be construed to limit the investigative authority of any Federal department or agency other than the Department.

SEC. 409. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), is amended—

(1) in subsection (a) by striking “subsection (b)” and inserting “subsections (b) and (c)”;

(2) in subsection (b)—
(A) in paragraph (3)—
(i) by striking “if continued service” and inserting the following: “if—
“(A) continued service”;

(ii) in such subparagraph (A) (as so inserted and designated by clause (i) of this subparagraph), by inserting “or” after the semicolon at the end; and

(iii) by adding at the end the following new subparagraph:

“(B) the individual is serving in the uniformed services (as defined in section 4303 of title 38, United States Code) and the limited appointment expires in the course of such service;”;

(B) in paragraph (4), by striking “and” at the end;

(C) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new paragraph:

“(6) in exceptional circumstances if the Secretary determines the needs of the Service require the extension of—

“(A) a limited noncareer appointment for a period not to exceed one year; or

“(B) a limited appointment of a career candidate for the minimum time needed to resolve a grievance, claim, investigation, or complaint not otherwise provided for in this section.”; and

(3) by adding at the end the following new subsection:

“(c)(1) Except as provided in paragraph (2) noncareer employees who have served for five consecutive years under a limited appointment under this section may be reappointed to a subsequent noncareer limited appointment if there is at least a one-year break in service before such new appointment.

“(2) The Secretary may waive the one-year break requirement under paragraph (1) in cases of special need.”.

SEC. 410. REPORT ON DIVERSITY RECRUITMENT, EMPLOYMENT, RETENTION, AND PROMOTION.

(a) IN GENERAL.—The Secretary should provide oversight to the employment, retention,

and promotion of traditionally under-represented minority groups.

(b) ADDITIONAL RECRUITMENT AND OUTREACH REQUIRED.—The Department should conduct recruitment activities that—

(1) develop and implement effective mechanisms to ensure that the Department is able effectively to recruit and retain highly qualified candidates from a wide diversity of institutions; and

(2) improve and expand recruitment and outreach programs at minority-serving institutions.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act and quadrennially thereafter, the Secretary shall submit to Congress a comprehensive report that describes the efforts, consistent with existing law, including procedures, effects, and results of the Department since the period covered by the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, including equal opportunity for all traditionally under-represented minority groups.

SEC. 411. MARKET DATA FOR COST-OF-LIVING ADJUSTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that examines the feasibility and cost effectiveness of using private sector market data to determine cost of living adjustments for Foreign Service officers and Federal Government civilians who are stationed abroad.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a list of at least four private sector providers of international cost-of-living data that the Secretary determines are qualified to provide such data;

(2) a list of cities in which the Department maintains diplomatic posts for which private sector cost-of-living data is not available;

(3) a comparison of—
(A) the cost of purchasing cost-of-living data from each provider listed in paragraph (1); and

(B) the cost (including Department labor costs) of producing such rates internally; and
(4) for countries in which the Department provides a cost-of-living allowance greater than zero and the World Bank estimates that the national price level of the country is less than the national price level of the United States, a comparison of cost-of-living allowances, excluding housing costs, of the private sector providers referred to in paragraph (1) to rates constructed by the Department's Office of Allowances.

(c) WAIVER.—If the Secretary determines that compliance with subsection (b)(4) at a particular location is cost-prohibitive, the Secretary may waive the requirement under such subsection for such location if the Secretary submits to the appropriate congressional committees written notice and an explanation of the reasons for such waiver.

SEC. 412. TECHNICAL AMENDMENT TO FEDERAL WORKFORCE FLEXIBILITY ACT.

Chapter 57 of title 5, United States Code, is amended—

(1) in subparagraph (A) of section 5753(a)(2), by inserting “, excluding members of the Foreign Service other than chiefs of mission and ambassadors at large” before the semicolon at the end; and

(2) in subparagraph (A) of section 5754(a)(2), by inserting “, excluding members of the Foreign Service other than chiefs of mission and ambassadors at large” before the semicolon at the end.

SEC. 413. RETENTION OF MID- AND SENIOR-LEVEL PROFESSIONALS FROM TRADITIONALLY UNDER-REPRESENTED MINORITY GROUPS.

The Secretary should provide attention and oversight to the employment, retention, and promotion of traditionally under-represented minority groups to promote a diverse representation among mid- and senior-level career professionals through programs such as—

(1) the International Career Advancement Program;

(2) Seminar XXI at the Massachusetts Institute of Technology's Center for International Studies; and

(3) other highly respected international leadership programs.

SEC. 414. EMPLOYEE ASSIGNMENT RESTRICTIONS.

(a) APPEAL OF ASSIGNMENT RESTRICTION.—The Secretary shall establish a right and process for employees to appeal any assignment restriction or preclusion.

(b) CERTIFICATION.—Upon full implementation of a right and process for employees to appeal an assignment restriction or preclusion under subsection (a), the Secretary shall submit to the appropriate congressional committee a report that—

(1) certifies that such process has been fully implemented;

(2) includes a detailed description of such process; and

(3) details the number and nature of assignment restrictions and preclusions for the previous three years.

(c) NOTICE.—The Secretary shall—

(1) publish in the Foreign Affairs Manual information relating to the right and process established pursuant to subsection (a); and

(2) include a reference to such publication in the report required under subsection (b).

(d) PROHIBITING DISCRIMINATION.—Paragraph (2) of section 502(a) of the Foreign Service Act of 1980 (22 U.S.C. 3982(a)) is amended—

(1) by inserting “or prohibited from being assigned to” after “assigned to”; and

(2) by striking “exclusively”.

SEC. 415. SECURITY CLEARANCE SUSPENSIONS.

(a) IN GENERAL.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended—

(1) by striking the section heading and inserting the following: “SEPARATION FOR CAUSE; SUSPENSION”; and

(2) by adding at the end the following new subsection:

“(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Service when—

“(A) the member's security clearance is suspended; or

“(B) there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

“(2) Any member of the Service for whom a suspension is proposed under this subsection shall be entitled to—

“(A) written notice stating the specific reasons for the proposed suspension;

“(B) a reasonable time to respond orally and in writing to the proposed suspension;

“(C) obtain at such member's own expense representation by an attorney or other representative; and

“(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

“(3) Any member suspended under this subsection may file a grievance in accordance with the procedures applicable to grievances under chapter 11 of title 5.

“(4) If a grievance is filed pursuant to paragraph (3)—

“(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

“(B) the Board may not exercise the authority provided under section 1106(8).

“(5) In this subsection:

“(A) The term ‘reasonable time’ means—

“(i) with respect to a member of the Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

“(ii) with respect to a member of the Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

“(B) The terms ‘suspend’ and ‘suspension’ mean placing a member of the Foreign Service in a temporary status without duties.”

(b) **CLERICAL AMENDMENT.**—The table of contents in section 2 of the Foreign Service Act of 1980 is amended by striking the item relating to section 610 and inserting the following new item:

“Sec. 610. Separation for cause; Suspension.”

SEC. 416. SENSE OF CONGRESS ON THE INTEGRATION OF POLICIES RELATED TO THE PARTICIPATION OF WOMEN IN PREVENTING AND RESOLVING CONFLICTS.

It is the sense of Congress that—

(1) within each regional bureau of the Department, the Secretary should task an existing Deputy Assistant Secretary with the responsibility for overseeing the integration of policy priorities related to the importance of the participation of women in preventing and resolving conflicts; and

(2) the Director of the George P. Shultz National Foreign Affairs Training Center should incorporate at least one training session related to the importance of the participation of women in preventing and resolving conflicts into—

(A) the A-100 course attended by Foreign Service Officers; and

(B) with respect to Foreign Service Officers who have completed the A-100 course, at least one training course that will be completed not later than the date that is 1 year after the date of the enactment of this Act.

SEC. 417. FOREIGN SERVICE FAMILIES WORKFORCE STUDY.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on workforce issues and challenges to career opportunities pertaining to tandem couples in the Foreign Service as well as couples with respect to which only one spouse is in the Foreign Service.

SEC. 418. SPECIAL ENVOYS, REPRESENTATIVES, ADVISORS, AND COORDINATORS OF THE DEPARTMENT.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on special envoys, representatives, advisors, and coordinators of the Department, that includes—

(1) a tabulation of the current names, ranks, positions, and responsibilities of all special envoy, representative, advisor, and coordinator positions at the Department, with a separate accounting of all such positions at the level of Assistant Secretary (or equivalent) or above; and

(2) for each position identified pursuant to paragraph (1)—

(A) the date on which such position was created;

(B) the mechanism by which such position was created, including the authority under which such position was created;

(C) such positions authorized under section

Basic Authorities Act of 1956 (22 U.S.C. 2651a);

(D) a description of whether, and the extent to which, the responsibilities assigned to such position duplicate the responsibilities of other current officials within the Department, including other special envoys, representatives, advisors, and coordinators;

(E) which current official of the Department would be assigned the responsibilities of such position in the absence of such position;

(F) to which current official of the Department such position directly reports;

(G) the total number of staff assigned to support such position; and

(H) with the exception of positions created by statute, a detailed explanation of the necessity of such position to the effective conduct of the foreign affairs of the United States.

SEC. 419. COMBATING ANTI-SEMITISM.

Not later than 180 days after the date of the enactment of this Act, the Special Envoy to Monitor and Combat Anti-Semitism of the Office to Monitor and Combat Anti-Semitism of the Department shall provide to the appropriate congressional committees a briefing on United States support to, and opportunities to coordinate with, American and European Jewish and other civil society organizations, focusing on youth, to combat anti-Semitism and other forms of religious, ethnic, or racial intolerance in Europe.

TITLE V—CONSULAR AUTHORITIES

SEC. 501. CODIFICATION OF ENHANCED CONSULAR IMMUNITIES.

Section 4 of the Diplomatic Relations Act (22 U.S.C. 254c) is amended—

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

“(a) IN GENERAL.—The President”; and

(2) by adding at the end the following new subsection:

“(b) CONSULAR IMMUNITY.—

“(1) IN GENERAL.—The Secretary of State, with the concurrence of the Attorney General, may, on the basis of reciprocity and under such terms and conditions as the Secretary may determine, specify privileges and immunities for a consular post, the members of a consular post, and their families which result in more favorable or less favorable treatment than is provided in the Vienna Convention on Consular Relations, of April 24, 1963 (T.I.A.S. 6820), entered into force for the United States on December 24, 1969.

“(2) CONSULTATION.—Before exercising the authority under paragraph (1), the Secretary of State shall consult with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the circumstances that may warrant the need for privileges and immunities providing more favorable or less favorable treatment than is provided in the Vienna Convention.”

SEC. 502. PASSPORTS MADE IN THE UNITED STATES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that all components of United States passports, including all passport security features, should be printed, manufactured, and assembled exclusively within the United States by United States companies and personnel, contractors, and subcontractors with appropriate security clearances.

(b) **BRIEFINGS.**—The Secretary, in coordination with the heads of other relevant Federal agencies, shall provide a briefing, which may be given in a classified environment if necessary, to the appropriate congressional committees that includes the following details:

(1) A list of all components of the United States passport made outside the United States.

(2) The costs of all components of the United States passports made outside the United States.

(3) Comparable costs to produce and procure in the United States the items identified in paragraphs (1) and (2).

TITLE VI—WESTERN HEMISPHERE DRUG POLICY COMMISSION

SEC. 601. ESTABLISHMENT.

There is established an independent commission to be known as the “Western Hemisphere Drug Policy Commission” (in this title referred to as the “Commission”).

SEC. 602. DUTIES.

(a) **REVIEW OF ILLICIT DRUG CONTROL POLICIES.**—The Commission shall conduct a comprehensive review of United States foreign policy in the Western Hemisphere to reduce the illicit drug supply and drug abuse and reduce the damage associated with illicit drug markets and trafficking. The Commission shall also identify policy and program options to improve existing international counternarcotics policy. The review shall include the following topics:

(1) An evaluation of United States-funded international illicit drug control programs in the Western Hemisphere, including drug interdiction, crop eradication, alternative development, drug production surveys, police and justice sector training, demand reduction, and strategies to target drug kingpins.

(2) An evaluation of the impact of United States counternarcotics assistance programs in the Western Hemisphere, including the Colombia Strategic Development Initiative, the Merida Initiative, the Caribbean Basin Security Initiative and the Central America Regional Security Initiative, in curbing drug production, drug trafficking, and drug-related violence and improving citizen security.

(3) An evaluation of how the President’s annual determination of major drug-transit and major illicit drug producing countries pursuant to section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j-1) serves United States interests with respect to United States international illicit drug control policies.

(4) An evaluation of whether the proper indicators of success are being used to evaluate United States international illicit drug control policy.

(5) An evaluation of United States efforts to stop illicit proceeds from drug trafficking organizations from entering the United States financial system.

(6) An evaluation of the links between the illegal narcotics trade in the Western Hemisphere and terrorist activities around the world.

(7) An evaluation of United States efforts to combat narco-terrorism in the Western Hemisphere.

(8) An evaluation of the financing of foreign terrorist organizations by drug trafficking organizations and an evaluation of United States efforts to stop such activities.

(9) An evaluation of alternative drug policy models in the Western Hemisphere.

(10) An evaluation of the impact of local drug consumption in Latin America and the Caribbean in promoting violence and insecurity.

(11) Recommendations on how best to improve United States counternarcotics policies in the Western Hemisphere.

(b) **COORDINATION WITH GOVERNMENTS, INTERNATIONAL ORGANIZATIONS, AND NON-GOVERNMENTAL ORGANIZATIONS IN THE WESTERN HEMISPHERE.**—In conducting the review required under subsection (a), the Commission is encouraged to consult with—

(1) government, academic, and nongovernmental leaders, as well as leaders from international organizations, from throughout the

United States, Latin America, and the Caribbean; and

(2) the Inter-American Drug Abuse Control Commission (CICAD).

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit to the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, the Secretary, and the Director of the Office of National Drug Control Policy a report that contains—

(A) a detailed statement of the recommendations, findings, and conclusions of the Commission under subsection (a); and

(B) summaries of the input and recommendations of the leaders and organizations with which the Commission consulted under subsection (b).

(2) PUBLIC AVAILABILITY.—The report required under this subsection shall be made available to the public.

SEC. 603. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of ten members to be appointed as follows:

(1) The majority leader and minority leader of the Senate shall each appoint two members.

(2) The Speaker and the minority leader of the House of Representatives shall each appoint two members.

(3) The President shall appoint two members.

(b) PROHIBITION.—

(1) IN GENERAL.—The Commission may not include—

(A) Members of Congress; or

(B) Federal, State, or local government officials.

(2) MEMBER OF CONGRESS.—In this subsection, the term “Member of Congress” includes a Delegate or Resident Commissioner to the Congress.

(c) APPOINTMENT OF INITIAL MEMBERS.—The initial members of the Commission shall be appointed not later than 30 days after the date of the enactment of this Act.

(d) VACANCIES.—Any vacancies shall not affect the power and duties of the Commission, but shall be filled in the same manner as the original appointment. An appointment required by subsection (a) should be made within 90 days of a vacancy on the Commission.

(e) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission.

(f) INITIAL MEETING AND SELECTION OF CHAIRPERSON.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement a schedule for completion of the review and report required under section 362.

(2) CHAIRPERSON.—At the initial meeting, the Commission shall select a Chairperson from among its members.

(g) QUORUM.—Six members of the Commission shall constitute a quorum.

(h) COMPENSATION.—Members of the Commission—

(1) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(2) shall serve without pay.

(i) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code, while away from their homes or regular places of business in performance of services for the Commission.

SEC. 604. POWERS.

(a) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of its members.

(b) HEARINGS.—The Commission may hold such hearings and undertake such other activities as the Commission determines necessary to carry out its duties.

(c) OTHER RESOURCES.—

(1) DOCUMENTS, STATISTICAL DATA, AND OTHER SUCH INFORMATION.—

(A) IN GENERAL.—The Library of Congress, the Office of National Drug Control Policy, the Department, and any other Federal department or agency shall, in accordance with the protection of classified information, provide reasonable access to documents, statistical data, and other such information the Commission determines necessary to carry out its duties.

(B) OBTAINING INFORMATION.—The Chairperson of the Commission shall request the head of an agency described in subparagraph (A) for access to documents, statistical data, or other such information described in such subparagraph that is under the control of such agency in writing when necessary.

(2) OFFICE SPACE AND ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall make office space available for day-to-day activities of the Commission and for scheduled meetings of the Commission. Upon request, the Administrator shall provide, on a reimbursable basis, such administrative support as the Commission requests to fulfill its duties.

(d) AUTHORITY TO USE UNITED STATES MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) AUTHORITY TO CONTRACT.—

(1) IN GENERAL.—Subject to the Federal Property and Administrative Services Act of 1949, the Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties under section 602.

(2) TERMINATION.—A contract, lease, or other legal agreement entered into by the Commission may not extend beyond the date of termination of the Commission.

SEC. 605. STAFF.

(a) DIRECTOR.—The Commission shall have a Director who shall be appointed by a majority vote of the Commission. The Director shall be paid at a rate not to exceed the rate of basic pay for level IV of the Executive Schedule.

(b) STAFF.—

(1) IN GENERAL.—With the approval of the Commission, the Director may appoint such personnel as the Director determines to be appropriate. Such personnel shall be paid at a rate not to exceed the rate of basic pay for level IV of the Executive Schedule.

(2) ADDITIONAL STAFF.—The Commission may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule.

(c) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency may detail, with-

out reimbursement, any of the personnel of such agency to the Commission to assist in carrying out the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the personnel.

(e) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

SEC. 606. SUNSET.

The Commission shall terminate on the date that is 60 days after the date on which the Commission submits its report to Congress pursuant to section 602(c).

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. FOREIGN RELATIONS EXCHANGE PROGRAMS.

(a) EXCHANGES AUTHORIZED.—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

“SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.

“(a) AUTHORITY.—The Secretary may establish exchange programs under which officers or employees of the Department of State, including individuals appointed under title 5, United States Code, and members of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)), may be assigned, for not more than one year, to a position with any foreign government or international entity that permits an employee to be assigned to a position with the Department of State.

“(b) SALARY AND BENEFITS.—

“(1) MEMBERS OF FOREIGN SERVICE.—During a period in which a member of the Foreign Service is participating in an exchange program authorized pursuant to subsection (a), such member shall be entitled to the salary and benefits to which such member would receive but for the assignment under this section.

“(2) NON-FOREIGN SERVICE EMPLOYEES OF DEPARTMENT.—An employee of the Department of State other than a member of the Foreign Service participating in an exchange program authorized pursuant to subsection (a) shall be treated in all respects as if detailed to an international organization pursuant to section 3343(c) of title 5, United States Code.

“(3) FOREIGN PARTICIPANTS.—The salary and benefits of an employee of a foreign government or international entity participating in an exchange program authorized pursuant to subsection (a) shall be paid by such government or entity during the period in which such employee is participating in such program, and shall not be reimbursed by the Department of State.

“(c) NON-RECIPROCAL ASSIGNMENT.—The Secretary may authorize a non-reciprocal assignment of personnel pursuant to this section, with or without reimbursement from the foreign government or international entity for all or part of the salary and other expenses payable during such assignment, if such is in the interests of the United States.

“(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the appointment as an officer or employee of the United States of—

“(1) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States; or

“(2) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, or any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States.”.

SEC. 702. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) IN GENERAL.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking “October 1, 2015” and inserting “October 1, 2020”.

(b) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of October 1, 2016. Any lapse in powers, authorities, or responsibilities of the United States Advisory Commission on Public Diplomacy from the period beginning on October 1, 2016, and ending on the date of the enactment of this Act, shall be deemed to have not so lapsed.

SEC. 703. BROADCASTING BOARD OF GOVERNORS.

(a) BROADCASTING TO ASIA.—Section 309 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6208) is amended—

(1) in subsection (a)(1), by striking “the following countries” and all that follows through the period at the end and inserting “Asia.”; and

(2) in subsection (b)(1), by striking “the respective countries of”.

(b) PROHIBITIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any change to the Federal status of—

(A) the Cuba Service established pursuant to section 4 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b; Public Law 98-111) is prohibited unless such section is explicitly repealed and such service is dissolved by an Act of Congress enacted on or after the date of the enactment of this Act; and

(B) the Television Marti Service established by section 244(a) of Television Broadcasting to Cuba Act (22 U.S.C. 1465c; Public Law 101-246) is prohibited unless such section is explicitly repealed and such service is dissolved by an Act of Congress enacted on or after the date of the enactment of this Act.

(2) DEFINITION.—In this subsection, the term “change to the Federal status”, with respect to a service referred to in subparagraph (A) or (B) of paragraph (1), includes any significant restructuring, privatization, subordination to a private or private-public entity, or merger with a private or public-private entity of such service.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Broadcasting Board of Governors should start broadcasting in the Sindhi language.

SEC. 704. REWARDS FOR JUSTICE.

(a) REWARDS AUTHORIZED.—

(1) IN GENERAL.—Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended in paragraphs (4) and (5) by striking “or (9)” each place it appears and inserting “(9), or (10)”.

(2) REPORTS; DEFINITIONS.—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(A) in subsection (g), by adding at the end the following new paragraph:

“(4) REPORTS ON REWARDS AUTHORIZED.—Not less than 15 days after a reward is authorized under this section, the Secretary of State shall submit to the appropriate congressional committees a report, which may be submitted in classified form if necessary to protect intelligence sources and methods, detailing information about the reward, including the identity of the individual for whom the reward is being made, the amount of the reward, the acts with respect to which the reward is being made, and how the reward is being publicized.”; and

(B) in subsection (k)(2), by striking “International Relations” and inserting “Foreign Affairs”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) take effect on

the date of the enactment of this Act and apply with respect to any reward authorized under section 36 of the State Department Basic Authorities Act of 1956 (as so amended) on or after such date.

(b) EXTRADITIONS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the refusal by other countries to extradite or otherwise render to the United States fugitives who have been indicted or convicted within the United States for serious crimes, including murder, hijacking, and acts of domestic terrorism, is an impediment to justice, undermines international security, and deserves high level diplomatic efforts toward resolution.

(2) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall provide to Congress a briefing related to the issues raised in paragraph (1), including—

(A) the number of fugitives and others for whom the United States Government is seeking extradition or rendition, both in total and listed by country;

(B) the average length of time such extradition or rendition requests have been outstanding, both in general and by country;

(C) discussion of diplomatic and other efforts the United States has undertaken to secure the return of such fugitives;

(D) discussion of factors that have been barriers to the resolution of such cases; and

(E) information on the number of United States citizens whose extradition has been sought by foreign governments during the past five years, both in total and listed by country, and a discussion of the outcome of such requests.

SEC. 705. EXTENSION OF PERIOD FOR REIMBURSEMENT OF SEIZED COMMERCIAL FISHERMEN.

Subsection (e) of section 7 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977) is amended by striking “2008” and inserting “2018”.

SEC. 706. EXPANSION OF THE CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM, THE THOMAS R. PICKERING FOREIGN AFFAIRS FELLOWSHIP PROGRAM, AND THE DONALD M. PAYNE INTERNATIONAL DEVELOPMENT FELLOWSHIP PROGRAM.

(a) ADDITIONAL FELLOWSHIPS AUTHORIZED.—Beginning in fiscal year 2017, the Secretary shall—

(1) increase by ten the number of fellows selected for the Charles B. Rangel International Affairs Program;

(2) increase by ten the number of fellows selected for the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(3) increase by five the number of fellows selected for the Donald M. Payne International Development Fellowship Program.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed as authorizing the hiring of additional personnel at the Department beyond existing, projected hiring patterns.

SEC. 707. GAO REPORT ON DEPARTMENT CRITICAL TELECOMMUNICATIONS EQUIPMENT OR SERVICES OBTAINED FROM SUPPLIERS CLOSELY LINKED TO A LEADING CYBER-THREAT ACTOR.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on any critical telecommunications equipment, technologies, or services obtained or used by the Department or its contractors or subcontractors that is—

(1) manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor; or

(2) from an entity that incorporates or utilizes information technology manufactured

by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor.

(b) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) LEADING CYBER-THREAT ACTOR.—The term “leading cyber-threat actor” means a country identified as a leading threat actor in cyberspace in the report entitled “Worldwide Threat Assessment of the US Intelligence Community”, dated February 9, 2016.

(2) CLOSELY LINKED.—The term “closely linked”, with respect to a foreign supplier, contractor, or subcontractor and a leading cyber-threat actor, means the foreign supplier, contractor, or subcontractor—

(A) has ties to the military forces of such actor;

(B) has ties to the intelligence services of such actor;

(C) is the beneficiary of significant low interest or no-interest loans, loan forgiveness, or other support of such actor; or

(D) is incorporated or headquartered in the territory of such actor.

SEC. 708. IMPLEMENTATION PLAN FOR INFORMATION TECHNOLOGY AND KNOWLEDGE MANAGEMENT.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an implementation plan, including timelines and resources, required to—

(1) establish a hub for analytics, data science, strategy, and knowledge management at the Department; and

(2) migrate suitable information technology (as such term is defined in section 11101(6) of title 40 United States Code) to a cloud computing service or a cloud-based solution.

SEC. 709. RANSOMS TO FOREIGN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President, in consultation with the Secretary, shall transmit to the appropriate congressional committees a report covering the previous calendar providing the following details:

(1) Which foreign governments are believed to have facilitated, directly or indirectly, the payment of ransoms.

(2) Which foreign terrorist organizations received payments from foreign governments identified in paragraph (1).

(3) The amount of each such payment.

(4) The means of delivering such payments.

(5) A summary of the efforts of the United States to counter such payments.

(6) Recommendations for improving coordination among the foreign allies of the United States to not pay ransoms.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, may include a classified annex, shall be made available to the public by posting the unclassified form of such report on the website of the Department, and may be included in any other report that is required to be made public.

SEC. 710. STRATEGY TO COMBAT TERRORIST USE OF SOCIAL MEDIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on United States strategy to combat terrorists' and terrorist organizations' use of social media consistent with the President's 2011 “Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States”.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An evaluation of what role social media plays in radicalization in the United States and elsewhere.

(2) An analysis of how terrorists and terrorist organizations are using social media, including trends.

(3) A summary of the Federal Government's efforts to disrupt and counter the use of social media by terrorists and terrorist organizations, an evaluation of the success of such efforts, and recommendations for improvement.

(4) An analysis of how social media is being used for counter-radicalization and counter-propaganda purposes, irrespective of whether or not such efforts are made by the Federal Government.

(5) An assessment of the value to law enforcement of social media posts by terrorists and terrorist organizations.

(6) An overview of social media training available to law enforcement and intelligence personnel that enables such personnel to understand and combat the use of social media by terrorists and terrorist organizations, as well as recommendations for improving or expanding existing training opportunities.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex in accordance with the protection of intelligence sources and methods.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on the Armed Services, the Committee on Homeland Security, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

SEC. 711. REPORT ON DEPARTMENT INFORMATION TECHNOLOGY ACQUISITION PRACTICES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report detailing the Department's information technology acquisition practices.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include the following elements:

(1) Agency chief investment officer authority enhancements, including reporting on incremental developments regarding whether information technology investments are delivering functionality every six months.

(2) Enhanced transparency and risk management, including the methodology for calculating risk.

(3) The frequency and status of agency-wide portfolio reviews to identify opportunities for information technology efficiency, effectiveness, duplication, and potential savings.

(4) Data center consolidation and optimization, including potential savings.

SEC. 712. PUBLIC AVAILABILITY OF REPORTS ON NOMINEES TO BE CHIEFS OF MISSION.

Not later than seven days after submitting the report required under section 304(a)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3944(a)(4)) to the Committee on Foreign Relations of the Senate, the President shall make the report available to the public, including by posting the report on the website of the Department in a conspicuous manner and location.

SEC. 713. RECRUITMENT AND RETENTION OF INDIVIDUALS WHO HAVE LIVED, WORKED, OR STUDIED IN PREDOMINANTLY MUSLIM COUNTRIES OR COMMUNITIES.

(a) FINDINGS.—Congress finds that successful engagement, including robust public diplomacy, with predominantly Muslim countries and communities is critical for achieving United States foreign policy objectives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department should recruit more employees that have a personal background in, and thorough understanding of, the cultures, languages, and history of the Middle East and wider Muslim world.

(c) RECRUITMENT AND RETENTION OF CERTAIN INDIVIDUALS.—The Secretary shall make every effort to recruit and retain individuals that have lived, worked, or studied in predominantly Muslim countries or communities, including individuals who have studied at an Islamic institution of higher learning.

SEC. 714. SENSE OF CONGRESS REGARDING COVERAGE OF APPROPRIATE THERAPIES FOR DEPENDENTS WITH AUTISM SPECTRUM DISORDER (ASD).

(a) FINDING.—Congress finds that physical, occupational, speech, and applied behavioral analysis (ABA) therapies are evidenced-based interventions proven to bring about positive change and assist in the long term development of children with autism spectrum disorder (ASD).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should endeavor to ensure coverage and access, for dependents with ASD of overseas employees, to the therapies described in subsection (a), including through telehealth, computer software programs, or alternative means if appropriate providers are not accessible due to such employees' placement overseas.

SEC. 715. REPEAL OF OBSOLETE REPORTS.

(a) REPEAL OF CERTAIN REPORTING REQUIREMENTS.—The following provisions of law are repealed:

(1) Section 12 of the Foreign Service Buildings Act, 1926 (Act of May 7, 1926, 22 U.S.C. 303).

(2) Section 404 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138, 22 U.S.C. 2778 note).

(b) OTHER REPORTING REFORM.—

(1) Section 613 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228, 22 U.S.C. 6901 note) is amended—

(A) by striking subsection (b);

(B) by striking “(a) POLICY.—”; and

(C) by redesignating paragraphs (1) and (2) as subsections (a) and (b), respectively, and moving such subsections, as so redesignated, two ems to the left.

(2) Section 721 of Appendix G of the Consolidated Appropriations Act of 2000 (Public Law 106-113, 22 U.S.C. 287 note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(3) Section 10 of the Palestinian Anti-Terrorism Act of 2006 (Public Law 109-446, 22 U.S.C. 2378b note) is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(4) Section 1207 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314, 22 U.S.C. 6901 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(5) Subsection (c) of section 601 of the Foreign Service Act of 1980 (22 U.S.C. 4001) is amended by striking paragraphs (4) and (5).

SEC. 716. PROHIBITION ON ADDITIONAL FUNDING.

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I would like to thank the ranking member of this committee, Mr. ELIOT ENGEL, for his work on this important piece of legislation to protect U.S. personnel overseas, to improve the oversight of the Department of State, and to modernize its workforce. And I would also like to thank the other members of the committee for their input as well on this legislation.

The world is not getting any easier for the men and women serving overseas who represent this country at the Department of State. These men and women work with many other agencies, including the Defense Department. They have got a wide range of very important responsibilities.

They try to broker peace agreements. And, of course, not everybody wants peace in these agreements. They have to fight human trafficking. In other words, they have got to stand up to the criminal syndicates in some of these countries. They have got to help our fellow Americans in distress. That is just to name a few of the dangerous tasks that they undertake. They work hard, often in very challenging, even life-threatening circumstances, so they deserve our support, which includes reforming a department that sorely needs to modernize.

Mr. Speaker, the annual authorization of the Department of State is critical to maintaining congressional oversight and making these needed agency reforms. The House has passed an authorization bill in each of the last six Congresses, but, unfortunately, it has been 15 years since this legislation was signed into law. This year, we have an opportunity to break that unfortunate streak, which makes this legislation all the more important.

First and foremost, the bill includes a number of critical embassy security reforms and improvements. For example, the Department will be authorized to use so-called best value criteria when contracting for local guards at U.S. facilities overseas. This is an important change.

This authority has consistently been requested by the professionals overseeing the security at our embassies and has been a particular focus of two members of the committee. So I would like to thank LOIS FRANKEL and RANDY WEBER for their work.

The bill requires the State Department to designate a list of high-risk, high-threat posts, effectively prioritizing the resources and the security for these posts. Now, these are the posts most at risk. The State Department and Defense Department are directed to jointly develop enhanced contingency plans. Why? Because there are going to be surprises overseas. There are going to be emergency situations, including planning for the rapid deployment of military resources to keep our personnel safe in a time of crisis.

It includes provisions that improve security for the children and the families of U.S. diplomats abroad. And it makes sure that security failures, due to misconduct or due to unsatisfactory performance, are identified and those responsible are held accountable, something that did not happen when it came to the Islamist terrorist attack in Benghazi. No one lost a day of pay as a consequence of the mistakes made there.

The bill increases accountability also for sexual exploitation and abuse by U.N. peacekeepers, which the Foreign Affairs Committee has helped expose through the hearings by Chairman CHRIS SMITH.

It also increases transparency for how U.S. funds are spent at the United Nations and mandates that the Department work to increase the number of American citizens employed by the United Nations. This has been a focus of Mr. MO BROOKS.

We have also included important provisions to bolster the State Department's inspector general, an office that the Foreign Affairs Committee successfully fought to have filled after it sat vacant for 5 years.

And lastly, the bill increases flexibility in the Department's workforce, allowing civil servants more opportunities to serve overseas and authorizing a pilot program to acquire skilled workers from the private sector.

The passage of this legislation, S. 1635, would strengthen the law. It is a bipartisan bill, it improves congressional oversight of the Department, and I think it deserves unanimous support.

I reserve the balance of my time.

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

I rise in support of this bill.

Mr. Speaker, let me start by thanking my friend and the chairman of the Foreign Affairs Committee, ED ROYCE of California. He and I and our staffs have been working on this bill for most of the 114th Congress. This may be the last Foreign Affairs bill the House will deal with this year, and it is an appropriate capstone for the committee's work.

Authorizing and overseeing the State Department is one of our committee's most important responsibilities. As the Obama administration comes to an end and we deal with the uncertainties of a transition in power, it is important that Congress help to set the tone for the future of our foreign policy. We need to do all we can to ensure the future of America's leadership role in the world.

□ 1745

This bill is also long, long overdue as the chairman pointed out. The last time the President signed a State Department authorization was in the year 2002. So much has changed since then—from the invasion of Iraq and the subsequent rise of ISIS to the ascendance of the Asia-Pacific in our foreign policy to the growing threat of climate change.

Think about the way terrorist groups use social media to recruit fighters and spread propaganda. This has become a major foreign policy concern; yet the last time we passed the State Department authorization, Twitter and Facebook were still a few years from coming online. Imagine that. That is just one example. In nearly 15 years, countless issues have cropped up as new foreign policy concerns, and traditional areas of diplomacy and development have evolved. This bill will help the State Department keep pace with the changes.

I would like to underscore a few provisions in this bill that I think are especially important. The main thing I want to talk about is the heart and soul of American diplomacy: our diplomats. Our diplomats are at the core of this bill. We want them to have the tools and resources for success.

These men and women pursue a path of public service unlike any other, going to work—sometimes in dangerous places—as America's face to the world. Diplomats are our front line of international engagement, advancing our interests and building bridges of friendship and understanding. This is incredibly important work. It requires the right people for the job—people with the skill, training, and confidence to carry out their work.

We need to do all we can to enable our diplomats to carry out diplomacy. They need to be able to get out from behind a desk and engage directly with cultures and communities, from government officials to civil society groups to everyday people on the street; so we have included provisions in this bill that are focused on the security of our Embassies and on the proper training of our personnel.

We need the best possible security for our Embassies and diplomats abroad, and good security doesn't always come cheap. This bill says that, when the State Department hires local personnel to protect our diplomatic facilities and staff, they shouldn't be constrained only to take the lowest cost bid. After all, the rule is generally true that you

get what you pay for, and when it comes to the safety of our diplomats, we should be focused on quality in addition to cost; so we have included a provision that calls for the best value security rather than the lowest cost. There is a lot of value in keeping our diplomats safe, and I want to thank representative LOIS FRANKEL for her work on this provision.

With this bill, we have also focused on improving the security of what we call "soft targets," not typical diplomatic facilities, but things like schools and schoolbuses for the children of diplomats abroad.

It is also important that the State Department reflect who we are as a country. America is made up of people from all different backgrounds and perspectives. Our diversity is one of our strengths. Our Foreign Service should benefit from that strength and reflect it back to the world.

We also need to incorporate that strength into our foreign policy. A diverse workforce means a diversity of views and experiences to aid our leaders when they face tough decisions. Old ways of thinking and worn-out approaches aren't well suited to the modern range of challenges our diplomats face. This bill will push the Department to recruit, train, and retain a diverse workforce. Reports tell us that the State Department has been slow to change in these areas, so we want to give those efforts a shot in the arm.

Additionally, I thank Chairman ROYCE for including my Western Hemisphere Drug Policy Commission legislation in this bill. The heroin epidemic in this country is getting worse and worse. We need to make sure that our drug policy is focused on saving lives. Here at home, that means doing more on prevention and treatment. Looking abroad, we need to take stock of what has worked and what hasn't when it comes to our drug policy in Latin America and the Caribbean. That is what this commission will do, and I am grateful this measure is moving forward.

That idea, taking stock of our successes and failures, brings me to a few final thoughts on this bill. Even though Congress has a role in foreign policy, we are outside the day-to-day decisionmaking structures. That outside perspective gives us a chance to step back and ask: What can we be doing better? Where can we cut away dead wood? What changes going on in the world require us to change our approach?

Our State Department personnel may have great new ideas about the way to advance our interests, but they are constrained by existing law or are bogged down in the constant hard work demanded of them. Let's be honest. By their nature, bureaucracies tend not to change on their own. That is when Congress needs to step in and say: "We can help to solve this problem. We can make it easier for our diplomats to do their jobs." The thing is that we have

to actually do that. We should try to pass a bill like this every year. It should become the way we do business, just like the defense authorization, because when we don't, we are letting our diplomats down; we are also ceding their work to other jurisdictions, and we are missing opportunities to bolster American diplomacy and national security.

Last week, we voted on the Defense Authorization Act. It included 80 provisions that fell, at least in part, under the jurisdiction of the Foreign Affairs Committee when it landed on the President's desk. I respect our friends on the Armed Services Committee a great deal, but I hear their message loud and clear, that if we don't act in our own jurisdiction, someone else will.

I am encouraged that we have made it this far on this bill. I hope it becomes a regular part of our committee's work and that, a year from now, we are back here debating more good ideas about improving American diplomacy. For now, I again thank the chairman. I am glad to support this bill, and I urge all my colleagues to do the same.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH). He is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. I thank my good friend, the distinguished chairman of the Foreign Affairs Committee, Mr. ROYCE, for his leadership on this important bill. I thank ELIOT ENGEL, the ranking member, and, of course, Senators CORKER and CARDIN. This is a true bipartisan piece of legislation. I thank my colleagues for their leadership on this.

Mr. Speaker, a highly skilled group of Foreign Service Officers—about 15,000 strong—are deployed worldwide to promote peace and human rights, to support prosperity, and to protect Americans while advancing the vital interests of the United States abroad. For most, posting overseas requires serious personal sacrifice. For some, deployment entails serious danger—from disease, crime, and terrorism.

Mr. Speaker, after the American Embassies in Dar es Salaam and Nairobi were attacked by terrorists in August of 1998, I chaired hearings on Embassy security in my subcommittee and authored the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act of 2000 and 2001 to significantly boost Embassy security, including reconfigured Embassies, setbacks—a zone that puts the street farther away from the building—and additional diplomatic security personnel. The bill, dubbed the “Embassy Security Act,” which passed the House in 1999, never even got a vote in the Senate; but after much lobbying, my bill was included in its entirety in the FY 2000 appropriations omnibus. In 2005,

Congress enacted into law another bill I sponsored, the Department of State Authorities Act, which, among other things, boosted danger pay.

Today, the Royce-Corker-Engel-Cardin bill authorizes \$4.8 billion for Embassy security. It continues the all-important work of ensuring the most effective security possible for our Foreign Service and Americans abroad by directing joint DOD-State contingency plans—including the rapid deployment of Armed Forces—the designation of high-risk, high-threat posts with adequate funding and training commensurate with the danger, and the utilization of “best value” contracting.

The bill provides numerous enhancements of personnel issues for our men and women in the Foreign Service—from promotion opportunities to updated cost-of-living adjustments to improved care of Foreign Service officers' children-dependents with autism spectrum disorders.

During markup—and I thank the chair for being so gracious for supporting it—I sponsored an amendment that was approved that recognizes applied behavior analysis, or ABA, as proven evidence-based intervention for autistic children and that the Secretary of State should ensure that coverage of and access to ABA for dependents with ASD of overseas employees is provided.

I travel all over the world, and I often hear from Foreign Service Officers who cannot get ABA treatment for their children. They are anguished because, if they try to go to a deployment where that is provided, it may hinder their Foreign Service careers; and, of course, they put their children first. That shouldn't be the case. There should be no choice. The children need to be supported as well as the Foreign Service Officers.

The House Foreign Affairs Committee also adopted another amendment I offered during markup, which is whistleblower protections for U.N. personnel—we have had hearings on that in our subcommittee—the capacity to investigate allegations of sexual exploitation committed by peacekeepers and to hold those who commit such heinous crimes accountable.

Mr. Speaker, I have traveled to places like Goma, in the DRC, where peacekeepers were raping 13-year-olds—U.N. peacekeepers. The series of hearings that we held on it found that the zero tolerance policy of the U.N. was really zero compliance. That has to improve. There have been some improvements made but far fewer than what are required. This legislation helps to push that ball significantly down that lane. Hopefully, the peacekeepers will do just that—protect. It is a duty for us to make sure that that happens. There are many other good things in this bill.

Again, I thank Chairman ROYCE for his leadership.

Mr. ROYCE. Mr. Speaker, in reclaiming my time, I thank CHRIS SMITH for

his years of oversight and for his combating that type of abuse. I also thank him for our efforts to have this included now in what will become a new law.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), my good friend and colleague on the Foreign Affairs Committee.

Mr. CONNOLLY. I thank the gentleman from New York (Mr. ENGEL), my dear friend and the distinguished ranking member of the House Foreign Affairs Committee.

I rise today in support of S. 1635, the Department of State Authorities Act. There is an expression in Latin. I studied Latin for 6 years, but I rarely get to use it. It is *mirabile dictu*—wonderful to relate—that we are actually going to pass the State Department authorization bill.

The bill is not perfect, and it is not as comprehensive as one would hope; however, it is a product of compromise under the fine leadership of ED ROYCE and ELIOT ENGEL. It is a welcome step toward the annual authorization of the State Department operations I know we will get to next year. The regular enactment of a State Department authorization is a long-neglected priority, and the clarity of our diplomacy and development missions have suffered absent one. Congress has not enacted a full State authorization bill since 2002.

In a similar vein, the Foreign Assistance Act has not undergone a comprehensive reauthorization since 1985, when I was a staff member on the Senate Foreign Relations Committee. I have introduced the Global Partnerships Act, which would do just that, and I have tried to streamline and modernize the Foreign Assistance Act of 1961.

The bill on the floor today codifies high standards for Embassy security practices and ensures that we are making smart investments in diplomatic security. It also fights discrimination and promotes diversity within the Foreign Service.

I thank the committee—and particularly our leaders, Chairman ROYCE and Ranking Member ENGEL—for including my amendment that requires the State Department to report on its compliance with the Federal Information Technology Acquisition Reform Act, FITARA, which is the Federal IT reform bill I introduced and wrote with Mr. ISSA.

I support this bill because it enables the kind of serious, credible, and ambitious diplomacy that can solve the world's most intractable challenges, and I urge my colleagues to give it their full support.

Again, I congratulate our staffs—and particularly our chairman and ranking member, Mr. ROYCE and Mr. ENGEL, respectively—for their leadership in bringing this bill before us today.

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

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

I am waiting for one other speaker; so, while we are waiting, let me at least partially close.

I, first of all, thank Chairman ROYCE's staff for their hard work on this very important bill. I thank Tom Sheehy, Ed Burrier, Tom Hill, and Doug Anderson, and on my staff, Jason Steinbaum, Doug Campbell, Eric Jacobstein, Janice Kaguyutan, Sajit Gandhi, Jennifer Hendrixson White, and Mark Iozzi. We can only do as well as the wonderful staff that we have, and it is really appreciated, I know, by Chairman ROYCE and by me.

As was said before, Mr. Speaker, every single year, Congress passes a defense authorization. It happens without fail, and it should. It is a vitally important piece of legislation, and we have an obligation to give our women and men in uniform the support and the resources they need.

□ 1800

The work of our diplomats is very different, but it is also critical to our national security. These dedicated public servants help to project stability, enhance security, and diffuse crises before they start.

From a dollars-and-cents perspective, it makes a lot more sense to prevent crises than to try to stop them after they are burning out of control. We need diplomacy to succeed so that using our military remains the last resort in our foreign policy. This legislation will help ensure that our diplomacy does succeed.

I hope this bill gets across the finish line soon; I hope the Senate does its job; and I hope we make a State Department authorization a yearly priority for the Foreign Affairs Committee, for the Congress, and for the American people.

I urge a "yes" vote on this bill.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am a big fan of Chairman ROYCE's work, and I appreciate all the work of the committee in these difficult areas.

Sometimes in trying to bring together a big authorization bill like this, language gets inserted that can be problematic. On page 105, for example, section 713, "Recruitment and retention of individuals who have lived, worked, or studied in predominantly Muslim countries or communities," we know that one of our problems when we were trying to deal with radical Islam is, number one, our President doesn't recognize radical Islam, although some of the best experts who are radical Islamists say, yes, it exists, and Muslim friends like President el-Sisi acknowledge it is a problem.

For example, here in subsection C, it says: "The Secretary shall make every effort to recruit and retain individuals that have lived, worked, or studied in

predominantly Muslim countries or communities, including individuals who have studied at Islamic institutions of higher learning."

I know this was not submitted by a Muslim—far from it—but although we desperately need people who have lived and studied in this area, to tell the Secretary of State that the Secretary shall make every effort to get people like this is the way our enemies take advantage of us. We should not be telling the Secretary to make every effort.

As a former chief justice, that is the kind of thing—you have to say, well, he didn't make every effort or she didn't make every effort. We should not be coercing the State Department to hire people who—if they are not appropriate or have Muslim ties, they should not be pushed into the State Department.

Mr. ROYCE. Mr. Speaker, let me say in response that we should hire, in the State Department, people who do have some experience. We should have some people there with some experience with Muslim culture and Muslim countries, with that kind of a background. But that said, we want to work with the gentleman from Texas (Mr. GOHMERT) on implementation of this bill to make certain that these concerns are handled.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, I thank Chairman ROYCE and Ranking Member ENGEL, first, for the great bipartisan work. I really appreciate being on this committee.

I want to tell you a story that one of our Ambassadors told me that I thought was amazing. I won't say her name or where she was, but she told me she was overseas. The security that they hired was so poor that they actually had to hire criminals; and her security guard not only robbed her and her family, but killed their dog. That is just an example of some of the quality of security that we had for our Ambassadors, who deserve absolutely our utmost protection.

So I just want to thank both the chairman and the ranking member for working with me to get this provision in this bill that now is going to let our State Department get well-qualified security for Embassies, which they deserve to have.

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

I want to thank the gentlewoman from Florida for her contribution to this legislation.

Mr. Speaker, as chairman, I also want to thank our ranking member, Mr. ENGEL. I want to thank all my committee colleagues for their contributions to this bill. I think we should take the opportunity to thank our counterparts, Senator CORKER and Senator CARDIN, in the Senate for working with us to bring the first State authorization bill to the President's desk in over 15 years.

Today, the Department is considering how to deploy diplomats in high-

threat, high-risk places like South Sudan, like the Central African Republic, Yemen, Libya. It is our responsibility to make sure that U.S. personnel at these posts have every available means of protection, and this bill authorizes the Department to make critical upgrades in Embassy security.

This bill also mandates that the Department uses leverage at the United Nations to make improvements that have been ignored for too long. In just the last year, we have heard horrific stories of peacekeepers sexually abusing and exploiting those they are sent to protect. Sadly, these are not the first instances of such predatory behavior, but the United Nations has failed to take steps to stop it.

Oversight is necessary at any agency. It took 5 years for the Department's inspector general position to be filled, and this bill makes sure that the Department's watchdog has all the tools it needs to perform its mandate.

This bill deserves our support. The other body should move quickly so that these critical reforms can be signed into law by the President.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, S. 1635, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5015, by the yeas and nays;

H.R. 6427, by the yeas and nays;

S. 1635, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

COMBAT-INJURED VETERANS TAX FAIRNESS ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5015) to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—yeas 392, nays 0, not voting 41, as follows:

[Roll No. 601]

YEAS—392

Abraham	Clyburn	Foster
Adams	Coffman	Foxx
Aderholt	Cohen	Frankel (FL)
Aguilar	Cole	Franks (AZ)
Allen	Collins (GA)	Frelinghuysen
Amash	Collins (NY)	Fudge
Amodei	Comer	Gabbard
Ashford	Comstock	Galleo
Babin	Conaway	Garamendi
Barletta	Connolly	Garrett
Barr	Conyers	Gibbs
Barton	Cook	Gibson
Bass	Cooper	Gohmert
Beatty	Costa	Goodlatte
Benishek	Costello (PA)	Gosar
Bera	Courtney	Gowdy
Beyer	Cramer	Graham
Bilirakis	Crawford	Granger
Bishop (GA)	Crenshaw	Graves (GA)
Bishop (MI)	Crowley	Graves (LA)
Bishop (UT)	Cuellar	Graves (MO)
Black	Culberson	Grayson
Blackburn	Cummings	Green, Al
Blum	Curbelo (FL)	Green, Gene
Blumenauer	Davidson	Griffith
Bonamici	Davis (CA)	Grijalva
Bost	Davis, Danny	Grothman
Boustany	Davis, Rodney	Guinta
Boyle, Brendan	DeFazio	Guthrie
F.	DeGette	Gutiérrez
Brady (PA)	Delaney	Hanabusa
Brady (TX)	DeLauro	Hardy
Brat	Denham	Harper
Brooks (AL)	Dent	Hartzler
Brooks (IN)	DeSantis	Hastings
Brownley (CA)	DeSaulnier	Heck (NV)
Buchanan	DesJarlais	Heck (WA)
Buck	Deutch	Hensarling
Bucshon	Diaz-Balart	Herrera Beutler
Burgess	Dingell	Higgins
Bustos	Doggett	Hill
Butterfield	Dold	Himes
Byrne	Donovan	Hinojosa
Calvert	Doyle, Michael	Holding
Capps	F.	Hoyer
Capuano	Duckworth	Hudson
Cárdenas	Duncan (SC)	Huelskamp
Carson (IN)	Duncan (TN)	Huffman
Carter (GA)	Ellison	Huizenga (MI)
Carter (TX)	Emmer (MN)	Hultgren
Cartwright	Engel	Hurd (TX)
Castor (FL)	Eshoo	Israel
Castro (TX)	Esty	Issa
Chabot	Evans	Jackson Lee
Chaffetz	Farenthold	Jeffries
Cicilline	Fitzpatrick	Jenkins (KS)
Clark (MA)	Fleischmann	Jenkins (WV)
Clarke (NY)	Fleming	Johnson (GA)
Clay	Flores	Johnson (OH)
Cleaver	Fortenberry	Johnson, E. B.

Johnson, Sam	Moore	Scott, Austin
Jones	Moulton	Scott, David
Jordan	Mullin	Sensenbrenner
Joyce	Murphy (FL)	Serrano
Kaptur	Murphy (PA)	Sessions
Katko	Nadler	Sewell (AL)
Keating	Neal	Sherman
Kelly (IL)	Neugebauer	Shimkus
Kelly (MS)	Noem	Shuster
Kelly (PA)	Nolan	Simpson
Kennedy	Norcross	Sinema
Kind	Nugent	Sires
King (IA)	Nunes	Slaughter
King (NY)	O'Rourke	Smith (MO)
Kinzinger (IL)	Olson	Smith (NE)
Kline	Palazzo	Smith (NJ)
Knight	Pallone	Smith (TX)
Kuster	Palmer	Smith (WA)
Labrador	Pascrell	Speier
LaHood	Paulsen	Stefanik
Lamborn	Payne	Stewart
Lance	Pearce	Stivers
Langevin	Pelosi	Swalwell (CA)
Larsen (WA)	Perlmutter	Takano
Larson (CT)	Perry	Thompson (CA)
Latta	Peters	Thompson (MS)
Lawrence	Peterson	Thompson (PA)
Levin	Pingree	Thornberry
Lewis	Pittenger	Tiberi
Lieu, Ted	Pitts	Tipton
Lipinski	Pocan	Titus
LoBiondo	Poliquin	Tonko
Loeb sack	Polis	Torres
Lofgren	Pompeo	Trott
Long	Posey	Tsongas
Loudermilk	Price (NC)	Turner
Love	Price, Tom	Upton
Lowenthal	Quigley	Valadao
Lowe y	Rangel	Van Hollen
Lucas	Ratcliffe	Vargas
Luetkemeyer	Reed	Veasey
Lujan Grisham	Renacci	Vela
(NM)	Ribble	Velázquez
Luján, Ben Ray	Rice (NY)	Visclosky
(NM)	Rice (SC)	Wagner
Lummis	Rigell	Walberg
Lynch	Roby	Walden
MacArthur	Roe (TN)	Walker
Maloney,	Rogers (AL)	Walorski
Carolyn	Rogers (KY)	Walters, Mimi
Maloney, Sean	Rokita	Walz
Marino	Rooney (FL)	Wasserman
Masie	Ros-Lehtinen	Schultz
Matsui	Roskam	Waters, Maxine
McCarthy	Ross	Watson Coleman
McCaul	Rothfus	Weber (TX)
McClintock	Rouzer	Webster (FL)
McColum	Roybal-Allard	Welch
McGovern	Royce	Wenstrup
McHenry	Ruiz	Westerman
McKinley	Ruppersberger	Williams
McMorris	Russell	Wilson (FL)
Rodgers	Ryan (OH)	Wilson (SC)
McNerney	Salmon	Womack
McSally	Sánchez, Linda	Woodall
Meadows	T.	Yoder
Meehan	Sanford	Yoho
Meeks	Sarbanes	Young (AK)
Meng	Scalise	Young (IA)
Messer	Schakowsky	Young (IN)
Mica	Schiff	Zeldin
Miller (FL)	Schrader	Zinke
Moolenaar	Schweikert	
Mooney (WV)	Scott (VA)	

NOT VOTING—41

Becerra	Harris	Mulvaney
Bridenstine	Hice, Jody B.	Napolitano
Brown (FL)	Honda	Newhouse
Carney	Hunter	Poe (TX)
Chu, Judy	Hurt (VA)	Reichert
Clawson (FL)	Jolly	Richmond
DelBene	Kildee	Rohrabacher
Duffy	Kilmer	Rush
Edwards	Kirkpatrick	Sanchez, Loretta
Ellmers (NC)	LaMalfa	Stutzman
Farr	Lee	Westmoreland
Fincher	Marchant	Wittman
Forbes	McDermott	Yarmuth
Hanna	Miller (MI)	

□ 1852

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CREATING FINANCIAL PROSPERITY FOR BUSINESSES AND INVESTORS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6427) to improve the operation of United States capital markets, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 2, not voting 40, as follows:

[Roll No. 602]

YEAS—391

Abraham	Comer	Gohmert
Adams	Comstock	Goodlatte
Aderholt	Conaway	Gosar
Aguilar	Connolly	Gowdy
Allen	Conyers	Graham
Amash	Cook	Granger
Amodei	Cooper	Graves (GA)
Ashford	Costa	Graves (LA)
Babin	Courtney	Graves (MO)
Barletta	Cramer	Grayson
Barr	Crawford	Green, Al
Barton	Crenshaw	Green, Gene
Bass	Crowley	Griffith
Beatty	Cuellar	Grijalva
Benishek	Culberson	Grothman
Bera	Cummings	Guinta
Beyer	Curbelo (FL)	Guthrie
Bilirakis	Davidson	Gutiérrez
Bishop (GA)	Davis (CA)	Hanabusa
Bishop (MI)	Davis, Danny	Hardy
Bishop (UT)	Davis, Rodney	Harper
Black	DeFazio	Harris
Blackburn	DeGette	Hartzler
Blum	Delaney	Hastings
Blumenauer	DeLauro	Heck (NV)
Bonamici	Denham	Heck (WA)
Bost	Dent	Hensarling
Boustany	DeSantis	Herrera Beutler
Boyle, Brendan	DeSaulnier	Higgins
F.	DesJarlais	Hill
Brady (PA)	Deutch	Himes
Brady (TX)	Diaz-Balart	Hinojosa
Brat	Dingell	Holding
Brooks (AL)	Doggett	Hoyer
Brooks (IN)	Dold	Hudson
Brownley (CA)	Donovan	Huelskamp
Buchanan	Doyle, Michael	Huffman
Buck	F.	Huizenga (MI)
Bucshon	Duckworth	Hultgren
Burgess	Duncan (SC)	Hurd (TX)
Bustos	Duncan (TN)	Israel
Butterfield	Ellison	Issa
Byrne	Emmer (MN)	Jackson Lee
Calvert	Engel	Jeffries
Capps	Eshoo	Jenkins (KS)
Cárdenas	Esty	Jenkins (WV)
Carson (IN)	Evans	Johnson (GA)
Carter (GA)	Farenthold	Johnson (OH)
Carter (TX)	Fitzpatrick	Johnson, E. B.
Cartwright	Fleischmann	Johnson, Sam
Castor (FL)	Fleming	Jones
Castro (TX)	Flores	Jordan
Chabot	Fortenberry	Joyce
Chaffetz	Foster	Kaptur
Cicilline	Foxx	Katko
Clark (MA)	Frankel (FL)	Keating
Clarke (NY)	Franks (AZ)	Kelly (IL)
Clay	Frelinghuysen	Kelly (MS)
Cleaver	Fudge	Kelly (PA)
	Gabbard	Kennedy
	Galleo	Kind
	Garamendi	King (IA)
	Garrett	King (NY)
	Gibbs	Kinzinger (IL)
	Gibson	Kline

Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeback
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent

Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions

Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Capuano Lynch

NOT VOTING—40

Becerra
Bridenstine
Brown (FL)
Carney
Chu, Judy
Clawson (FL)
Costello (PA)
DelBene
Duffy
Edwards
Ellmers (NC)
Farr
Fincher
Forbes

Hanna
Hice, Jody B.
Honda
Hunter
Hurt (VA)
Jolly
Kildee
Kilmer
Kirkpatrick
LaMalfa
Lee
Marchant
McDermott
Messer

Miller (MI)
Mulvaney
Napolitano
Newhouse
Poe (TX)
Reichert
Rohrabacher
Rush
Sanchez, Loretta
Stutzman
Westmoreland
Wittman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1635) to authorize the Department of State for fiscal year 2016, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 16, not voting 43, as follows:

[Roll No. 603]

YEAS—374

Abraham
Adams
Aderholt
Aguliar
Allen
Amash
Amodei
Ashford
Barletta
Barr
Barton
Bass
Beatty
Benishke
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)

Comer
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Evans
Farenthold
Fitzpatrick
Fleischmann
Joyce
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi

Garrett
Gibbs
Gibson
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hanabusa
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kind
King (NY)
Kinzinger (IL)
Knight
Kuster

Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeback
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke

Olson
Palazzo
Pallone
Palmer
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman

Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—16

Babin
Black
Blackburn
Brat
Buck
Conaway

Gohmert
Goodlatte
Griffith
Grothman
Harris
Jones

NOT VOTING—43

Becerra
Bridenstine
Brown (FL)
Carney
Chu, Judy
Clawson (FL)
Costello (PA)
DelBene
Duffy
Edwards
Ellmers (NC)
Farr
Fincher
Forbes
Hanna

Hice, Jody B.
Honda
Hunter
Hurt (VA)
Jolly
Keating
Kildee
Kilmer
Kirkpatrick
Kline
LaMalfa
Lee
Marchant
McDermott
Messer

Miller (MI)
Mulvaney
Napolitano
Neal
Newhouse
Poe (TX)
Reichert
Rohrabacher
Rush
Sanchez, Loretta
Stutzman
Westmoreland
Wittman

□ 1910

Messrs. CONAWAY, GOODLATTE, and GRIFFITH changed their vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Madam Speaker, I was absent on Monday, December 5, 2016. Had I been present, I would have voted "yea" on rollcall No. 601—H.R. 5015—Combat-Injured Veterans Tax Fairness Act of 2016, as amended, "yea" on rollcall No. 602—H.R. 6427—Creating Financial Prosperity for Businesses and Investors Act, and "yea" on rollcall No. 603—House Amendment to S. 1635—Department of State Authorities Act, Fiscal Year 2017, as amended.

PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2016—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. CHAFFETZ. Madam Speaker, notwithstanding the order of the House of September 22, 2016, I ask unanimous consent that the veto message of the President on the bill, H.R. 1777, together with the accompanying bill, be referred to the Committee on Oversight and Government Reform.

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

There was no objection.

PROVIDING FOR APPOINTMENT OF MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 6415) to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6415

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

SECTION 1. APPOINTMENT OF MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.

(a) APPOINTMENT OF MEMBERS.—

(1) MEMBERS REPLACING MEMBERS WHOSE TERMS EXPIRE IN MARCH 2017.—Notwithstanding the first sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)), of the members of the Board of Directors of the Office of Compliance who are appointed to replace the 3 members whose terms expire in March 2017—

(A) one shall have a term of office of 3 years; and

(B) two shall have a term of office of 4 years,

as designated at the time of appointment by the persons specified in section 301(b) of such Act (2 U.S.C. 1381(b)).

(2) MEMBERS REPLACING MEMBERS WHOSE TERMS EXPIRE IN MAY 2017.—In accordance with the first sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)), the members of the Board of Directors of the Office of Compliance who are appointed to replace the 2 members whose terms expire in May 2017 shall each have a term of office of 5 years.

(b) SERVICE OF CURRENT MEMBERS.—Notwithstanding the second sentence of section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)) or section 3 of the Office of Compliance Administrative and Technical Corrections Act of 2015 (Public Law 114-6; 2 U.S.C. 1381 note)—

(1) an individual serving as a member of the Board of Directors of the Office of Compliance whose term expires in March 2017 may be reappointed to serve one additional term at the length designated under paragraph (1) of subsection (a), but may not be reappointed to any additional terms after that additional term expires; and

(2) an individual serving as a member of the Board of Directors of the Office of Compliance whose term expires in May 2017 may be reappointed to serve one additional term at the length referred to in paragraph (2) of subsection (a), but may not be reappointed to any additional terms after that additional term expires.

(c) PERMITTING MEMBERS TO SERVE UNTIL APPOINTMENT OF SUCCESSORS.—Section 301(e) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)) is amended by adding at the end the following new paragraph:

“(3) PERMITTING SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A member of the Board may serve after the expiration of that member’s term until a successor has taken office.”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN THE ENROLLMENT OF S. 2943

Mr. THORNBERRY. Madam Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 179

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill S. 2943, the Secretary of the Senate shall make the following corrections:

(1) In section 212(a), strike “less two” and insert “less than two”.

(2) In section 217(a)(1), strike “is amended” and insert “as amended by section 821(a), is further amended” and strike “2338” and insert “2339”.

(3) In section 217(a)(2), strike “is amended” and insert “, as amended by section 821(b), is further amended” and strike “2338” and insert “2339”.

(4) In section 217(b)(1)(A), strike “section 2338” and insert “sections 2338 and 2339”.

(5) In section 512(c), strike “Section 7511” and insert “Section 7511(b)”.

(6) In section 707(b)(4), strike “pursuant to section 709” and insert “pursuant to section 708”.

(7) In the tables in section 4701, relating to Department of Energy National Security Programs, Infrastructure and Operations, Construction, strike “04-D-125-04 RLUOB equipment installation” and insert “04-D-125 Chemistry and metallurgy research replacement project, LANL”.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED NATIONS

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

Ms. ROS-LEHTINEN. Madam Speaker, last week, the United Nations General Assembly passed six anti-Israel resolutions, including yet another one that denies and distances Jewish and Christian ties to the Temple Mount.

In fact, Madam Speaker, the General Assembly will have taken up 20 anti-Israel resolutions by the end of this session and will have only brought up four—one, two, three, four—measures against some of the world’s worst human rights violators like Iran, China, Russia, North Korea, Venezuela, and Cuba—combined.

This just underscores, Madam Speaker, the need for systemwide reforms at the United Nations.

With the new administration, Madam Speaker, we have an opportunity in the upcoming Congress to wield our considerable influence and leverage to promote and enact reforms by reassessing how we contribute taxpayer dollars to the corrupt U.N. system.

The U.S. must stop legitimizing this farce at the United Nations. It is time for us to take action and bring much-needed reforms.

□ 1915

PLEASE MEET DAISY ARVIZU

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

Mr. O’ROURKE. Madam Speaker, please meet Daisy Arvizu, who was one of over 300 El Pasoans to join us at a DREAMers town hall that we held in downtown El Paso at the Community Foundation Room with the Border Network for Human Rights and Las Americas Immigration Center last week. It was an opportunity for our community to come forward, both the DREAMers in our community and those who support the DREAMers, like Daisy who was brought here at the tender age of 1 year and 8 months, who works two jobs, a day job and a night job, and is also a student at the El Paso Community College.

Because the President-elect has vowed to terminate the executive action known as DACA, that means Daisy

has uncertainty, at a minimum. In the worst case scenario, she will be deported back to a country she does not know, a language she does not speak, and she and this country will lose the benefit of her potential.

Madam Speaker, we need to do the right thing. We need to keep Daisy and the 700-plus other DREAMers in this country for the benefit of our country and the potential that they can bring to the United States. I ask for your help, the help of the Members here, and the President-elect in making sure that we do the right thing for this country and for young DREAMers like Daisy.

10TH ANNIVERSARY OF THE STATE THEATRE

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, on Saturday evening, I had the privilege of attending the 10th anniversary celebration of The State Theatre in State College, Centre County.

The State Theatre first opened as a movie house for Warner Bros. Pictures on October 15, 1938, showing "The Sisters," starring Errol Flynn and Bette Davis.

Closing in 2001, the theatre building was extensively refurbished and reopened in December 2006, as a state-of-the-art venue for theatre, dance, music, film, concerts, and other regional and international performances. Today, The State Theatre is a community-owned theatre dedicated to serving the Centre County region.

The theatre is a hub of local culture, featuring artists both homegrown and nationally renowned. There is something for everyone at The State Theatre—rock 'n' roll, country, indie, and blues; drama, musical theatre, comedy, and opera; movies, dance, stand-up, and children's programming.

There is rarely a day at the theatre without a show to be seen, a concert to be heard, or a laugh to be had.

Congratulations and thank you to the leadership, employees, volunteers, and supporters of The State Theatre for being a great venue for artists and audiences.

TRIBUTE TO THREE-TIME SPRINT CUP SERIES CHAMPION TONY STEWART

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

Mr. HUDSON. Madam Speaker, I rise today to pay tribute to the incredible career of three-time Sprint Cup Series champion Tony Stewart on his retirement.

Tony Stewart, known to his many fans as "Smoke," started his career as a kid go-kart racing. He climbed the

ladder one step at a time throughout his 20-year driving career to become the legend he is today.

Every time Tony faced an obstacle, he overcame it with unmatched tenacity. He is a reminder to all of us that champions aren't born winners; they are built through hard work, grit, and determination.

Tony is driven by that same doggedness off the track, leading Stewart-Haas Racing in my congressional district in Kannapolis, North Carolina, and helping folks in need through the Tony Stewart Foundation. His role might be changing, but I know Smoke's presence at the racetrack and his impact on the sport we love will continue.

Renee and I applaud Tony for his outstanding career, and we wish him all the best as he begins this next chapter.

Madam Speaker, on behalf of North Carolina's Eighth District and racing fans everywhere, I am proud to say congratulations to Tony—always a racer, forever a champion.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NEWHOUSE (at the request of Mr. MCCARTHY) for today on account of flight delays due to weather.

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today and the balance of the week on account of personal reasons.

Mr. DUFFY (at the request of Mr. MCCARTHY) for today on account of flight delays due to weather.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5509. An act to name the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the "Dr. Otis Bowen Veteran House".

H.R. 5995. An act to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1550. An act to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 2, 2016, she presented to the President of the

United States, for his approval, the following bills:

H.R. 4419. To update the financial disclosure requirements for judges of the District of Columbia courts and to make other improvements to the District of Columbia courts.

H.R. 5785. To amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers.

H.R. 6297. To reauthorize the Iran Sanctions Act of 1996.

H.R. 5111. To prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

H.R. 3471. To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

Karen L. Haas, Clerk of the House, further reported that on December 5, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 5509. To name the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the "Dr. Otis Bowen Veteran House".

H.R. 5995. To strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code.

ADJOURNMENT

Mr. THOMPSON of Pennsylvania. Madam Speaker, I move that the House now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 6, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

7724. A letter from the Deputy Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rules — Commodity Pool Operator Financial Reports (RIN: 3038-AE47) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7725. A letter from the Honors Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rules — Consumer Leasing (Regulation M) [Docket No.: CFPB-2016-0036] (RIN: 3170-AA66) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7726. A letter from the Honors Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rules — Truth in Lending (Regulation Z) [Docket No.: CFPB-2016-0037] (RIN: 3170-AA67) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7727. A letter from the Senior Counsel, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's

Major final rule — Prepaid Accounts Under the Electronic Fund Transfer Act (Regulation E) and the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2014-0031] (RIN: 3170-AA22) received November 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7728. A letter from the Director, Office of Legislative and Intergovernmental Affairs, Securities and Exchange Commission, transmitting a Report on Modernization and Simplification of Regulation S-K, pursuant to 15 U.S.C. 77s note; Public Law 114-94, Sec. 72003(c); (129 Stat. 1785); to the Committee on Financial Services.

7729. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Public and Indian Housing, Department of Housing and Urban Development, transmitting the Department's final rule — Native American Housing Assistance and Self-Determination Act; Revisions to the Indian Housing Block Grant Program Formula [Docket No.: FR-5650-F-14] (RIN: 2577-AC90) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7730. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018 [EPA-HQ-OAR-2016-0004; FRL-9955-84-OAR] (RIN: 2060-AS72) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7731. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Revisions to Louisville Definitions and Ambient Air Quality Standards [EPA-R04-OAR-2015-0521; FRL-9955-90-Region 4] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7732. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Plans; Kentucky; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R04-OAR-2014-0426; FRL-9955-96-Region 4] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7733. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bicycloporyne; Pesticide Tolerances [EPA-HQ-OPP-2015-0560; FRL-9954-63] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7734. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment by the Attainment Date for the 2008 Ozone National Ambient Air Quality Standards; Pennsylvania; Pittsburgh-Beaver Valley [EPA-R03-OAR-2016-0368; FRL-9955-91-Region 3] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7735. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Muscodor albus strain SA-13 and the volatiles produced on rehydration;

Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0919; FRL-9952-88] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7736. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oxathiapiprolin; Pesticide Tolerances [EPA-HQ-OPP-2016-0049; FRL-9954-69] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7737. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quiazalofop ethyl; Pesticide Tolerances [EPA-HQ-OPP-2015-0412; FRL-9950-89] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7738. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tau-Fluvalinate; Pesticide Tolerance [EPA-HQ-OPP-2015-0439; FRL-9954-33] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7739. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7740. A letter from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Protecting the Privacy of Customers of Broadband and Other Telecommunications Services [WC Docket No.: 16-106] received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7741. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Lease Pursuant to Section 62(a) of the Arms Export Control Act, Transmittal No. 08-16; to the Committee on Foreign Affairs.

7742. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report titled "Designations of Countries of Particular Concern, Imposition of Presidential Actions, and Exercise of Waiver Authority Under the International Religious Freedom Act of 1998"; to the Committee on Foreign Affairs.

7743. A letter from the Director, International Cooperation, Office of Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter informing Congress of the Department's intent to sign a Memorandum of Understanding Between the Department of Defense of the United States of America and the Federal Ministry of Defence of the Federal Republic of Germany, Transmittal No. 30-16, pursuant to Sec. 27(f) of the Arms Export Control Act and Executive Order 13637; to the Committee on Foreign Affairs.

7744. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-92 [Docket No.: FAR 2016-0051, Sequence No.: 6] received November 21, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7745. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE990) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7746. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE950) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7747. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Gulf of Alaska Trawl Fisheries; Amendment 103 [160229157-6781-02] (RIN: 0648-BF84) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7748. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's proposed rule — Fisheries of the Exclusive Economic Zone Off Alaska; Modifications to Recordkeeping and Reporting Requirements [Docket No.: 160225147-6147-01] (RIN: 0648-BF83) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7749. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures [Docket No.: 160613514-6908-02] (RIN: 0648-BG12) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7750. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XF012) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7751. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XF010) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7752. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Multi-Year Specifications for Monitored and Prohibited Harvest Species Stock Categories [Docket No.: 130808697-6907-02] (RIN: 0648-XC808) received December 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7753. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the Fiscal Year 2012 Report to Congress on Administration of the Tribal Self-Governance Program, pursuant to Sec. 458aaa-13(a), 25 U.S.C. 450 et seq., as amended; to the Committee on Natural Resources.

7754. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the Fiscal Year 2013 Report to Congress on Administration of the Tribal Self-Governance Program, pursuant to Sec. 458aaa-13(a), 25 U.S.C. 450 et seq., as amended; to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3711. A bill to authorize the Secretary of the Interior to conduct a special resource study of Chicano Park, located in San Diego, California, and for other purposes; with an amendment (Rept. 114-845). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PALLONE (for himself, Mr. PASCRELL, and Mr. PAYNE):

H.R. 6434. A bill to provide for more transparent and appropriate reimbursement of insurers participating in the Write Your Own program under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. MULLIN:

H.R. 6435. A bill to authorize the Directors of Veterans Integrated Service Networks of the Department of Veterans Affairs to enter into contracts with appropriate civilian accreditation entities or appropriate health care evaluation entities to investigate medical centers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HECK of Washington (for himself, Mr. SHERMAN, and Ms. KUSTER):

H.R. 6436. A bill to require that any international insurance standards agreed to by parties representing the United States reflect existing United States laws, regulations, and policies on regulation of insurance, and for other purposes; to the Committee on Financial Services.

By Mr. HIMES:

H.R. 6437. A bill to prohibit funds available for the United States Armed Forces to be ob-

ligated or expended for introduction of the Armed Forces into hostilities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Rules, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Mr. LARSON of Connecticut):

H.R. 6438. A bill to extend the waiver of limitations with respect to excluding from gross income amounts received by wrongfully incarcerated individuals; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H. Con. Res. 179. Concurrent resolution directing the Secretary of the Senate to make certain corrections in the enrollment of S. 2943; considered and agreed to.

By Mr. CARDENAS (for himself and Ms. LOFGREN):

H. Res. 941. A resolution expressing support for the designation of February 22, 2017, as "National Heart Valve Disease Awareness Day", coinciding with American Heart Month; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself, Mr. CARTER of Georgia, Mr. GOHMERT, Mr. BYRNE, Mr. STIVERS, Mr. BRAT, Mr. AUSTIN SCOTT of Georgia, Mr. COLLINS of Georgia, Mr. BROOKS of Alabama, Mr. FARENTHOLD, Mr. ROE of Tennessee, Mr. LABRADOR, Mr. DESANTIS, and Mr. MEADOWS):

H. Res. 942. A resolution recognizing the historical importance of Associate Justice Clarence Thomas; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD:

H. Res. 943. A resolution recognizing the 100th anniversary of the establishment of Hawaii Volcanoes National Park and Haleakala National Park in the State of Hawaii, and expressing support for designation of August 1, 2016, as "Hawaii Volcanoes and Haleakala National Parks Day"; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of rule XII,

310. The SPEAKER presented a memorial of the General Assembly of the State of Indiana, relative to Senate Enrolled Joint Resolution 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PALLONE:

H.R. 6434.

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

Clause 7 of Section 9 of Article I of the Constitution

By Mr. MULLIN:

H.R. 6435.

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

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. HECK of Washington:

H.R. 6436.

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

Article I, Section 8, Clause 3 of the Constitution of the United States

By Mr. HIMES:

H.R. 6437.

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

Article I, Section 8 of the United States Constitution, clauses 11, 12, 13, 14, 18

By Mr. SAM JOHNSON of Texas:

H.R. 6438.

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

Article I, Section 8, Clause 1 of the Constitution of the United States of America.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1098: Mr. CONYERS.

H.R. 1457: Mr. KNIGHT.

H.R. 1608: Mr. LUETKEMEYER and Mr. BEYER.

H.R. 2293: Mr. WALZ.

H.R. 2537: Mr. REED.

H.R. 3591: Ms. LEE, Mr. SWALWELL of California, Mr. COURTNEY, Ms. NORTON, Mr. DESAULNIER, Ms. KUSTER, Mr. GARAMENDI, Mr. ASHFORD, and Mr. MCGOVERN.

H.R. 4216: Mr. HIGGINS and Mr. CLAY.

H.R. 4220: Mr. POLIS.

H.R. 5131: Ms. BROWNLEY of California.

H.R. 5235: Mr. KNIGHT and Mr. COOK.

H.R. 5274: Mr. REED.

H.R. 5386: Ms. LOFGREN and Mr. GALLEGU.

H.R. 5440: Mr. KIND.

H.R. 5689: Ms. LOFGREN.

H.R. 5721: Mr. TONKO.

H.R. 6020: Ms. PLASKETT.

H.R. 6021: Ms. PLASKETT.

H.R. 6072: Mr. DEFazio.

H.R. 6117: Ms. ROYBAL-ALLARD.

H.R. 6275: Mrs. BEATTY.

H.R. 6340: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CONNOLLY, Mr. TAKANO, and Mr. SARBANES.

H.R. 6382: Mr. MCGOVERN, Mr. BERA, Mr. HUFFMAN, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, and Mr. KILMER.

H.R. 6421: Mr. SHERMAN and Ms. MENG.

H.R. 6426: Mr. SMITH of Nebraska and Mr. MASSIE.

H.R. 6428: Mr. ELLISON, Ms. LOFGREN, Mr. LOEBSACK, and Mr. DEFazio.

H.R. 6431: Ms. SLAUGHTER, Mr. HIGGINS, Mr. CRAMER, Mr. NOLAN, Mr. COLLINS of New York, Mr. KIND, Mr. WELCH, Mr. HUIZENGA of Michigan, Mr. ZINKE, Mr. RYAN of Ohio, Mr. GUINTA, Mr. DEFazio, Ms. DELBENE, Mr. MURPHY of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HECK of Washington, and Ms. LOFGREN.

H.R. 6433: Mr. DOLD.

H. Con. Res. 159: Mr. PETERS.

H. Con. Res. 176: Mr. VAN HOLLEN.

H. Res. 591: Mr. YARMUTH.

H. Res. 899: Ms. LOFGREN, Mr. POLIQUIN, and Mr. ROE of Tennessee.

H. Res. 928: Mr. SWALWELL of California, Mr. KING of New York, and Ms. FRANKEL of Florida.

PETITIONS, ETC.

Under clause 3 of rule XII,

95. The SPEAKER presented a petition of Barack H. Obama and the Members of the United States; which was referred to the the City of Miami Commission, relative to 114th United States Congress to grant temporary protective status to Haitians in the Committee on the Judiciary.
Resolution R-16-0525, urging President



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, MONDAY, DECEMBER 5, 2016

No. 174

Senate

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

PRAYER

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

Let us pray.

Heavenly Father, help us today to become people whose lives will be productive for Your glory. Forgive us when we come short of Your will for us and for our Nation.

Lord, show our lawmakers how to do things Your way, embracing Your precepts and walking in Your path. Remind them that the narrow and difficult road often leads to life and abundant joy. As You teach them to live abundantly, replace their anxiety with calm, their confusion with clarity, and their doubts with faith. May Your heavenly peace, which transcends human understanding, guard their hearts and minds today and always.

We pray in Your Holy 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. LANKFORD). The majority leader is recognized.

WORK BEFORE THE SENATE

Mr. McCONNELL. Mr. President, last week the House overwhelmingly passed the bipartisan 21st Century Cures Act, the medical innovation bill. Now it is the Senate's turn to move this bill forward and send it to the President's desk for signature.

This legislation has earned wide support from both sides of the aisle, and it is one of the most important bills that will pass this year. It is not hard to see why. It will encourage investment in biomedical research to help deliver treatment and cures to patients. It will cut through redtape and burdensome regulations while also protecting safety, and it will build upon progress to support regenerative medicine and other innovative therapies.

Cures also includes provisions to strengthen mental health programs and to provide much needed resources to help combat the opioid epidemic. It is legislation that could have an impact on each of our States and on each of our constituents.

Later today, Senators will take the next step in advancing 21st Century Cures. With continued cooperation, we can pass this bipartisan bill very soon.

The Cures legislation is just one key area where the Senate has been working to complete its work before the holidays. Negotiations are ongoing on a continuing resolution, which we will consider this week.

This week we will also pass the Defense authorization conference report, and work continues to finalize other outstanding conference reports, including the Water Resources Development Act—the so-called WRDA bill—and the energy policy modernization bill.

As these efforts continue, I thank all of those who have been working around the clock to reach a conclusion on these important issues. We will have a busy week ahead. Let's keep working together to get it done.

COMMENDING THE SENATOR FROM TENNESSEE

Mr. McCONNELL. Mr. President, I see the Senator from Tennessee on the floor. I particularly commend him for his outstanding work on the Cures bill. The Senator has had two major accomplishments this Congress—the rewrite

of No Child Left Behind last year and now this medical innovation bill. I may have more to say about that later, but I commend the Senator from Tennessee for his outstanding work on this important bill.

AUTHORIZING THE SECRETARY OF THE TREASURY TO INCLUDE ALL FUNDS WHEN ISSUING CERTAIN GEOGRAPHIC TARGETING ORDERS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 5602 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5602) to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all funds when issuing certain geographic targeting orders, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Shelby-Brown substitute amendment be agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5127) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5602), as amended, was passed.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6683

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 675 through 683.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bills be read a third time and passed and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL WARFARE OPERATOR MASTER CHIEF PETTY OFFICER (SEAL) LOUIS "LOU" J. LANGLAIS POST OFFICE BUILDING

The bill (H.R. 3218) to designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the "Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building," was ordered to a third reading, was read the third time, and passed.

RICHARD ALLEN CABLE POST OFFICE

The bill (H.R. 4887) to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the "Richard Allen Cable Post Office," was ordered to a third reading, was read the third time, and passed.

LEONARD MONTALTO POST OFFICE BUILDING

The bill (H.R. 5150) to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building," was ordered to a third reading, was read the third time, and passed.

ARMY FIRST LIEUTENANT DONALD C. CARWILE POST OFFICE BUILDING

The bill (H.R. 5309) to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the "Army First Lieutenant Donald C. Carwile Post Office Building," was ordered to a third reading, was read the third time, and passed.

E. MARIE YOUNGBLOOD POST OFFICE

The bill (H.R. 5356) to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the "E. Marie Youngblood Post Office," was ordered to a third reading, was read the third time, and passed.

ZAPATA VETERANS POST OFFICE

The bill (H.R. 5591) to designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the "Zapata Veterans Post Office," was ordered to a third reading, was read the third time, and passed.

OFFICER JOSEPH P. CALI POST OFFICE BUILDING

The bill (H.R. 5676) to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the "Officer Joseph P. Cali Post Office Building," was ordered to a third reading, was read the third time, and passed.

ABNER J. MIKVA POST OFFICE BUILDING

The bill (H.R. 5798) to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building," was ordered to a third reading, was read the third time, and passed.

SEGUNDO T. SABLAN AND CNMI FALLEN MILITARY HEROES POST OFFICE BUILDING

The bill (H.R. 5889) to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the "Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building," was ordered to a third reading, was read the third time, and passed.

PROVIDING ARSENAL INSTALLATION REUTILIZATION AUTHORITY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of S. 3336 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 3336) to provide arsenal installation reutilization authority.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Ernst amendment be agreed to; that the bill, as amended, be considered read a third time and passed; that the title amendment be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5128) was agreed to, as follows:

(Purpose: To improve the bill)

On page 1, strike lines 3 and 4 and insert the following:

SECTION 1. INSTALLATION REUTILIZATION AUTHORITY FOR ARSENALS, DEPOTS, AND PLANTS.

On page 1, line 6, strike "arsenal, the Secretary concerned" and insert "arsenal, depot, or plant, the Secretary of the Army".

On page 2, line 4, insert ", depot, or plant" after "arsenal".

On page 2, line 8, insert ", depot, or plant" after "arsenal".

On page 2, line 12, insert ", depot, or plant" after "arsenal".

On page 2, line 17, strike "Secretary concerned" and insert "Secretary of the Army".

On page 2, line 21, insert ", depot, or plant" after "arsenal".

On page 4, line 3, insert ", DEPOT, OR PLANT" after "ARSENAL".

On page 4, line 5, insert ", depot, or plant" after "arsenal".

On page 4, line 6, strike "Department of the Defense" and insert "Army".

The bill (S. 3336), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The amendment (No. 5129) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: "A bill to provide installation reutilization authority for arsenals, depots, and plants.".

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the conference report accompanying S. 2943.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany S. 2943, which will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2943), to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same. Signed by a majority of the conferees on the part of both Houses.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany S. 2943, National Defense Authorization Act for Fiscal Year 2017.

Mitch McConnell, Deb Fischer, Thom Tillis, Daniel Coats, James M. Inhofe, John Hoeven, Cory Gardner, Orrin G. Hatch, Mark Kirk, Tom Cotton, John Cornyn, Lindsey Graham, Mike Rounds, Lisa Murkowski, Dan Sullivan, John McCain.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived with respect to this cloture motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

COMMENDING THE SENIOR SENATOR FROM TENNESSEE

Mr. REID. Mr. President, before I give my remarks, as I planned, I wish to say a brief word about Senator ALEXANDER, the senior Senator from Tennessee.

During my time in Congress, he has always been one of the most pleasant people I have dealt with. He is always very thorough in whatever he wants to talk to you about, and I have found him to be a remarkably good Senator. He has a background that is stunningly important—a longtime Governor of the State of Tennessee and someone who has served in one of the Republican administrations as Secretary of Education.

This Cures bill is not everything I would wish it to be. I think it is too weak in some parts. I think we could have done better. But I have been around for a long time, and I understand what legislation is all about.

We have gotten money. We have been trying for a couple years to get money for opioids. There should be far more, and it should be given in a different way than we have it here, but it is money. We have people—as we are sitting here for a few minutes today—dying as a result of this scourge that is sweeping America. It is in Oklahoma, it is in Tennessee, and it is in places such as New Hampshire. It is all over. So that part of it is excellent.

As to the resources we give the National Institutes of Health, or NIH, there is not enough we can do. I would hope there would be much more. I am pleased to report that this is the beginning of the Moonshot that Senator BIDEN will lead in research to defeat cancer. It can be done. We have made tremendous progress, and we are making it on a monthly basis now.

There are a lot of good things in this legislation. One of the things that the

senior Senator from Tennessee and I have spoken about is clinical trials. Sometimes you don't understand the importance of those until they could personally affect you.

With the injury that I suffered almost 2 years ago, I am hopeful that in my lifetime there will be something done to be able to take care of retinas that are damaged. We have a lot of those that are damaged—a lot of retinas that are damaged as a result of diabetes and other maladies—but not a lot has been done on injuries to retinas. But there is work being done on that now.

I had a very good meeting on Saturday with one of the foremost people in the world dealing with retinas, Dr. Bressler of Johns Hopkins, and they are doing some stuff. They are doing stem cell work. They are doing some transplants. They are doing some good things.

On a very personal basis, Senator ALEXANDER came and talked to me one evening. He asked if I had time. Of course, I always have time for any Senator who wants to see me.

He came with tears in his eyes to talk to me about some things he had learned about people who had damaged their eyes and how some work is being done with these people who once could not see and, as in the Biblical passages, can now see.

It was a very wonderful meeting, and I had the opportunity to meet one individual he introduced me to—a man named Doug Oliver, who was basically blind. Because of work done with stem cells, he can now see. He is off disability, he can drive a car, and he can read. He could not do that before.

I appreciate it. It perhaps could have passed without him, but I doubt it, and I admire his legislative skills. I hope, with the new Congress coming, he will pull even those skills he doesn't have now out of his back pocket so perhaps we can do even more. There is going to be a lot more that needs to be done in the new Republican Congress.

So I express my public admiration to the senior Senator from Tennessee for the good work he has done for his State and for the country for many decades.

CELEBRATION AT STANDING ROCK

Mr. REID. Mr. President, in the bitter cold of a North Dakota December yesterday—and it can be cold up there—there was a celebration at Standing Rock. Why?

Along the banks of the Missouri River, in this heavy snow, there were hugs and tears of joy and drumming and dancing as the people of the Standing Rock Tribe and others heard the good news. The Army Corps of Engineers did not—did not—approve the easement for the Dakota Access oil pipeline. Instead, the Corps of Engineers determined that the pipeline must be rerouted. I am so glad. It is so important.

This is a victory for the Standing Rock Sioux. We know the long history

Native Americans have in the State of the Presiding Officer. We know that around the country—I have 26 Indian entities in Nevada—they have been treated so poorly. Nevada is no different from any other State. They were pushed off of the lands they dwelt on before we showed up, we White folks here in America. They have been pushed around. So when the Standing Rock people heard the good news that the Corps of Engineers had finally given them at least some small victory, it was very exciting for them. It is a victory for them. They have been objecting to this construction for more than 2 years.

The tribe was concerned about a number of issues, not the least of which were their ancestral grounds, some of which land has their ancestors buried there. They were afraid of water contamination and other problems.

In a statement to the press, the chairman of the Standing Rock Sioux Tribe said:

We wholeheartedly support the decision of the administration and commend with the utmost gratitude the courage it took on the part of President Obama, the Army Corps, the Department of Justice and the Department of Interior to take steps to correct the course of history and do the right thing.

The Standing Rock Sioux Tribe and all of Indian country will be forever grateful to the Obama administration for this historic decision.

Indians have taken one loss after another. Rare are there any victories for the Indians.

I agree with the chairman of the tribe. This is a historic decision, and it was a momentous step toward correcting the course of a disgraceful history.

As I said last week here on the floor, the treatment of the Standing Rock Sioux by our government has been shameful—not only recently but for more than a century. The Sioux were pushed to reservations first. I say “reservations”—plural. But even that land was taken—most of it—and then massive dams were built that put the tribe's best farmland underwater. The result of these actions was a crippling poverty that plagued the tribe for generations—even this generation.

This mistreatment was not unique, as I have indicated, to Standing Rock. Indeed, there are tribes all across the Nation with very similar histories. We have them in Nevada.

Yesterday's decision will not make up for the past, but the President's action was a huge step toward correcting a terrible wrong. Money, profits, and not human dignity, was the direction of the pipeline. The Obama administration changed that.

For far too long, the pleas for justice for Native Americans have gone unanswered. At least now, on this occasion, the Standing Rock Sioux and Native Americans throughout this country know that someone is listening and their concerns are being addressed by the U.S. Government.

I admire the support of those who locked arms with the Standing Rock

Sioux. Appropriately enough, these people call themselves water protectors. Native Americans from all over America, politicians from all over America, entertainers from all over America, and other celebrities were some of the water protectors, and we must recognize the more than 2,000 veterans who traveled to Standing Rock from across America to protect the protestors from violence.

It is also important to note that speech after speech and demonstration after demonstration were peaceful. All the leaders of this demonstration said time after time after time that it would be peaceful, and it has been. The only aggression has not been from the Indians but from those people who are pushing the pipeline.

It is no surprise that many of these veterans are Native Americans because American Indians serve in our Nation's Armed Forces in greater numbers per capita than any other ethnic group. Going back to World War II, of course, the great Ira Hayes, who was made famous by Johnny Cash—they have a long history of serving in all of our wars and stepping forward.

I am gratified at the strength of the Standing Rock Sioux. Their ancestral burial grounds will remain protected and their water clean.

I thank President Obama and his administration and the Army Corps of Engineers for their action. This victory was the culmination of months and months of analysis and deliberation. I appreciate the conclusion reached.

But everyone should know that this fight isn't over. We know from long experience that our decisionmakers keel over for fossil fuel interests. We must remain vigilant. My only hope is that the Trump administration will not undo the justice the Native Americans have finally received. All of us must support the Standing Rock Sioux and help them protect their history and their land and their water.

As one aside, many decades ago I was the Lieutenant Governor of the State of Nevada, and we had our Lieutenant Governors' conference in Oklahoma. It was a wonderful week that we spent in Oklahoma. One of the highlights of that trip was an education that I received one night of a—I assume it is still going on; I don't know—a wonderful pageant that took place in a place that I believe is called Tahlequah—I believe that was the name of the place—where in such detail and in such magnificence was described how Oklahoma has so many Native Americans who came from Florida. It was a wonderful story. I was very impressed with the Native Americans whom I met and have met since that time in Oklahoma. And a memento I was given there in Oklahoma—frankly, someone stole it from me, but each one of us, each Lieutenant Governor, was given a little painting by a famous Oklahoman—at the time, at least—whose time was Tiger. I don't know what his real name was, but he was a famous artist. It was

a beautiful Indian scene he had painted. We all got one. It was an original. I am sorry someone took it out of my office. But I have fond memories of that convention in Oklahoma where I learned so much about the people of Oklahoma.

Some of us in the West have had over the years kind of a negative impression of Oklahoma—the Okies coming into California, all of these uneducated people causing trouble—but that was a wonderful trip to Oklahoma. I was terribly impressed at the time and have always been impressed with the people of Oklahoma.

Just a little aside here: I have had some good fortune at being able to legislate things here in Washington. One of the things that can be looked at as good or bad—and maybe I won't get a lot of pats on the back for this with the new administration—but a Senator from Oklahoma and I did some very good work. The Congressional Review Act was Reid-Nichols legislation. That was hard to do, but what it basically said is if there is a regulation promulgated by an administration, we as a Congress have an opportunity to look it over again to determine if, in fact, we have the ability, with enough folks, to overturn that regulation.

So, again, as the Presiding Officer is from Oklahoma, I want him to understand my affection for the State of Oklahoma and the people of Oklahoma. I have had some difficult tussles with people from Oklahoma over the years. There is no better example of that than Dr. Coburn. But having said that, I have never found more of a gentleman than Dr. Coburn. Even though we disagreed on some policy issues, he was always a gentleman and I have appreciated the things I learned from him.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 34, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 34, an act to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 5117, to change the enactment date.

McConnell amendment No. 5118 (to amendment No. 5117), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Health, Education, Labor, and Pensions, with instructions, McConnell amendment No. 5119, to change the enactment date.

McConnell amendment No. 5120 (to the instructions (amendment No. 5119) of the motion to refer), of a perfecting nature.

McConnell amendment No. 5121 (to amendment No. 5120), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Utah.

REMEMBERING JAMES TANCILL LYONS

Mr. HATCH. Mr. President, I rise today to pay tribute to Jim Lyons, a longtime staffer on Capitol Hill—my staffer—and a fixture in tax policy here in DC, who passed away on September 29 of this year.

James Tancill Lyons was born on March 7, 1973, to Stephen and Ann Lyons, both natives of the DC-Virginia area with longstanding ties to the local community. Growing up in Springfield, VA, Jim was an accomplished athlete, excelling in both baseball and basketball. Oddly, for a sports fan in the DC area, his favorite football team was the Dallas Cowboys—a decision he made consciously because his older brother, Stephen, was a big Redskins fan.

Jim was also a great student, eventually graduating summa cum laude from James Madison University. He went to law school at the University of Texas, where he made the Editing Committee of the Texas Journal of Business Law and won a scholarship for being the best tax law student in his class after pulling the top grade in his business associations, income tax, international tax, corporate tax, and estate and gift tax classes.

After law school, he earned a clerkship at the Fifth Circuit Court of Appeals and then got a job working for Cleary Gottlieb, one of the finest law firms in the country. Of course, you would never guess any of this if you knew Jim. While he was always an incredibly valuable and often brilliant attorney and congressional staffer, he talked about his college and law school days as though he spent most of his time having fun and just barely skating by. That, of course, was vintage Jim Lyons—incredibly outgoing but unbelievably humble.

Jim could have a long conversation with anyone about pretty much anything, but he was never one to spend all that much time touting his own accomplishments. Make no mistake, Jim Lyons was very accomplished. After his time at the law firm in New York, Jim made his way to the House Ways and Means Committee, and, following a brief subsequent and successful stint at the Department of Justice, he was hired by Chairman CHUCK GRASSLEY to serve as tax counsel on the Senate Finance Committee.

In his 8 years on the Finance Committee, he made a mark on every major tax bill, not to mention a number of debt and budget deals that went through the Senate, including many tax-extenders bills, some of which he seemed to be able to cobble together singlehandedly.

Jim was smart as a whip. He was a tremendously valuable congressional staffer because he had both a remarkable understanding of tax policy and an uncanny ability to see all the traps and pitfalls that stood ahead for any particular proposal or piece of legislation. He had an encyclopedic knowledge of the technical aspects of the Tax Code, as well as a clear understanding of the real-world implications, immediately seeing where a particular tax policy or bill would fit in the larger policy and, when necessary, the political landscape. Jim was one of those people who could go into the weeds to discuss, debate, and negotiate tax policy literally with anyone on the planet but also break that same policy down to its essential elements and explain it to lesser mortals, including, I have to say, more than a few of us U.S. Senators.

Of course, like all of us, Jim had his own ideological views and opinions, and he made no secret about the way he saw the world and his beliefs about the best path forward for our country. When necessary, he was a fierce advocate for his own views, but more importantly, for someone in his position, he was able, when necessary, to dispassionately apply his accrued knowledge and expertise to any tax proposal, whether it came from a conservative or liberal or a Republican or Democrat, and then break it down to its essence and give a clear and concise assessment of the policy and its chances for being enacted.

All of this made him an essential and indispensable part of our efforts on the Senate Finance Committee for close to a decade. As I think all of my colleagues will attest, staffers with that kind of knowledge and ability to evaluate policy and lay out its chances for success really can be hard to come by.

However, in the weeks since Jim's passing, it hasn't been his accomplishments or his knowledge of the Tax Code that people have most remembered; instead, most of the focus has been on his friendly demeanor, his mischievous sense of humor, and most of all, his kind heart.

Dozens of Jimmy's friends and colleagues visited Jim and his family in the hospital during his final days, and during the October recess, hundreds attended a memorial service held here in the Capitol. Each one of these people had at least one personal story to share about Jim. Sure, some of the stories did touch on his successes as a staffer and his professional disposition, but far more often the stories were about Jim's kindness, even to strangers, or his ability to make people feel at ease—and sometimes laugh uncontrollably—even in tense situations.

Jim was always quick to offer assistance and comfort to those in need and to provide a much needed laugh when things got really tough. He is one of very few people I have come across on Capitol Hill—and keep in mind I have been here a while—who will be remembered more or less equally for the bills

he successfully drafted and negotiated and for the way he cracked everyone up at the negotiating table.

I think my favorite story I have heard about Jim came from his mother Ann. In 2003, Jim was living in New York City when much of that part of the country suffered a massive blackout. It is difficult to be in a place like New York without power, and Jim noticed many people on his way home who were stranded and in need of assistance. Rather than look down at the ground and head quickly for home, as many would probably want to do in that situation, Jim offered help to a dozen or so people, bringing them all home to his apartment, giving them both food and a comfortable space to ride out the power outage. Most of these people were strangers. Yet Jim, ever the kind soul, offered his time and his home to help them through a difficult evening.

Mr. President, I ask unanimous consent that a copy of pages 14 and 15 from the August 2003 edition of *Cleargolaw News*, a newsletter for the law firm where Jim worked at that time, be printed in the RECORD following my remarks.

The article tells the story of Jim's efforts during the power blackout.

These are the types of stories that have constantly been shared since Jim's passing, and I know these memories and stories from people who knew and worked with Jim have been helpful to his family during this difficult time.

When I hear these accounts of people's interactions with Jim, I am reminded of a popular hymn in my church, which reads:

Each life that touches ours for good
Reflects thine own great mercy, Lord;
Thou sendest blessings from above
Thru words and deeds of those who love.
What greater gift dost thou bestow,
What greater goodness can we know
Than Christ-like friends, whose gentle ways
Strengthen our faith, enrich our days.
When such a friend from us departs,
We hold forever in our hearts
A sweet and hallowed memory,
Bringing us nearer, Lord, to thee.

Jim Lyons led a life which touched many others for the better. His positive influence has been felt by countless people, pretty much anyone who had the opportunity to interact with him. I personally already miss Jim's stalwart presence on the Finance Committee. I miss his wise and plain-spoken advice and unequalled knowledge of tax policy. More than that, I miss the kind and humorous manner that endeared Jim to so many of us working in and around the Senate.

There is a simple quote—an anonymous proverb of sorts—that has often been attributed to Dr. Seuss, though its origin is ultimately in dispute: "Don't cry because it's over, smile because it happened."

Over the past couple of months, I think that has been the prevailing sentiment among those of us who were lucky enough to know Jim Lyons. While tears have been shed and great

sadness has been felt, the remembrances we have had of Jim's life and our interactions with him have given all of us reason to smile and even laugh.

I want to once again express my condolences to Jim's family, his parents Stephen and Ann, his brother Steve, his two nephews, Tyler and Blake, and of course his beloved dog Buddy. Recently, I have had the opportunity to spend time with and get to know Jim's wonderful family. They are truly extraordinary people, and my prayers continue to go out to them. I know I am not alone in that regard. I care for them. Everybody who knew Jim and has now known them cares for them. Our sympathy and our heartfelt thanks go out to them for allowing their son to become the great person he became, and, of course, allowing him to come and work with us on Capitol Hill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THANK YOU FOR TAKING CARE OF US

(By Alice Steinert)

Here is a wonderfully refreshing story about a truly good, kind person.

The day of the blackout was scary for some, devastating for others, and just plain inconvenient for many. There are those of us who still have thighs and calves that ache from all those flights of stairs! Many people could not get home that night for a number of reasons—1) after walking down that many flights of stairs, some people were a bit lame and therefore could not walk the distance to their homes, or their homes were too far to walk to; 2) there were few, if any, buses, taxi cabs, cars, trains, ferries, no subways, and no hotel vacancies; 3) etc., etc., etc.

But, for those of us fortunate enough to know Jim Lyons, CGSH Associate extraordinaire, we certainly know the meaning of the true human spirit.

Jim invited many people to his home that day when we had to evacuate OLP. He provided an immediate "base" for people to relax, calm down, regroup, make contact with family/friends, eat, drink, whatever they needed. But, for nine of us (Ron Becton, Robert Franklin, Monica Gagnon, Glenville Hunter, Amy Menendez, Alice Steinert, Jason Steinert, Naj-Lah Toussaint and Carol Whatley), he provided much, much more. He provided a safe haven for the night.

At about 7:45 P.M. Jim walked from his home to OLP to see if there was anyone else in need of assistance. Well, he found nine of us who were seriously thinking about bunking down for the night in front of the lobby doors. Without hesitation Jim invited all of us to his home (he had never even met some of us before). Not only did he provide us with a roof over our heads, he also offered food and beverage, the use of his cell phone, pillows and blankets, and even gave up his bed to two of us ladies. Not only that, he bought toothbrushes for us; What ensued was a night we will all remember—good people, stimulating conversation, a lot of fun, and a great deal of bonding and camaraderie.

While we will individually, and as a group, thank Jim, I think everyone in the firm should recognize what an exceptional person Jim is. If there were more "Jim's" in the world, what a different place it would be. God Bless You Jim.

REMEMBERING KING BHUMIBOL ADULYADEJ OF THAILAND

Mr. HATCH. Mr. President, I rise today, December 5, 2016, in commemoration of the 89th birthday of the late

King Bhumibol Adulyadej of Thailand and in recognition of the National Day of Thailand. In remembrance of the extraordinary life, steady leadership, and remarkable 70-year reign of the beloved King Bhumibol, I have introduced S. Con. Res. 57, along with Representative MATT SALMON in the House. This resolution honors the late King's lasting legacy, extends our collective condolences to the royal family and the people of Thailand, and celebrates the alliance and friendship between our two nations. I would like to thank the cosponsors of this resolution, Senators WHITEHOUSE, ROBERTS, MARKEY, FLAKE, COTTON, and GARDNER. Additionally, I express my appreciation to Chairman BOB CORKER for his assistance in receiving timely consideration of this bipartisan effort in the Senate Foreign Relations Committee.

His Majesty, King Bhumibol Adulyadej, enjoyed a special relationship with the United States, having been born in Cambridge, MA, in 1927, while his father was completing his medical studies at Harvard University. He was always a trusted friend of the United States in advancing a strong and enduring alliance and partnership between our two countries.

At the time of his death on October 13, 2016, King Bhumibol Adulyadej was the longest serving head of state in the world and the longest serving in the history of Thailand. He dedicated his life to the well-being of the Thai people and the sustainable development of his country. His Majesty was an anchor of peace and stability for Thailand and for the region, earning him the deep reverence of the Thai people and the respect of leaders around the world.

I hope my colleagues will join me tomorrow in passing S. Con. Res. 57 as a gesture of respect and appreciation for the life of this great leader and as a symbol of our continued commitment to and friendship with Thailand. Additionally, I am sure my colleagues in the Senate will join me in offering our warmest congratulations and best wishes to the new King of Thailand, His Majesty King Maha Vajiralongkorn.

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. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PASSAGE VITIATED—H.R. 5602, S. 3336, AND CALENDAR NOS. 675 THROUGH 683

Mr. HATCH. Mr. President, I ask unanimous consent to vitiate passage of H.R. 5602, S. 3336, and Calendar Nos. 675 through 683.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. 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. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. VITTER. Mr. President, I rise today to speak on the Senate floor for the last time. I am not generally big on nostalgic reminiscences, but I would like to briefly reflect on what is clearly the greatest honor of my professional life—my 12 years in the U.S. Senate and 5½ years in the U.S. House of Representatives and the enormous honor of serving the people of Louisiana to whom I will always be so deeply indebted.

In some ways it seems like just yesterday that I was on the floor of the U.S. House being sworn in, surrounded by our very young children, except for Jack, who wasn't born yet. I said then: "I am honored, humbled, awestruck to stand before you today." I stated my simple goal: to become at ease and comfortable as I learn the ways of Congress, as I hopefully become an effective representative and respected colleague and friend, but never to become so at ease and comfortable that I lose these feelings of honor, of humility, of awe, and, believe me, I haven't.

My very first year in the Senate was a very memorable one. That year Louisiana was struck by Hurricanes Rita and Katrina. After the initial shock of those cataclysmic events, I realized that for quite some time, my priorities as Louisiana Senator would be dominated by the desperate need to rebuild our State, including dramatically improving our hurricane and flood protection and restoring our coastline.

Katrina's devastation was hard to imagine, destroying much of Southeast Louisiana and Coastal Mississippi. Less than 1 month later, Hurricane Rita slammed into Southwest Louisiana as another one of the most intense hurricanes in history. I immediately went to work with Senator Landrieu and the rest of our Louisiana delegation as well as my good friends THAD COCHRAN, Trent Lott, and others to secure the necessary disaster recovery assistance and also to make reforms to the Army Corps of Engineers to better protect our families and communities from future natural disasters.

Louisiana has continued to face and survive other major disasters, including Hurricane Gustav in August and September 2008, Hurricane Ike in September of that same year, Hurricane Isaac in 2012, the Red River flooding in Northern and Central Louisiana, and the 1,000-year-flood event in greater Baton Rouge and Acadiana this past August.

As if all of that weren't enough, in April of 2010, the Deepwater Horizon oil rig exploded off the coast of Louisiana, killing 11 men and devastating our

coastline. The disaster, followed by the horribly misguided offshore drilling moratorium President Obama put in place, caused economic and environmental chaos in Louisiana.

Once again, I immediately went to work with so many others to increase and improve safety measures and reopen the Gulf of Mexico to energy exploration and put people back to work. We introduced legislation to dedicate a majority of the BP penalties toward restoring coastal ecosystems and economies damaged by the spill. It was an uphill battle to ensure Louisiana was fairly compensated, but we did, and we achieved substantial wins, including passage of that critical RESTORE Act that I described.

During the recovery fight following each of these disasters, I found that the most effective leadership involved communicating clearly and employing solutions based on Louisiana common sense, and what always inspired me and kept me going was the unbelievable resilience, faith, and determination of my fellow Louisianans. Their strength and optimism have been oh so powerful reminders of how blessed I have been to serve them.

On a host of other important issues, I always sought to further two sets of political values, really modeled after my two favorite Presidents, Ronald Reagan and Teddy Roosevelt. I always strove to further the central American tradition of limited government and individual freedom, and I was never afraid to shake things up, to demand needed reforms to ensure that leaders in Washington served the American people and not the other way around.

I have had the honor of protecting Louisiana's traditions and proud heritage while here in the Senate. Louisianans love the outdoors and want strong environmental conservation and sportsmen's policies to maintain that culture, and that certainly includes securing the rights afforded to each American by the Second Amendment, which I have fought to do.

Louisianans respect the sanctity of life, which has been one of my top priorities while serving in Congress. I have introduced many bills that end taxpayer funding of abortion and abortion mills and have proudly stood in the defense of life.

When it comes to our Nation's immigration policies, I have been an advocate for targeted reforms that fix the immigration crisis, starting with border security and enforcing the immigration laws already on the books. I fought President Obama's unconstitutional attempts to implement Executive amnesty, which only encourages more immigrants to come here illegally and insults the millions of fine immigrants who do follow U.S. law.

I was also the first to introduce legislation in 2007 to end dangerous sanctuary city policies and have continued to do so each Congress since. I have also been critical of too big to fail in the banking sector and have found

banking reform to be an area in which Republicans can absolutely find common ground with Democrats. That is where I found success in passing into law specific measures that restrict too-big-to-fail and tax-funded bailouts. Also during my time in Congress, I have introduced several important government reform bills so we can get back to the best traditions of our democracy, which includes electing citizen legislators, making sure they don't make themselves into a separate ruling class, and advocating for term limits so individuals don't remain in office for an eternity.

Americans of all backgrounds think Washington is on a different planet and Members of Congress just don't get it. That is why I fought to end Congress's automatic pay raises each year. I first introduced that language in 2009, and the raises have been successfully blocked each year since. Congress can be an effective representative body only when it lives under the same laws it imposes on the rest of the country, and one major way to support that is through term limits. When I was a member of the Louisiana State legislature, I was successful in establishing legislative term limits there, and I have offered the leading term limits measure for Congress here, as well as imposing it on myself.

I fought for commonsense legislation that helps all Americans have access to high-quality and affordable health care. That includes the work to dismantle ObamaCare and replace it with patient-centered health care reform, which I am very hopeful the incoming Trump administration will achieve. In the meantime, I have been fighting to end Washington's exemption from ObamaCare, an illegal Obama administration Executive order that allows Washington elites to avoid the most inconvenient, expensive aspects of the Affordable Care Act by giving themselves taxpayer subsidized health care through an exchange meant solely for small businesses. Also in the health care arena, I was able to pass into law the bipartisan Steve Gleason Act of 2015. It provided immediate relief for patients who have been denied access to lifesaving and life-altering medical equipment. It was about a 2014 Medicare policy change that we had to reverse. Our bill allowed these patients to have access to medical equipment that truly empowers them, that is a true lifeline, and it changes their lives absolutely for the better.

I have also fought against large drug manufacturing lobbies to allow for reimportation of safe and approved prescription medicine from other countries, which gives patients, especially our seniors, relief from rising health care costs.

I have been honored to serve in the Senate in additional ways as well, including as a top Republican on the Environment and Public Works Committee and most recently as chair of the Senate Committee on Small Busi-

ness and Entrepreneurship. I am very proud to say that we have accomplished so many of our goals in those two roles.

We worked in a bipartisan fashion on EPW to pass several major pieces of legislation, including the Water Resources and Development Act of 2007 and the even more significant WRDA of 2014, several reauthorizations of the highway bill, the bipartisan and historic rewrite of the 40-year-old Toxic Substances Control Act, which began as conversations between Senator Frank Lautenberg and myself, a partnership which Senator TOM UDALL continued after Frank's unfortunate passing.

We were also able to hold the administration accountable by conducting investigations into some outright corruption within the Obama EPA, and we advanced key transparency initiatives that shed light on government's attempts to implement policies that were not based on sound science or strategic needs.

As chair of the Small Business Committee, I have been advocating to make sure the voices and concerns of small business owners across the country are heard in Washington. We have held 23 hearings here, 18 field hearings, numerous roundtable discussions. We have heard testimony from over 175 witnesses, usually about the disastrous negative effects of Obama policies like the new waters of the United States rule, key and disastrous effects on small businesses and job creators and their employees.

At the very same time, we found common ground with Ranking Member SHAHEEN and other Democrats on the committee. During my tenure as chair, we passed 32 bipartisan bills out of the committee, which is 22 more than my predecessors did over a much longer period, and 8 of our bills have passed through the entire legislative process and have been signed into law.

These accomplishments are but a fraction of the years of hard work my staff and I have dedicated to the people of Louisiana and, indeed, the American people. I have worked hard to be a champion for them because the government should serve the taxpayer and not the other way around, and that includes by working hard to stay in touch through 398 townhall meetings, at least 5 in each parish of Louisiana, through 231 telephone townhalls, and through active, energetic casework and constituent service.

Clearly what I will treasure most about my service here is the people with whom I have been honored to serve; my colleagues, including my fellow Louisianian Senator BILL CASSIDY, mentors like former Senator Rick Santorum and Senator JEFF SESSIONS, and most especially each of the dedicated people who have been part of Team Vitter. I have come to the Senate floor several times this year to thank key departing staff members.

That is for a very simple reason. My staff has been the key ingredient—the

key—to every success we have enjoyed together in public service. Wendy and I consider them a part of the family. I truly thank my staff again for their tireless, dedicated service to Louisiana. I am so very grateful. Wendy joins me in that.

I want to specifically recognize some of our leaders: my chief of staff, Luke Bolar; my legislative director, Chris Stanley; my wonderful finance director, Courtney Guastela; our state director, Chip Layton; and committee staff director, Meredith West; our grants coordinator, Brenda Moore; my media head, John Brabender; and senior infrastructure policy advisor, Charles Brittingham; my senior economic adviser, David Stokes; campaign treasurer Bill Vanderbrook; and communications director, Cheyenne Klotz.

I know a few of our other former senior staff members are here or are watching, like Mac Abrams, Joel DiGrado, Bryan Zumwalt, Travis Johnson, and Michael Long. Last, and obviously not least, is my beloved family. My five wonderful brothers and sisters, our children, their children, the extended family, led by the ultimate leader of Team Vitter, my wife Wendy.

I can never thank them enough, and certainly I can never ever thank Wendy enough. Through it all, Wendy has been so enormously patient and supportive and understanding, not to mention being the life of every Team Vitter party, leading the rounds—rounds plural—of Fireball shots. She and our daughter Lise are in the Gallery today. I thank them and Sophie, Airey, and Jack for decades of love and support. Lise, up there, was in my arms as a 2-year-old when I was first sworn into the House of Representatives and made those previously quoted remarks: "I am honored, humbled, awestruck to stand before you." She has changed some, but as I said at the beginning of my reflections, those feelings certainly have not.

I would like to close as I did that day in the House over 17 years ago; that is, simply by recognizing the wonderful, loving forces that have brought me here today: God, family, led by my parents up above, and my wife Wendy, staff and friends, and of course the wonderful, wonderful people of Louisiana. They are here with me today. They are here with me always. I thank them from the depths of my heart.

For the last time, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

TRIBUTE TO DAVID VITTER

Mr. CASSIDY. Mr. President, I have the honor to recognize and thank my colleague and friend, the Honorable Senator DAVID VITTER, for his 25 years of service to Louisiana. Our State has been fortunate to have him as its voice and advocate in this Chamber for the past 12 years.

On a personal note, when I arrived at the Senate, DAVID worked with me, sharing with me some of the privileges that normally he, as a senior Senator,

could have kept all to himself. With great graciousness, he worked with me and said: Listen, this is how I think the process should be set up. I would like you to have some of this privilege as well. I will do the same with whoever replaces DAVID. He has set a pattern that, again, by his graciousness and magnanimity, deserves repetition.

As a new Senator, I was fortunate to have him as a resource for advice and knowledge that comes from time and experience in this body. There are some things that happen here that you have to kind of have experience to follow. DAVID had both the experience, the sharpness, and the insight to recognize.

I again look forward to sharing what he has taught me with whoever takes his place. I will note, as DAVID did, he helped lead our State through some of our worst times. From Hurricane Katrina in 2005 to the great flood of 2016, all of the way in between, DAVID has worked hard to make sure Louisiana and the people of Louisiana have what they need to recover.

The hallmark of Senator VITTER's tenure is that he has always cared deeply about our State, constantly looking for what he could do that would benefit our State, not just in the short term but doing that which is consistent with his principles to help Louisiana and the United States thrive in the long term.

He has been on the side of that family whose father goes for 2 weeks, works on an oil rig in the middle of the Gulf of Mexico, working hard so his family has a better future. DAVID has been on the side of that mom juggling two jobs to earn enough to make sure her children's needs are met.

A recent example—again for the short-term and long-term perspective DAVID handled so well—he stayed persistent for years working across the aisle, first with Senator Frank Lautenberg, then Senator UDALL, to pass the much needed reform of the Toxic Substances Control Act, the first reform of its kind in 40 years.

This reform protects both the workers—those people on that rig, perhaps, at least the people who would be processing the products of that rig—but also gives the manufacturers of Louisiana and across the country the certainty they need to expand their businesses and create more jobs.

On a lighter note, DAVID is a great Saints fan. We in Louisiana kind of liked the fact that when the slogan “Who Dat” came up spontaneously, and people started to put it on their shirts and the NFL was going to go court to stop this from happening, DAVID wrote a letter to Roger Goddell. The letter started off by saying: “Who Dat.” So speaking truth to power on behalf of the “Who Dat Nation” is one credit of his.

Similarly, DAVID was tweeting before our President-elect made it perhaps as high profile. I remember during the 2013 Super Bowl in New Orleans—and again the context of this is, the Saints

had just been punished—of course Saints fans think unfairly—by Roger Goddell. So during the 2013 Super Bowl in New Orleans, when the power went out, DAVID's tweet, without missing a beat said: “Like most Saints fans, I am immediately assuming Roger Goddell is the chief suspect for the power outage.” The quick-witted quip cut to the emotion of the “Who Dat Nation.”

As the 114th Congress comes to a close, the Senate will be losing an important Member. DAVID brings a sound, strategic mind to this Chamber that will be missed. I wish him, Wendy, their children, Lise, Sophie, Airey, and Jack, the best of luck in their journey forward. On behalf of all Louisiana, I say thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I thank the Senator from Louisiana for his very kind remarks. More importantly, I want to thank him for years of great partnership, great work on behalf of Louisiana. I know he will make an outstanding senior Senator. Thank you.

I yield the floor.

Mr. CASSIDY. 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.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I rise in strong support of the 21st Century Cures Act, and I commend the chairman and ranking member of the Senate Health, Education, Labor, and Pensions Committee, Senator LAMAR ALEXANDER and Senator PATTY MURRAY, for their unwavering commitment to this very significant bipartisan legislation.

The Senate HELP Committee, on which I am privileged to serve, has devoted considerable time and effort to this comprehensive legislation. It includes many reforms and priorities that will benefit so many families across our great country. The 21st Century Cures Act will support the research and development of safe treatments and cures for millions of Americans and their families who are coping with devastating diseases. It will improve the process of moving new discoveries from laboratory benches to patient bedsides.

I doubt that there is a family in America who will not be touched by this important legislation in some way. All of us have a family member, a co-worker, or a friend who has courageously faced the struggles of living with a debilitating chronic illness or a rare disease or who has received a devastating diagnosis and has passed away far too soon, leaving a hole in our hearts. Imagine how this could change with the passage of the 21st Century

Cures Act and strong support of the research and development that will lead to new treatments and therapies that can help us achieve our dream of conquering so many devastating diseases.

Simply put, this legislation matters. It matters to the children who know firsthand the burden of living with type 1 diabetes and who beg their parents for just one day off—their birthday or Christmas—from having to deal with the consequences of their juvenile diabetes. It matters to the family members who know the agonizing experience of looking into the eyes of a loved one suffering from Alzheimer's disease, only to receive a confused look in return. It matters to the parents of young boys who have Duchenne muscular dystrophy, who know what it is like to give their all in an effort to help their sons achieve their dreams, whether it is finishing college or driving a car, even as every day their children battle the progression of this debilitating and ultimately terminal illness. The 21st Century Cures Act will drive progress in medical innovation so that we can prevail against these diseases and many more that cause so much pain and suffering, so much fear and uncertainty, and so much heartbreak.

There simply is no investment that we can make that provides greater return for Americans than our investment in biomedical research. It not only leads to new discoveries and the development of better treatments and even cures but also can have a dramatic effect on the budgets of families, States, and the Federal Government. The bill before us will help direct \$4.8 billion to the National Institutes of Health, including \$1.6 billion for the BRAIN Initiative to improve our understanding of diseases such as ALS, Parkinson's, and Alzheimer's, our Nation's most costly disease.

We spend \$263 billion a year caring for people with Alzheimer's disease. Of that amount, approximately \$160 billion comes from the Medicare and Medicaid Programs. If the current trajectory continues as our population grows older, this disease will bankrupt the Medicare and Medicaid Programs. That is why I am so pleased to see the BRAIN Initiative funded in this bill and also the work we are doing in the Appropriations Committee to boost funding for Alzheimer's disease and other dementias so that we can finally find effective treatments, a means of prevention, or perhaps even a cure for this disease that brings so much heartache not only to those suffering from it but to their families as well.

Our bill will also help provide \$1.8 billion for the Vice President's Cancer Moonshot. We all know that Vice President BIDEN has taken on this cause—a very personal one for him—because he lost his beloved son Beau to cancer.

Another exciting field that will be funded by this bill is \$30 million for regenerative medicine, using adult stem

cells. How exciting it was to have an individual come before our policy lunch whose sight had been restored due to innovative stem cell surgery. This individual lives in Tennessee now but happens to be from Presque Isle, ME, just 13 miles from where I was born and grew up. How I wish so many older people in this country who are losing their vision to macular degeneration and glaucoma—in some cases, a combination of both—or injuries to their eyes could benefit from this exciting development with adult stem cells, which has restored the sight of someone who was legally blind. He now can drive. That is so exciting, and that is the promise of researching regenerative medicine.

In addition to support for NIH, the 21st Century Cures Act will help direct \$1 billion in much needed funding to address the horrendous heroin and opioid abuse problem in this country. Maine has been particularly hard hit by this epidemic. In just the first 9 months of this year, Maine experienced a record 286 overdose deaths. That is more than one a day. Tragically, that number already exceeds the 272 overdose deaths in Maine during all of 2015.

I am distressed when I hear about the lack of treatment options for Mainers who are struggling with drug addiction, particularly in rural areas. As a result of the shortage of treatment alternatives, this epidemic is playing out in emergency rooms, county jails, and on the main streets of my State. I can't tell you how many sheriffs have come to me pleading for help, telling me that the intake area of their jail looks like a detox center or an emergency room of a hospital. They are overwhelmed by these cases.

We can and must do more to support access to treatment and to alert people of all ages to the risks of opioid abuse and heroin use. The 21st Century Cures Act will provide a vital infusion of \$1 billion over 2 years to support grants to States to supplement treatment and prevention efforts.

I was talking with one of my colleagues earlier today. Both of us remember when we were in school hearing lectures from recovering heroin addicts who came into the schools, and I can state that it was highly effective. We would never have tried heroin. I can't even think of a proper analogy.

We know, unfortunately, that many of the people who are using heroin started with prescription opioids, and that is why I am encouraged by movements across our country and by actions taken, at my request and the request of other Senators, by the Centers for Medicare & Medicaid Services to make sure we are not putting pressure on providers to overprescribe opioids. Surely they are appropriate in certain cases, but the number of prescriptions has soared in this country and is twice the number prescribed on a per capita basis as in our neighboring country of Canada.

The 21st Century Cures Act also includes a bill that I introduced with sev-

eral of my colleagues—Senators WARREN, KIRK, BALDWIN, ALEXANDER, and MURRAY—that is called the Advancing NIH Strategic Planning and Improving Representation in Medical Research Act. Despite its extremely cumbersome name, it is an important bill that has been incorporated into this legislation. It will require the NIH to release periodically a strategic plan outlining how the agency will meet its mission statement, and it will provide us with important guidance and metrics as we continue to work together to increase this vital funding.

It will also help to ensure that study populations in clinical research are more representative of the diverse population in our country. For example, women face many of the same health threats as men, such as heart disease and cancer, but they react differently to various treatments.

I remember years ago an infamous study that was called MRFIT. It had only men enrolled in it. I believe, if memory serves me correctly, it was to look at heart disease. Well, women often have different symptoms of heart disease than do men, and they respond differently to different medications, therapies, and treatments. We also know that women are at higher risk for certain chronic health conditions, such as Alzheimer's disease and osteoporosis. They suffer from those diseases in far greater numbers than do men. With Alzheimer's disease, I am wondering whether it is simply a matter that the biggest risk factor is age and women live longer than men, but perhaps there are other factors at play.

My point is that by helping to ensure that women, African Americans, Latinos, and other demographic groups are appropriately represented in clinical research, we can increase our scientific understanding of the causes, risk factors, prevention strategies, and effects of treatments for diseases that commonly or disproportionately affect these populations.

The bill before us also includes legislation that I introduced with my colleague from Wisconsin, Senator BALDWIN, to help address the educational debt burden that many young researchers face. This is so important to help ensure that America's finest, up-and-coming young researchers continue to help lead the world in biomedical discovery in this country. I don't want to lose these young talented people to other countries. I want them to stay right here. If they come to work for the NIH or the CDC or other federally funded institutions and agencies and we can get them help with their medical school, college, their advanced degrees, and their debt, that is a very good agreement for us to be making.

It is also of tremendous importance that we were able to add mental health legislation to the 21st Century Cures Act. The reforms in this bill will enhance coordination, address a lack of resources, and develop real solutions to improve outcomes for individuals with

serious mental illness and to help their families, who are often desperate to get them the help they need.

I am pleased that the bill also includes the Mental Health on Campus Improvement Act, which I offered as an amendment when we considered the mental health legislation in committee. My colleague, Senator DICK DURBIN, and I introduced this legislation for the first time in 2009. I commend him for his leadership.

College students in Maine and across the country must have access to critical and often lifesaving mental health services. Despite growing demand for these critical services, far too many students still lack access. Without these services, students may experience detrimental effects that range from declining academic performance to drug dependence and to being at greater risk of suicide.

While millions of Americans suffer from mental illness, only a statistical few engage in unspeakable acts of violence against themselves or others. Suicide, however, is the leading cause of death among Americans between the ages of 15 and 34. In addition, recent tragedies on college campuses, such as the shooting at a community college in Roseburg, OR, or at Northern Illinois University, highlight the dire need for mental health outreach and counseling services on college campuses.

Perhaps some of the tragedies that we have witnessed might have been prevented had the resources been in place to support timely diagnosis, early intervention, and effective treatment for those struggling with severe mental illness.

One of the saddest meetings I have had in the last year was with a group of families from Maine who had adult children who were suffering from severe mental illness, yet these families felt powerless in getting them the help they needed. These adult children were not compliant with the medication they had been prescribed, and in many cases their families felt powerless to be able to get them the help they needed.

In one terrible case, a man's son was released from a hospital in the State of Maine—from a hospital for people with mental illness—and he killed his mother, thinking she was Al Qaeda. Only then could his father get his son the institutionalized help his son so desperately needed.

It was just such a painful, painful story to hear from this anguished father and husband. I believe the language in this bill will help to change that.

The 21st Century Cures Act passed the House last week by an overwhelming vote of 392 to 26. Think how few bills pass with that kind of strong, bipartisan support. It is supported by President Obama, who had an op-ed in Maine newspapers this weekend endorsing the bill. It is the product of years of bipartisan work on the Senate HELP Committee, and it has earned the support of more than 300 organizations.

Frankly, I am surprised that we are having a rollcall vote—a cloture vote on this bill. I am surprised because, while this bill may not be perfect—and no bill is—there is so much that is worthwhile, good, and significant in it that will make such a difference to so many American families.

I urge all of our colleagues to vote in support of this bill so that we can quickly send it to the President's desk, where he is eager to sign it into law. It may well be the most important, far-reaching legislation that we pass this year in terms of its benefits for families across this great Nation.

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. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING OUR VETERANS

Mr. TESTER. Mr. President, I rise today on behalf of nearly 100,000 veterans who live in Montana. These are folks who have earned our deep respect and gratitude.

I have traveled the State many times, listened to their ideas, and I have listened to their concerns. Montana's veterans have not been shy about expressing their views.

What I have heard is this. There is no doubt that we must hold the VA accountable and work to improve access to health care, jobs, education, transportation, and housing for veterans.

That is why it is critically important that we are taking marching orders from veterans and the advocacy organizations that are led by veterans, because we know that their top priority is to do right by the folks who they serve.

Veterans in Montana also tell me that when it comes to solving the problems facing veterans, they expect folks in Washington, DC, to check their politics at the door and go to work.

Unfortunately, there are groups out there that are funded by dark money. They hide their out-of-touch political agenda behind the veil of our Nation's veterans.

As the incoming ranking member of the Veterans' Affairs Committee, I have serious concerns about who President-Elect Trump is listening to when it comes to honoring our veterans and this Nation's commitment to those who have worn the uniform. That is why it is so troubling that recent news reports have indicated that the Trump administration is relying heavily on guidance from Concerned Veterans for America. Concerned Veterans for America is a political advocacy group funded by the Koch brothers, who want to dump unlimited amounts of dark money to push dangerous policies that would privatize the VA or to convert the Veterans Health Administration

into an independent, nongovernment-chartered, for-profit corporation. CVA also wants to divert funds from the VA and cripple its ability to plan for the long term to recruit doctors and nurses and to invest in the information technology that can improve veterans' experiences at the VA. These cuts will undermine the quality of care at the VA.

There is nothing wrong with helping veterans get specialty care in the community in a timely fashion when the VA cannot do it. That often happens in rural communities, but CVA's push for wholesale dismantling of the VA is not what we want, and that is not what the veterans need.

We need to talk to the veterans—the veterans I have spoken to—and this is what we will see.

When folks volunteer to serve in the Armed Forces, this Nation is indebted to them. We must ensure that we deliver on those promises that are made. Privatizing the VA will fail our veterans and their families. It will reduce the quality of care that our veterans receive, and it will be more expensive for taxpayers. Privatizing the VA will ultimately mean that veterans will wait longer for doctors' appointments and the cost of care will go up.

All we have to do is take a look at the Veterans Choice Program, which allows veterans to access care at private facilities. It has resulted in longer wait times, and this is unacceptable.

Under this program, veterans are actually waiting longer to see doctors. Hospitals are increasingly frustrated and refusing to see veterans, and costs are going through the roof. Imagine this program on steroids. That is what the CVA wants to do—all while starving the VA's existing workforce and infrastructure. In fact, what CVA is pushing for is similar to what Speaker RYAN wants to do with Medicare, and we have seen the backlash to that proposal by seniors across this Nation.

The same is true with the veterans and proposals to privatize the VA. It is simply bad policy. Groups such as the VFW, the American Legion, Disabled American Veterans, Iraq and Afghanistan Veterans of America, and many others oppose privatization, and they oppose it for good reason.

The American Legion national commander, Dale Barnett, said it best:

The private sector didn't send our heroes to war. Uncle Sam did.

Barnett is right. The Federal Government has an obligation to honor those incredible sacrifices. When we shirk that responsibility, it dishonors those brave men and women. We need to listen to the American Legion and countless other veterans groups, whose mission is to help the veterans, not unravel the VA. Veterans service organizations are very different and have a very different mission and tax structure than Concerned Veterans for America, the first being that VSOs take their cues from the veterans they represent, not from billionaire political

activists who fund their operation. Groups such as the Legion, the VFW, and Iraq and Afghanistan Veterans of America are organized as nonprofit groups whose missions are simply to help veterans.

Concerned Veterans for America is an issue advocacy group with a political mission. VSOs disclose their donors. CVA doesn't have to. Yet CVA has incredible influence and the ear of the President-elect. This is deeply concerning to me and, more importantly, it is deeply concerning to the veterans across this Nation.

I talk to veterans every week when I am home in Montana. They universally tell me that they like the care they receive from the VA once they get in the door; the problem is getting in the door. They don't want to see a private doc; they want to be seen by a VA doc. They know that the VA understands their unique issues. They know that doctors and nurses at the VA are attentive to the wounds of war.

My hope is that President-elect Donald Trump starts talking with the folks who want to help veterans and not to organizations with a political agenda. My hope is that he will work with Chairman ISAKSON and me and countless other reputable veterans groups to hold the VA accountable while increasing access to care. My hope is that he will work with Democrats, Republicans, and Independents to reform our campaign finance laws so that we can increase transparency and know who is trying to influence this government. My hope is that he will put veterans first as he chooses the next VA Secretary.

I remain hopeful that we can find common ground to work together to hold the VA accountable, to improve care, and to ensure that we are all delivering for veterans. When our brothers and sisters and sons and daughters are sent to war, we make promises to them—promises we must keep. When they come home, they are changed people, and we cannot expect the private sector to address these seen and unseen wounds of war.

In this upcoming Congress, there will be incredible opportunities to make progress, and I am fully committed to Montana's veterans and veterans across this country and their families, and I will push back against those who attempt to undermine the noble mission of the Veterans' Administration.

Mr. President, I yield the floor.

Mrs. FEINSTEIN. Mr. President, I wish to support the 21st Century Cures Act, which would make vital investments in research to develop new treatments for deadly diseases, including cancer. The bill would also dedicate desperately needed funding to address some of our country's most pressing public health problems—opioid addiction and mental illness.

First, I would like to speak about the bill's provisions for cancer and rare diseases. Cancer touches the lives of all Americans; it doesn't discriminate. We

have all experienced the grief and pain that comes with losing a loved one, friend, or colleague to this terrible disease.

Cancer is the second leading cause of death in our country. Nearly 40 percent of Americans will be diagnosed with cancer at some point in their lives, according to the National Cancer Institute. We have made great strides in improving detection, treatment, and survival rates for many cancers, including early-stage breast cancer, prostate cancer, and melanoma.

Despite this progress, other cancers like pancreatic and certain brain cancers remain extremely deadly, with very low 5-year survival rates. These cancers are typically detected in late stages, and even the most cutting-edge treatments may result in just a few more months of life.

The Cures Act designates nearly \$4.8 billion in additional funds for medical research through the National Institutes of Health, \$1.8 billion of which will expand and accelerate cancer research, in line with Vice President BIDEN's Cancer Moonshot Initiative. This research funding also supports important initiatives focused on precision medicine and neurological research.

Next, I would like to talk about the bill's funding to combat opioid addiction, which is an epidemic in this country. Nearly 2 million Americans are addicted to opioids, and 19,000 Americans overdosed and died in 2014. This epidemic stems from a surge in the use of prescription drugs. It is not a coincidence that prescription overdose deaths quadrupled during the same period that opioid prescriptions quadrupled.

In 2012, 259 million prescriptions for opioids were written. That means 80 percent of Americans could have a bottle of pills. Prescription drug abuse frequently leads to heroin addiction because these drugs affect the brain in the same way. This problem is exacerbated because heroin is significantly cheaper than prescription opioids like OxyContin or fentanyl.

This crisis demands an immediate, comprehensive, national response. Congress took a first step earlier this year, passing the Comprehensive Addiction and Recovery Act in May. This bill authorizes grants to expand access to substance use disorder treatment, strengthen prescription drug monitoring programs, and supply first responders with naloxone, which can reverse the effects of an overdose. However, this bill didn't include any funding for the initiatives it authorized. The Cures Act takes that step, providing \$1 billion for the Department of Health and Human Services to fund many of the prevention and treatment programs authorized by Congress earlier this year.

Lastly, I would like to highlight the bill's provisions to improve our country's mental health system. This is an area where we fall far short. We don't do nearly enough to ensure those with

mental illness are able to access appropriate treatment and this has ripple effects throughout society.

In October, I was briefed on the homelessness crisis in Los Angeles and toured a shelter for homeless women. A significant percentage of the city's homeless population is battling mental illness. So, by improving our mental health system, we are also going to address connected issues like homelessness.

Under the bill, Health and Human Services will develop a strategic plan to address mental health priorities. There is increased funding to train our doctors and nurses to better integrate substance abuse and mental health treatment into primary care visits.

The bill also reauthorizes many important existing programs, including the National Suicide Prevention Lifeline and the National Child Traumatic Stress Network, and increases support for mental health and drug courts. These innovative approaches to criminal justice provide an alternative process for individuals to receive and comply with needed treatment and are supported by the law enforcement community.

The bill further provides for police training when police officers encounter individuals who exhibit mental illness. I recently convened meetings in Los Angeles and San Francisco with law enforcement and community leaders, and they all stressed the importance of deescalating situations with mentally ill individuals to make sure that situations do not end with violent encounters.

In closing, I reiterate my support for the 21 Century Cures Act and urge its swift passage. This is a great opportunity to spur this century's medical innovation, improve access to needed treatments, and strengthen public health.

The PRESIDING OFFICER (Mr. COATS). The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Senator KIRK be recognized next and then Senator MURPHY following him and that after that, I be recognized. We will be voting at 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

Mr. KIRK. Mr. President, 4 years ago I climbed the Capitol steps for those who could not. I vowed to return to the Senate to create and establish a standard of care for rehabilitation in this legislation to make sure many people can have access to the best rehab, as I did. With the passage of the Cures Act tomorrow, we will achieve this lofty goal.

The Cures Act also contains bipartisan provisions to provide accelerated approval of regenerative medicines and therapies. The Regrow Act, which is also in this bill, is a major step forward so that Americans will not have to go to other countries for their own stem cells to be used in their own therapy.

Making sure this faster approval process happens in this bill means that many more people will be able to receive advanced stem cell therapies that are also available overseas, right here at home.

I would like to thank everybody. We have made progress with the FDA. I championed with Senators COLLINS and MANCHIN on this. I thank my senior colleague from Tennessee for all of his action on the Regrow Act so we can make the fundamental point of using your own stem cells to accelerate healing. In the case of using your own stem cells, they already have your exact DNA match. I think it is wise that we go through a shorter process. I thank the Senator for putting the Kirk language in the Regrow Act.

I yield the floor.

Mr. ALEXANDER. Mr. President, while we are waiting for Senator MURPHY, let me salute Senator KIRK for his leadership from the very beginning. He has pointed out to the committee and the Senate that, as the Mayo Clinic has said, regenerative medicine is a game changer for stroke victims, for heart disease, and for people with retinal disease.

Thanks to Senator KIRK, Senator COLLINS, Senator MANCHIN, and Senator MCCONNELL, we have legislation that takes an important and responsible step forward to recognize the promise of regenerative medicine.

This bill includes \$30 million to the National Institutes of Health for clinical trials to support regenerative medicine. Then there are two other provisions in the bill. One of them allows the Food and Drug Administration to make regenerative therapeutic products eligible for the FDA's existing accelerated drug approval pathway. We have had great success over the last 4 or 5 years with an accelerated pathway for drugs, similar to what Senators BURR and BENNET and others got enacted into law. We are doing the same thing with combination drugs and devices in this legislation. Now Senator KIRK has added regenerative medicine to the accelerated pathway, and I salute him for that leadership.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I wish to remind my colleague, who is also the chairman of the Appropriations Energy Subcommittee that controls the exascale funding, one of the most complicated things we can face in our world is biological systems when we look at the new Aurora computer that is going to be built in the Argonne National Laboratories. I know that at Oak Ridge, we have exascale computers. My goal is to make sure we are always way ahead of the Chinese. In the case of Aurora, we now have \$165 million to make sure that we have a computer that is far faster than the computer in China. With that, we will be able to model proteins themselves to make sure we make these advances much faster. My hope is that we will be

stunned at how much biological work is being done at the Oak Ridge lab with their leading computer to make sure we accelerate progress on this.

Let me say one thing about the work of the Senator. Every piece of legislation that he touches goes through by a couple hundred votes. When we see LAMAR take over a bill, we know it is going to be going through on a big wall-opping. He got a huge vote in the Senate, and I hope he gets a big vote again. Everything he touches turns to gold, and we cannot have a better friend in medical care than we have in LAMAR ALEXANDER.

Mr. ALEXANDER. Mr. President, the Senator from Illinois is very generous, and I thank him, but I would remind him that he was the persistent agent for the change in support for regenerative medicine. That wasn't easy to do, and he has been the leader, along with others of us who cared about the same thing, in making sure the United States maintains its lead in supercomputing competition around the world.

Senator MURPHY, the Senator from Connecticut, is coming. I think what I will do is begin, and when he comes I will stop and let him make his 5 minutes of remarks and then resume so I don't delay the vote because I know everyone is looking forward to casting a great big "yes" vote in a few minutes.

The U.S. Senate majority leader, whose position in the Senate this is, has said more than once in private meetings I attended and on the floor of this body that the 21st Century Cures bill on which we will be voting in a few minutes is the most important legislation Congress will pass this year.

In his address to the Nation this past weekend, President Obama urged us to vote for the bill today and tomorrow. "It could help us find a cure for Alzheimer's," the President said. "It could end cancer as we know it and help those seeking treatment for opioid addiction." The President continued: "It's an opportunity to save lives and an opportunity we just can't miss."

Vice President BIDEN has been telephoning Senators urging support for 21st Century Cures because, in the Vice President's words, it is a big step for cancer research and the Cancer Moonshot that is so close to his heart.

Speaker PAUL RYAN in the House of Representatives has made 21st Century Cures explicitly a centerpiece of his vision for our country's future, describing it as "bipartisan legislation that would accelerate the discovery, development, and delivery of lifesaving treatments."

With such bipartisan support from the President of the United States, the Vice President of the United States, the Speaker of the House, the Senate majority leader—two Democrats, two Republicans—it is no wonder that on last Wednesday, the House of Representatives approved 21st Century Cures by the overwhelming vote of 392 to 26.

This legislation holds the promise of improving the life and health of virtually every family in the country.

It will provide \$4.8 billion in a one-time surge of funding for biomedical research in a time of breathtaking opportunity.

It will advance Vice President BIDEN's Cancer Moonshot to find cures for cancer and President Obama's Precision Medicine Initiative, as well as the BRAIN Initiative.

It will help move safe and effective treatments and cures through the development and regulatory process more rapidly, and it will lower costs, making medicines available sooner and hopefully also at lower costs to patients.

It will provide \$1 billion in grants to help deal with the raging opioid epidemic.

It includes legislation to help the one in five adults in this country suffering from a mental illness, help them receive treatment by updating many of our country's mental health programs for the first time in a decade.

It will improve health information technology for doctors who are eager to get rid of the overdocumentation of hospitals and their patients and help get the Nation's electronic health records system out of the ditch.

From a taxpayer's point of view, it does all of these things in a fiscally responsible way by reducing other spending to pay for every penny of the \$6.3 billion cost.

I see the Senator from Connecticut on the floor, so I would like to suspend my remarks for 5 minutes so that he can make his, and then I would ask unanimous consent that the totality of my remarks follow his remarks.

Before he speaks, let me just say once again how much I appreciate his leadership and that of Senator CASSIDY and Senator CORNYN. One reason the majority leader calls this the most important piece of legislation Congress will act on this year is because it includes the mental health legislation that these Senators, including Senator MURPHY, Senator CORNYN, and Senator CASSIDY, have offered.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I appreciate Senator ALEXANDER's kindness in allowing me to say a few words in support of this bill on behalf of myself and Senator MURRAY. I wish to congratulate Senator ALEXANDER for once again showing how the Senate can work properly, how we can bring together Republicans and Democrats for a priority that really has nothing to do with whether one is a Republican or a Democrat or whether one voted for Hillary Clinton or Donald Trump. If people are out there suffering from a life-altering or potentially terminal disease or suffering from mental illness or addiction, they need help, and we are coming together in maybe one of the most important pieces of health legislation that has passed this Congress in a very long time to deliver that help.

So I am not going to endeavor to recreate the remarks of Senator ALEXANDER when it comes to describing the important aspects of this bill except to say that after passage of this bill, it is going to be a whole heck of a lot more likely that a life-changing, lifesaving drug is going to be able to make it to market in time to save a life.

Every single one of the underlying reforms in this bill to the drug discovery process is bipartisan. I think about Senators BENNET and HATCH's bill, the promise for antibiotics and therapeutics for health, which establishes a new pathway for antibacterial and antifungal drugs that will treat serious, life-threatening infections for patients. I think about Senator CASEY and Senator ISAKSON working on the Advancing Hope Act, which will extend the pediatric priority review voucher program until 2020. It incentivizes drug companies to research treatment for life-altering diseases that impact pediatric patients.

Inside this bill are all sorts of good, important, bipartisan achievements. As Senator ALEXANDER noted, there is also help on the way for people suffering from addiction. In my tiny little State—only 1 percent of the Nation's population—we are going to have over 800 people die this year from drug overdoses. Yes, we need to get to the source of that epidemic and stop people from getting addicted to pain medications in the first place, but, boy, we have an awful lot of people showing up with overdoses in our emergency rooms who have no place to go, have no detox programs, no long-term residential programs. The \$1 billion authorized in this legislation to fight the opioid epidemic is going to save lives in my little State.

Finally, when it comes to the issue of mental health—Senator ALEXANDER, Senator CASSIDY, and I were on the floor last week talking about this legislation; the focus on funding prevention, the focus on making sure parents are part of the care for their adult children, the focus on ensuring that insurance companies really do pay attention to the Parity Act we passed 10 years ago in this Congress to assure that you get covered for mental illness just like physical illness. A broken leg really isn't any different than a broken brain when we think about it. We can treat both. These are important advances in mental health as well.

I know this place has a bad reputation; that people pay attention to the fights here more often than they do to the moments where we get together and cooperate. The 21st Century Cures Act that Senator MURRAY and Senator ALEXANDER, with help from Senator CORNYN, me, Senator CASSIDY, and in the House Congressmen UPTON, PALLONE, TIM MURPHY, and EDDIE BERNICE JOHNSON—this is an example of how this place can work better.

As we head in to what may be a very charged atmosphere in January, I hope we remember this moment. I wanted to

come down on behalf of Senator MURRAY, who has helped shepherd this process, to congratulate Senator ALEXANDER on it and recommend its passage to all of my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator for his words, support, and his leadership this year. I thank also Senator MURRAY from Washington. She would be here, except her plane is delayed. The vote will be held open to make sure she can be here, but Senator MURRAY is a Member of the Democratic leadership and well respected on that side of the aisle but also on this side of the aisle because, when she can, she creates an environment where we can do today exactly what we are doing today. I think the American people appreciate that, and Senator MURPHY and I both benefit from that. I thank the Senator for those remarks and will now continue my remarks.

At a Senate hearing earlier this year, Dr. Francis Collins, the distinguished head of the National Institutes of Health—an agency he calls the “National Institutes of Hope”—offered “bold predictions” about major advances to expect in the next 10 years from sustained investments in biomedical research, such as we are doing with this bill.

One prediction is that scientists will find ways to identify individuals at risk for Alzheimer’s even before symptoms appear, as well as how to slow or even prevent the disease. Today, Alzheimer’s causes untold family grief and costs \$236 billion a year. Left unchecked, the cost in 2050 would be more than our Nation spends on national defense.

Dr. Collins’ other predictions are equally breathtaking. Using stem cells, doctors could use a patient’s own cells to rebuild his or her heart. This personalized rebuilt heart, Dr. Collins says, would make transplant waiting lists and anti-rejection drugs obsolete. He expects development of an artificial pancreas to help diabetes patients by tracking blood glucose levels and creating precise doses of insulin. He says a Zika vaccine should be widely available by 2018, with universal flu vaccine and HIV/AIDS vaccine available within the decade. To relieve suffering and deal with the epidemic of opioid addiction that led to 28,000 overdose deaths in America in 2014, he predicts new nonaddictive medicines to manage pain, an even more effective antidote than the \$1 billion we would be authorizing by our votes today. These truly would be miracles.

The bill has taken more than 2 years to assemble both in the Senate and the House. There have been major differences of opinion, but the resolution of those differences—thanks to Senator MURRAY and many other Senators—has been bipartisan every step of the way. We saw that on display in the work of

the President, the Vice President, the Speaker of the House, and the Senate majority leader. We saw it in the House with its vote of 392 to 26 last week, thanks especially to the leadership of Chairman UPTON, Ranking Member PALLONE, and Representative DEGETTE. We saw it in our Senate Health Committee, where we approved 19 bills that include 50 proposals, and every one with both a Democratic and Republican sponsor, except for 1 bill offered solely by Senator MURRAY, who is the ranking Democratic member of our committee.

We have a diverse committee of 22 Members—that would be an understatement, actually—some of the most liberal Members and some of the most conservative Members, but when our committee considered these 19 bills during our 3 markups held over several months, the largest number of votes against any one of these 19 bipartisan bills was 2. Let me say that again. The largest number of votes—recorded votes—against any one of these 19 bipartisan bills was 2 in our committee of 22.

Here is what some of those 19 bipartisan bills—again, approved unanimously or by a wide margin—would do to help move safe and effective treatments and cures more rapidly through the regulatory process and into patients’ medicine cabinets and into doctors’ offices.

For example, Senators BENNET, WARREN, BURR, and HATCH’s act would allow researchers to use their own data from previously approved therapies when they submit for review a treatment or cure for serious rare genetic diseases, like Duchenne’s, a rare kind of muscular dystrophy that could impact children as young as 3.

Senators BURR and FRANKEN’s legislation will help to bring innovative medical devices—such as artificial knees, insulin pumps, and heart stents—to patients more quickly by getting rid of unnecessary burdens in medical device evaluations and streamlining the review process for clinical trials.

Senators BALDWIN and COLLINS have a bill to improve opportunities for our young researchers, essential to advancing biomedical research.

Senator KIRK just talked about his legislation with BENNET, HATCH, MURKOWSKI, ISAKSON, and COLLINS to improve rehabilitation research and help the approximately 800,000 Americans who suffer a stroke each year.

Senators ISAKSON, MURPHY, CASEY, WICKER, and VITTER will help advance our understanding of neurological diseases.

Senator MURRAY, as I mentioned earlier, will clarify that the FDA requires cleaning and validation data for reusable medical devices.

Senators MURRAY, HATCH, BENNET, CASSIDY and WHITEHOUSE’s bill will improve health information technology for doctors and their patients. We had six hearings on medical information

technology programs in a ditch. We think we are helping to get them out of the ditch. We have been working with the Obama administration to do that, and I look forward to working with the Trump administration to continue that.

Senators BURR, BENNET, HATCH, and DONNELLY would speed safe breakthrough devices, putting senior people in charge of the review process.

CASEY, ISAKSON, BROWN, and KIRK’s legislation. If you are the parent of a child with a rare disease like brain cancer, their bill would increase the likelihood that your child will be able to take a drug that will help by giving a drug company that develops a drug for such a disease a voucher they could keep or sell that would speed up the review of another drug.

One may say this is getting boring. This is too long. It is not boring to the millions of Americans who stand to benefit from this, and it is exactly the kind of work we ought to be doing in the United States Senate and what the American people would like to see us do more of.

The Medical Electronic Data Technology Enhancement Act, with Senators BENNET and HATCH and many others interested in that.

Senators BURR and CASEY and ISAKSON and ROBERTS have important legislation for planning ahead for events like bioterror attacks, to help protect against anthrax, for example, or smallpox.

The Combination Products Innovation Act, with a number of Senators involved on the committee, will help prevent the growing field of combination products—like band-aids with Neosporin built in or a heart stent that can be implanted to deliver blood thinners to prevent clots—from being caught in redtape.

Then there is legislation that will give patients and their families a voice in drug development. There is one that is a top priority for the heads of FDA and NIH which will help those agencies attract and keep the kind of talent they need to approve all these exciting advances that are coming.

There is legislation to shorten the development of new treatments to help those affected with life-threatening superbugs.

The Advancing Precision Medicine Act, which Senator MURRAY and I co-sponsored, is in direct support of President Obama’s initiative to map 1 million genomes so researchers can develop treatments and cures tailored to a patient’s genome.

There are five or six other major pieces of legislation that I will include in the RECORD but not read at this time because we are approaching the time for a vote, but let me conclude by saying that in addition to these bipartisan policies, the 21st Century Cures bill includes \$6.3 billion in funding. We usually don’t attach such funding to a bill authorizing programs. We usually work

along two tracks; one track for authorizing programs and one deciding how much to spend on those programs.

During the last 2 years, while we have been working on our authorizing legislation, our appropriations committees have recommended major increases in support for biomedical research, and it is important that every Senator know this. In the current year, at the urging of Senators BLUNT and Senator MURRAY, Congress added \$2 billion a year to the \$32 billion budget of the National Institutes of Health, which could total \$20 billion over 10 years. Then, the Senate Appropriations Committee recommended another \$2 billion increase for the next fiscal year, 2017, which could total another \$20 billion over 10 years. This 21st Century Cures legislation adds \$4.8 billion in a surge of one-time spending for the National Institutes of Health on top of the regular appropriated money toward key objectives: \$1.8 billion for the Cancer Moonshot, \$1.4 billion for precision medicine, \$1.6 for the BRAIN Initiative, and it adds \$1 billion for State grants to help States fight the opioid abuse epidemic. I believe that for every State represented by a Senator here tonight, the opioid epidemic is on the front pages of the newspapers. It adds \$500 million for the Food and Drug Administration, and 21st Century Cures also gives the National Institutes of Health \$30 million for clinical trials to support regenerative medicine, which the Mayo Clinic has described as a “game-changing area of medicine with the potential to fully heal damaged tissues and organs, offering solutions and hope for people who have conditions that are beyond repair.” It gives the FDA authority to allow regenerative therapeutic products to be eligible for FDA’s existing accelerated drug approval pathway.

I wish to acknowledge the work of Speaker RYAN and Leader MCCONNELL in designing a way to secure funding that both Democrats and Republicans can accept. That is not always easy. For those concerned about additional spending—often on our side of the aisle—Speaker RYAN and House Budget Chairman TOM PRICE made sure the funding is one time, not mandatory, paid for, and approved each year by Appropriations Committees. It doesn’t add one penny to the overall budget because for every increase in the discretionary budget, we reduce the same amount in the mandatory ledger.

For those who worry that Congress might not approve the \$6.3 billion in additional spending in later years—I have heard a little of that from the other side of the aisle—my answer is that the best way to ensure the money is spent in the following years is a big vote today and tomorrow when we finally pass the bill, just as the House did last week.

In conclusion, it will be hard to explain why you voted to spend \$6.3 billion for cancer, the Precision Medicine Initiative, and opioids this year but then voted not to spend it next year,

and the legislation provides that the money cannot be diverted for any other purpose than what we vote for today and tomorrow.

In addition, this year’s portion of Cures funding—including one-half billion for opioid grants—is included in the continuing resolution that we will vote on later this week.

This is the kind of lasting legacy the President of the United States and our Congress can be proud of. The next administration or the next Congress will not be repealing this law because we have taken the time to work out our differences and create a consensus of support. We did this at this time last year with an equally complicated bill to fix No Child Left Behind, which, despite its complexities, received 85 votes in this body. When he signed it, the President called it a “Christmas miracle.”

The 21st Century Cures bill will present President Obama with another Christmas miracle, one that will help virtually every family. When we pass this legislation, the real winners will be the American families whose lives will be improved by this bipartisan legislation.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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. WHITEHOUSE. Mr. President, with the permission of my distinguished chairman, who has worked very hard on this bill and whose efforts I appreciate very much, I wanted to add, very briefly, that I hope very much and look forward to working with my colleagues to assure that the second tranche of the opioid funding is aligned with the CARA bill, or the Comprehensive Addiction and Recovery Act, which we just passed in such bipartisan fashion a few months ago.

We have not achieved that alignment yet, and I hope that we do very soon. I appreciate the terrific efforts of my chairman.

With that, I yield.

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. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 34

Mr. MCCONNELL. Mr. President, it is a rare day when we see the Vice Presi-

dent presiding. We welcome him here today. We look forward to welcoming him back later in the week. I know Members will have plenty to say about his life and his legacy later in the week, but today the Senate would like to specifically acknowledge his efforts to help Americans struggling with cancer.

He has known the cruel toll this disease can take, but he hasn’t let it defeat him. He has chosen to fight back. He has taken a leading role, and the Senate will soon pass the 21st Century Cures Act as a testament to his tremendous effort.

I think it is fitting to dedicate this bill’s critical cancer initiatives in honor of someone who would be proud of the Presiding Officer today, and that is his son Beau. In just a moment, that is exactly what the Senate will do—renaming the NIH’s cancer initiatives in this bill after Beau Biden.

Mr. REID. Will the Senator yield for a brief statement?

Mr. MCCONNELL. If I could say to my friend the Democratic leader, I have one more thing here.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 174, which is at the desk.

The VICE PRESIDENT. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 174) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 34.

There being no objection, the Senate proceeded to consider the concurrent resolution.

AMENDMENT NO. 5137

(Purpose: To make additional corrections in the enrollment of H.R. 34)

Mr. MCCONNELL. I call up an amendment, which would rename a title of the bill.

I would say to the clerk that I would like for her to read it in its entirety.

The VICE PRESIDENT. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 5137.

Beginning on page 1, line 7, strike “following correction:” and all that follows and insert the following: “following corrections:

“(1) Amend the long title so as to read: ‘An Act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes.’

“(2) Amend the section heading for section 1001 so as to read: ‘BEAU BIDEN CANCER MOONSHOT AND NIH INNOVATION PROJECTS’.

“(3) Amend the table of contents in section 1 so that the item relating to section 1001 reads as follows:

“‘1001. Beau Biden Cancer Moonshot and NIH innovation projects.’”

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the amendment be agreed to, the concurrent resolution, as amended, be agreed

to, and the motion to reconsider be laid upon the table with no intervening action or debate.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment (No. 5137) was agreed to.

The concurrent resolution, as amended, was agreed to.

(Applause.)

The VICE PRESIDENT. Thank you. The Democratic leader.

Mr. REID. Mr. President, I say to all my colleagues, the Presiding Officer served in the Senate for 36 years. During that time he was here, he was about as much a man of the Senate as anyone could be. He was a Democrat, but he was also available to anybody anytime, and I so admire him. I know that he has worked very closely with the Republican leader on some very important issues the last 8 years.

I want the record to be spread with the fact that the Presiding Officer is as proud of his family as anyone could be, and doing this for Beau only furthers the effect that this man, the Presiding Officer, has had on this country. I am grateful to the Republican leader for allowing me to cosponsor this important amendment, changing the name of this bill to the Beau Biden Memorial Moonshot.

I am grateful to you, the Republican leader. All of the Senators understand that the man presiding is really a man of the Senate and always will be.

(Applause.)

TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2015—Continued

CLOTURE MOTION

The VICE PRESIDENT. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 34, an act to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes.

Mitch McConnell, Johnny Isakson, Bob Corker, Richard Burr, Pat Roberts, Roy Blunt, Thom Tillis, Lindsey Graham, Lamar Alexander, John Cornyn, Chuck Grassley, Michael B. Enzi, John Barrasso, Shelley Moore Capito, John McCain, Bill Cassidy.

The VICE PRESIDENT. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 34 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 85, nays 13, as follows:

[Rollcall Vote No. 156 Leg.]

YEAS—85

Alexander	Feinstein	Murphy
Ayotte	Fischer	Nelson
Baldwin	Flake	Paul
Barrasso	Franken	Perdue
Bennet	Gardner	Peters
Blumenthal	Graham	Reed
Blunt	Grassley	Reid
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Burr	Heitkamp	Rounds
Cantwell	Heller	Rubio
Cardin	Hirono	Sasse
Carper	Hoeven	Schatz
Casey	Inhofe	Scott
Cassidy	Isakson	Sessions
Coats	Johnson	Shaheen
Cochran	Kaine	Shelby
Collins	King	Stabenow
Coons	Kirk	Sullivan
Corker	Klobuchar	Tester
Cornyn	Lankford	Thune
Cotton	Leahy	Tillis
Crapo	Markey	Toomey
Cruz	McCain	Vitter
Daines	McCaskill	Warner
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Mikulski	
Ernst	Moran	

NAYS—13

Boxer	Manchin	Schumer
Brown	Merkley	Udall
Capito	Murkowski	Warren
Gillibrand	Portman	
Lee	Sanders	

NOT VOTING—2

Murray	Wyden
--------	-------

The VICE PRESIDENT. On this vote, the yeas are 85, the nays are 13.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer and the amendments thereto fall.

Mr. THUNE. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

DACA

Mr. DURBIN. Mr. President, last Friday I had a meeting in Chicago with about 50 in attendance. It was Friday morning, and we gathered groups of people from across the city of Chicago and the State of Illinois who were focusing on one make-or-break issue for many of us. It was an emotional issue, one that caused many to break down in tears as they told me their stories. It is the reason I have come back to the floor of the Senate today and every day

since the election to talk about one specific issue that I believe is important for this Nation to reflect on.

Mr. President, 16 years ago a young lady contacted my office. Her name is Tereza Lee. She had been brought to the United States from Korea at the age of 2. She had grown up in Chicago with a family of modest means.

During the course of her childhood, she signed up for what is known as the Merit music program in Chicago. They offered free instruments and free musical instruction to kids from low-income families. It is a great program. Tereza Lee signed up, and it turned out she had an extraordinary talent at piano. When she came to contact my office, it was as she was leaving high school and applying to be accepted at the best music schools in the America—Juilliard in New York and the Conservatory of Music in Manhattan.

She went to fill out the application, and when it came to a question of her citizenship and nationality, she wasn't certain what to put. Her mother suggested that she call our office, and she did. We told her that under the law she was undocumented, brought here at the age of 2 on a visitor visa. Her mother had never filed any papers for her. She had grown up in America thinking she was an American citizen like her brother and sister who were born here, and she came to realize at the age of 17 or 18 that in the eyes of the law she had no legal standing in America.

The law is pretty harsh for people like Tereza. The law says she needs to leave the United States for 10 years and apply to return to the United States.

Where would she go—to Korea? She had never been there. She grew up in Brazil for a short period of time. She didn't speak the language. She doesn't speak Portuguese.

She was caught in the middle. That is why I introduced the DREAM Act. It said that young people brought to the United States by their parents before the age of 16, if they finish school and have no serious criminal issues, should be given a chance to go to school further and have a legal status in America and, ultimately, to earn their way to citizenship—going to the back of the line and waiting their turn but at least setting that as their goal. I introduced that bill 15 years ago. It has never become law, but there are 2.5 million people in that circumstance in America.

Six years ago, the President of the United States created something called DACA, the Deferred Action for Childhood Arrivals program, by an Executive action. As a result of that action, President Obama allowed these eligible DREAMers—as they have come to be known—to receive DACA status.

In order to do it, they have to apply, come out of the shadows, declare themselves, file a fee of about \$500 with the government, go through a criminal background check, and then be given temporary—only temporary—legal status so they can't be deported and can

legally work, which is renewable every 2 years. As of today, 744,000 young people have done that. Many of them were in the room—at least some of them were in the room in Chicago last Friday.

They are not certain what is going to happen next. The new President has promised to end DACA. If he ends it, what happens to these young people? For instance, there are 28 of these DACA young people who are in medical school at Loyola University in Chicago—28 students who are undocumented who are there without any Federal Government assistance, and most of them have promised to give a year of service to the State of Illinois in rural areas and poor neighborhoods when they become doctors. If they lose their DACA status, they lose their ability to work legally in the United States and they cannot go through the clinical experience, which is part of becoming a doctor. They would have to drop out of medical school. There is one thing we can say for certain: We don't have an oversupply of doctors serving inner cities and rural areas in my State and across the Nation. We need these doctors.

If DACA changes, if it is eliminated, what will happen to these young people? That is a challenge which I face, and other Members have as well. I salute Senator LINDSEY GRAHAM of South Carolina. He is working with me on legislation to address this, to at least give a temporary status to these DACA-eligible young people while we debate immigration reform in a larger context.

There are important issues at stake, but the most fundamental issue is one of fairness and justice. These young people did nothing wrong. They were brought to this country by their parents. They have grown up in this country, gone to our schools, and there are some amazing stories of what they have done with their lives. I wish to tell you one of those stories. I have done this over 100 times now on the floor of the Senate.

This is Barbara Olachea. In 2002, when Barbara was 5 years old, her family brought her to the United States from Mexico. She grew up in Phoenix, AZ, and she knew she would face challenges, being undocumented. Her older sister had been accepted to Arizona State University but couldn't afford to go to school there. As an undocumented immigrant, she is not eligible for Federal financial assistance. Arizona law specifically prohibits State financial assistance to DREAMers such as Barbara and her sister.

During her freshman year in high school, a mentor told her that as a DREAMer, "You're going to have to try harder than everybody else."

Barbara said:

Those words confirmed what I had known all along. Although I was only starting high school, I began to dread what most students anticipate with excitement: graduation day. What if I got into my dream school, but I still couldn't go because I couldn't afford it?

In high school, Barbara was a great student and was involved in many extracurricular and volunteer activities. She was a member of the Academic Decathlon team for 4 years and team captain when she was a senior. She was a member of student government, yearbook, and homecoming. She volunteered to tutor middle school students and worked part time to save money for her education. She participated in a number of programs at Arizona State University, including the Walter Cronkite School of Journalism. She recorded a story about her life that was aired on National Public Radio. This experience sparked her interest in journalism and led to an internship at KJZZ, the Phoenix affiliate for NPR.

Last year Barbara graduated as valedictorian of her high school class with a 4.5 grade point average. As a result of her accomplishments, Barbara was accepted at Dartmouth College, an Ivy League school, where she is now a sophomore.

Barbara wrote a letter to me and said this about DACA:

I am very grateful for DACA, as it allowed me to work and not be deported to a country I do not know and have not been to since I was five. Just like thousands of other undocumented students in the United States, I have grown up and become accustomed to the culture here. The U.S. is where I belong and I want to be a contributing member of society, as I have proved in my 13 years here.

Barbara and other DREAMers have so much to give. They are young, they are idealistic, they are energetic, and they are amazing. These young people have overcome odds that many young people never face in their lives. To think that in your freshman year of high school, you are reflecting on the fact that even if accepted to college, you may not be able to go—that was her future as she saw it then.

If DACA is eliminated, Barbara will lose her legal status and could be deported to Mexico—a country where she hasn't lived since she was 5. Will America be a better country if Barbara is deported or if she stays here and uses her talent, her determination, her energy, and her inspiration, for our future? I think the answer is clear.

Now is the time for America, this Nation of immigrants, to come together and heal the wounds that divided us in this election. I am just hoping that this President-elect, when he reflects on Barbara and 700,000-plus other DACA eligibles, will realize that they can bring important values and achievements to America's future. I am hoping that in the Senate, we can overcome our differences—and there are many deep differences, political differences—and give these young people a chance.

Senator GRAHAM and I are basically working on a bill that says at least suspend their status so they won't be deported, so they can continue to work. Do that while we do our business here on the issue of immigration. That is only fair. It is only right. It is the right American way to approach an

issue that can affect so many innocent American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

MINERS PROTECTION ACT

Mrs. CAPITO. Mr. President, I rise today to talk about an issue of great urgency—the fate of tens of thousands of American workers.

In just a matter of weeks, 16,000 coal miners and their dependents will lose their health care coverage and roughly 6,000 others will join that group in the year 2017, and here we are just days away from Congress wrapping up its work for the year. This should be a time to motivate us to action.

I have served in Congress a long time, and I know nothing motivates Congress more than a deadline, being up against a deadline, as we are today. This time should be no different, and here is why: Without some resolution before Congress adjourns, the men and women who have powered our Nation and spurred economic growth for generations will have the carpet ripped out from under them. They will lose the health care benefits they so rely on and have been promised.

It is important to recognize the risks our coal miners take to better our lives every day. When you visit a coal mine, which I have done—I have been underground in a coal mine—you see the rigorous and often very dangerous working conditions where these men and women do their job every day to provide the energy we need to light this Chamber, to warm our homes, and to keep our classrooms lit. These miners are the pillars of our communities, and many of them are veterans of our Nation. For decades they have worked hard and played by the rules. Yet the realities facing these men and women are stark. They are up against the wall, and we are up against the wall with them. The challenges they face will only grow if we fail to accommodate and have immediate action.

We can talk about the realities of the War on Coal, but this is about more than that. This is about people—tens of thousands of people, mostly older, many suffering health issues—who rely on health care, and many are in need. This is about tens of thousands of coal jobs that have been lost, devastating my region of the country, forcing miners to rely on these modest benefits more than ever before. This is about employers who are bankrupt who can no longer fund these benefit plans.

We have a solution right here in front of us that is ready for a vote to prevent any lapse in benefits. It is a solution that has support from both sides of the aisle. We passed the Miners Protection Act out of the Finance Committee in a bipartisan way, and it is a solution that could make a difference in the livelihoods of tens of thousands of Americans.

I had really hoped that we could offer the Miners Protection Act as an amendment to the 21st Century Cures

bill. The 21st Century Cures bill is all about health. The Miners Protection Act is a lot about the health and well-being of our miners.

That is why, despite the many good things and benefits in the 21st Century Cures Act, such as funding for the opioid epidemic that hit my State of West Virginia and many of our States very hard, advanced medicine, and Cancer Moonshot, I had to oppose us moving forward on the Cures Act tonight without an amendment process. That is how important this issue is to our miners.

Before Friday we will move forward on a bill to fund our government. We must take action in that bill—which I consider mostly our last chance, the continuing resolution—to protect these important benefits for our miners. If we don't, we will be failing to act for the benefit of thousands of American workers.

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. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MORAN. 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.

DACA

Mr. REID. Mr. President, 15 years ago Senator DICK DURBIN introduced the DREAM Act in the U.S. Senate. This legislation provided a path to citizenship for young people brought to the U.S. as children.

These young people call themselves DREAMers. And they are as American as you or me. They belong to this country culturally and linguistically and are American in all but paperwork. For many of them, this is the only country they have ever known.

In 2010, the DREAM Act passed the House and came to the Senate for a vote. Sadly, Republicans killed the bill—eliminating the hopes and dreams of hundreds of thousands of DREAMers. Because Republicans refused to act, it was up to President Obama.

In 2011, I joined 21 other Senators in asking President Obama to grant deferred action to immigrant youth who would have qualified under the DREAM Act and who are not an enforcement priority. And in 2012, President Obama's administration did just that. They announced that young people who were brought to the United States as children could apply for Deferred Ac-

tion for Childhood Arrivals, also known as DACA.

This brought nearly 800,000 young people out of the shadows. These young men and women are our newest college students, teachers, engineers, and small business owners. They contribute to our communities and make America better.

In Nevada alone, DACA has helped over 12,000 DREAMers—DREAMers like Brenda Romero. Brenda was just 2 years old when she crossed the border in southern California with her mother to reunite with members of their family.

Growing up in Las Vegas, Brenda was like any other American kid. She excelled in school, participated in student government and played the cello in the orchestra. But soon enough, she realized what it truly meant to be undocumented. Her friends could get their driver's licenses; Brenda could not. Her peers could get legally paying jobs; Brenda could not. Her classmates could speak with recruiters from the Armed Services about career opportunities; Brenda could not. Brenda described the months after graduating high school as one of the lowest points in her life.

But that all changed with DACA. She was finally able to get a job and enrolled in the College of Southern Nevada as soon as she saved enough money. Brenda became student body president her second year at the College of Southern Nevada, working to help other students who faced struggles similar to hers. During her time as student body president, Brenda helped award \$10,000 to her fellow classmates in scholarship funds.

Brenda graduated from CSN with an associate's degree in art and is currently pursuing a bachelor's degree in human services at the University of Nevada, Las Vegas. She wants to be a higher education counselor, and she is already well on her way. She is already making her mark on the UNLV campus. As part of the Undocu-network Club, Brenda is helping to bring counseling and services to students in need and promoting visibility for undocumented students to the school administration.

Brenda's story is impressive, but it is not unique. Every Senator has a story to tell like Brenda's. There are young men and women just like her in all 50 states.

In addition to the moral reasons for supporting DACA, there are strong economic reasons. DACA recipients will add \$433 billion to the economy over 10 years. After DACA, more than two-thirds of recipients were able to secure a job and their wages rose by 42 percent. Six percent of recipients started their own businesses, a rate that is nearly double the rate among the entire U.S. population. Fifty-four percent of recipients bought cars, and 12 percent bought houses, all of which means significant new tax revenue for States and localities. DACA recipients will

add \$433 billion to the economy over 10 years. It is not surprising that the majority of Americans—almost 60 percent—oppose repeal of DACA.

As with Brenda, DACA has opened doors of opportunity for hundreds of thousands of young people.

We hoped that it would be a stop-gap measure until we passed immigration reform. The Senate overwhelmingly passed a bipartisan bill but the House refused to bring it to a vote. With the outcome of the election, it isn't likely that comprehensive immigration reform will happen over the next 4 years. That is why it is so important for the next administration to continue this vital program. For Brenda and hundreds of thousands like her, losing DACA status means being adrift in the only country she calls home.

I urge the next administration: Don't put almost 800,000 young people back in the shadows where they are afraid. Don't force hundreds of thousands of DREAMers to lose their jobs. And don't squander the huge economic benefits to this country.

If Republicans want to do something, then they should pass the DREAM Act.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-76, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance for the Government of Peru for defense articles and services estimated to cost \$668 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,
J.W. RIXEY, Vice Admiral, USN,
Director.

Enclosures.

TRANSMITTAL NO. 16-76

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Peru.

(ii) Total Estimated Value:

Major Defense Equipment* \$434 million.

Other \$234 million.

Total \$668 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

One hundred and seventy-eight (178) Reconditioned Stryker Infantry Carrier Vehicles.

One hundred and seventy-eight (178) M2 Flex .50 Cal Machine Guns.

One hundred and seventy-eight (178) Remote Weapon Stations (RWS).

Non-MDE includes: Driver's vision enhancers; Global Positioning System (GPS) navigational capability; sets of special tools testing equipment; associated M2 Flex spare parts and tripods; M6 Smoke Grenade launchers and associated spares; VIC-3 systems; Operators New Equipment Training (OPNET) and Field Level Maintenance Training (FLMNET); publications; training manuals; Contractor Field Service Representative support; contractor and concurrent spare parts; project office technical support; U.S. Government technical assistance; packaging, crating, and handling; de-processing services for shipment; and associated transportation.

(iv) Military Department: Army.

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: December 2, 2016.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Peru—Reconditioned Stryker Infantry Carrier Vehicles

The Government of Peru has requested a possible sale of one hundred and seventy-eight (178) Reconditioned Stryker Infantry Carrier Vehicles; one hundred and seventy-eight (178) M2 Flex .50 Cal Machine Guns; and one hundred and seventy-eight (178) Remote Weapon Stations (RWS). Also included are driver's vision enhancers; Global Positioning System (GPS) navigation capability; sets of special tools testing equipment; associated M2 Flex spare parts and tripods; M6 Smoke Grenade launchers and associated spares; VIC-3 systems; Operators New Equipment Training (OPNET) and Field Level Maintenance Training (FLMNET); publications; training manuals; Contractor Field Service Representative support; contractor and concurrent spare parts; project office technical support; U.S. Government technical assistance; packaging, crating, and handling; de-processing services for shipment; and associated transportation. Total estimated program cost is \$668 million.

This proposed sale will contribute to the foreign policy objectives of the United States by helping to improve the security of an important partner which has been and continues to be an important force for political stability, peace, and economic progress in South America. It is in the U.S. national security interest for Peru to field capable forces and multi-role equipment for border security, disaster response, and to confront de-stabilizing internal threats, such as the terrorist group Sendero Luminoso (Shining Path).

Peru intends to use these defense articles and services to modernize its armed forces. This will contribute to the Peruvian military's goal of updating its capabilities while further enhancing interoperability between Peru, the United States, and other allies and partners. This acquisition would support the first major step in Peru's acquisition strategy to build a multi-dimensional brigade by 2030. Peru will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor for this program is General Dynamics Land Systems. There are no known offset agreements in connect with this potential sale.

Implementation of this proposed sale will require the temporary assignment of U.S. Government or contractor representatives to Peru for up to three years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-76

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The following Major Defense Equipment items do not contain any sensitive technologies or classified material: 178 M1126 Stryker Infantry Carrier Vehicles with M2 Flex .50 Cal machine guns and Remote Weapon Stations. The M1126 Stryker is an infantry carrier vehicle transporting nine soldiers, their mission equipment and a crew of two consisting of a driver and vehicle commander. It is equipped with armor protection, M2 machine guns and M6 smoke grenade launchers for self-protection. The Stryker is an eight-wheeled vehicle powered by a 350hp diesel engine. It incorporates a central tire inflation system, run-flat tires, and a vehicle height management system. The Stryker is capable of supporting a communications suite, a Global Positioning System (GPS), and a high frequency and near-term digital radio systems. The Stryker is deployable by C-130 aircraft and combat capable upon arrival. The Stryker is capable of self-deployment by highway and self-recovery. It has a low noise level that reduces crew fatigue and enhances survivability. It moves about the battlefield quickly and is optimized for close, complex, or urban terrain. The Stryker program leverages non-developmental items with common subsystems and components to quickly acquire and field these systems.

2. The AN/VAS-5 Driver's Vision Enhancer (DVE) is a compact thermal camera providing armored vehicle drivers with day or night time visual awareness in clear or reduced vision (fog, smoke, dust) situations. The system provides the driver a 180 degree viewing angle using a high resolution infrared sensor and image stabilization to reduce the effect of shock and vibration. The viewer and monitor are ruggedized for operation in tactical environments. The system is UNCLASSIFIED but considered sensitive technology. If a technically advanced adversary were to obtain knowledge of the AN/VAS-5, the information could be used to identify ways to countering the system or improve the adversary's ability to avoid detection by the system in low-visibility environments. This is a low-level concern because the thermal imaging technology used in the AN/VAS-5 is considered mature and available in other industrial nation's comparable performance thresholds.

3. A determination has been made that the recipient country can provide the same de-

gree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to Peru.

DEFENSE SECURITY

COOPERATION AGENCY,

Arlington, VA.

Hon. BOB CORKER,

Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-54, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$115 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY, Vice Admiral, USN,
Director.

Enclosures.

TRANSMITTAL NO. 16-54

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment (MDE)* \$ 0.00 million.

Basic Case (GUW) \$ 79.07 million.

Amendment Funding \$ 35.93 million.

Total \$115.00 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE: FMS case AT-P-GUW, originally offered below congressional notification threshold at \$79.07 million, was for acquisition of two Range Systems to conduct Electronic Warfare (EW), Electronic Surveillance, and Airborne Electronic Attack for Royal Australian Air Force aircrew training on its twelve (12) Australian EA-18G aircraft. An amendment to AT-P-GUW is required to add \$35.93 million in funding, to provide for unfunded requirements to meet the scope of the basic case and provide for the sale of additional classified technical data and software, system integration and testing, tools and test equipment, support equipment, spare and repair parts, publications, operations manuals, and technical documents, personnel training, U.S. Government and contractor technical assistance, and other related elements of engineering, logistics, and program management. This amendment will push the original case value above notification threshold and thus requires notification of the entire case.

Military Department: Navy (AT-P-GUW-A1).

Prior Related Cases, if any:

FMS case AT-P-LEN: \$992M September 13, 2012 (Airborne Electronic Attack Kits).

FMS case AT-P-SCI \$1.3B July 4, 2013 (twelve EA-18G aircrafts).

FMS case AT-P-GUW \$79M February 12, 2015 (Electronic Warfare Range System).

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 2, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Australia—AEA-18G Electronic Warfare Range System

The Government of Australia has requested additional funding to a previously implemented case for two Electronic Warfare Range Systems to conduct Electronic Warfare and Electronic Surveillance training within the borders of Australia. The original FMS case, valued at \$79.07 million, includes non-MDE costs for all support elements required to provide for system integration testing, tools and test equipment, support equipment, spare and repair parts, publications, operations manuals, technical documents, personnel training, U.S. Government and contractor technical assistance, and other related elements of logistics and program support. The addition of \$35.93 million in non-MDE funding to the basic case will provide for unfunded requirements to meet the scope of the basic case and provide for the sale of additional classified technical data and software, system integration and testing, tools and test equipment, support equipment, spare and repair parts, publications, operations manuals, and technical documents, personnel training, U.S. Government and contractor technical assistance, and other related elements of engineering, logistics, and program management. This amendment will push the original case value above notification threshold and thus requires notification of the entire case. The total overall estimated value is \$115 million.

This sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major contributor to political stability, security, and economic development in the Western Pacific. Australia is an important Major non-NATO Ally and partner that contributes significantly to peacekeeping and humanitarian operations around the world. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability. By enabling Australian Defense Force (ADF) ranges, the U.S. Government will ensure consistency in training across platforms and theaters, whether the exercises are conducted in the United States or in Australia, where U.S. aircrews will be able to participate in training exercises alongside their Australian counterparts. The proposed sale will allow continued efforts to improve Australia's capability in current and future coalition operations. Australia will use the range to enhance Electronic Warfare capabilities as a deterrent to regional threats and to strengthen its homeland defense. Australia will have no difficulty absorbing these items into its armed forces.

The proposed sale will not alter the basic military balance in the region.

The prime contractors will be Leidos (hardware) and General Dynamics Mission Systems (software). The U.S. Government is not aware of any known offsets associated with this sale.

Implementation of this sale will require ten (10) temporary U.S. Government or contractor representatives to Australia for assistance in integration and range operational and maintenance training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed amendment.

TRANSMITTAL NO. 16-54

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. Provides two (2) in-country Electronic Warfare (EW) ranges for EA-18G aircrew training to detect, identify, locate, and suppress hostile emitters. Range technology transfers programmable equipment able to emulate generic Integrated Air Defense Systems, threat and other emitters, along with authentic threat emitters purchased from vendors in Former Soviet Block states. The range hardware is Unclassified either stand-alone or integrated. The range software is unclassified with the exception of one (1) Secret Digital Integrated Air Defense System (DIADS) software suite. The amendment facilitates transfer of classified information such as software, classified threat and fly-out models, user event captured data, range operations manuals, and security classification guidance. The classified information enhances the usefulness of the range technology being transferred and provides guidance on safeguarding sensitive information.

2. When EW range hardware and software work together against a particular aircraft platform, the visual and recorded information becomes classified Secret. The range capability is unclassified until the networks touch a Secret network (e.g., Link 16) or perform against real world training missions. The customer may capture intelligence regarding the authentic threat emitters that is classified Confidential or Secret, as well as other training artifacts and debrief products capturing weapons capability and tactics.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce EA-18G weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Australia.

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-65, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance for the Government of Finland for defense articles and services estimated to cost \$156 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES WORM, *Acting Deputy Director*,
(for J.W. Rixey, Vice Admiral, USN,
Director).

Enclosures.

TRANSMITTAL NO. 16-65

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Finland.

(ii) Total Estimated Value:
Major Defense Equipment * \$ 57 million.
Other \$ 99 million.
Total \$156 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Ninety (90) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS-JTRS) Variant(s).

Non-MDE includes: Follow-on equipment and support for Finland's F/A-18 Mid-Life

Upgrade (MLU) program includes software test and integration center upgrades, flight testing, spare and repair parts, support and test equipment, transportation, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical and logistics support services, and other related elements of logistics support.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any:

FMS case FI-P-SAA \$2.4 billion—9 Jun 1992.

FMS case FI-P-SAB \$675 million—7 Feb 1994.

FMS case FI-P-GAD \$25 million—13 Jul 2001.

FMS case FI-P-LBB \$63 million—4 Aug 2001.

FMS case FI-P-LBC \$127 million—1 Jan 2004.

FMS case FI-P-LBD \$252 million—25 Jul 2007.

FMS case FI-P-LBH \$307 million—3 Apr 2009.

FMS case FI-P-GAU \$170 million—27 Jun 2013.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: December 2, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Finland—F-18 Mid-Life Upgrade Program

The Government of Finland has requested a possible sale of follow-on equipment and support for Finland's F/A-18 Mid-Life Upgrade (MLU) program, consisting of: Ninety (90) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS-JTRS) variant(s). The proposed program support also includes software test and integration center upgrades, flight testing, spare and repair parts, support and test equipment, transportation, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical and logistics support services, and other related elements of logistics support. Total estimated program cost is \$156 million.

This proposed sale will contribute to the foreign policy and national security objectives of the United States by helping to improve the security of a friendly country which has been and continues to be an important force for political stability and economic progress in Europe.

The Finnish Air Force (FAF) intend to purchase this MLU program equipment and services to extend the useful life of its F/A-18 fighter aircraft and enhance their survivability and communications connectivity. The FAF needs this upgrade to keep pace with technology advances in sensors, weaponry, and communications. Finland has extensive experience operating the F/A-18 aircraft and will have no difficulty incorporating the upgraded capabilities into its forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Raytheon in Waltham, Massachusetts; Lockheed Martin in Bethesda, Maryland; The Boeing Company in St. Louis, Missouri; BAE North America in Arlington, Virginia; General Electric in Fairfield, Connecticut; General Dynamics in West Falls Church, Virginia; Northrop Grumman in Falls Church, Virginia; Rockwell Collins in Cedar Rapids,

Iowa; ViaSat in Carlsbad, California; and Data Link Solutions in Cedar Rapids, Iowa. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips to Finland involving U.S. Government and contractor representatives for technical reviews, support, and training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-65

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Multifunctional Information Distribution System Joint Tactical Radio System (MIDS-JTRS) is not classified but is considered a COMSEC Controlled Item (CCI). There are no training devices, associated documentation, or services to be provided with the sale of these MIDS-JTRS units. No sensitive information is provided or associated with this sale.

2. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Finland.

TRIBUTE TO GENERAL RAHEEL SHARIF

Mr. MCCAIN. Mr. President, today I wish to recognize the accomplishments of General Raheel Sharif and to express my gratitude to him upon his retirement as Pakistan's Chief of Army Staff. General Sharif has been a vital partner for the United States in the battle against terrorism. Since taking office in November 2013, General Sharif has continued to target terrorists operating within the borders of Pakistan. He has carried the fight to the northwest frontier provinces of Pakistan, as well as promised to eliminate safe havens for terrorists from the country completely. In taking these actions, General Sharif has demonstrated that fighting against extremist groups is firmly in the national security interests of Pakistan.

General Sharif comes from a military family, with a long tradition of patriotism and service to country. Among his many brave military family members, his older brother Major Rana Shabbir Sharif, who was killed in action, is regarded as the most decorated officer of the Pakistan Army, having received the three most coveted awards of the Army, and is fondly addressed as the army's "Superman." This is a legacy difficult to live up to, but General Sharif has done so, honoring his brother and family's service, and continuing to serve and protect his country and its institutions.

Since taking on the role of Chief of Army Staff, General Sharif has been at the forefront of fighting the Taliban and other terrorist groups inside Pakistan. In 2014, he initiated the launch of Operation Zarb-e-Azb in North Waziristan, a tribal area along the Afghanistan-Pakistan border where militants had operated with impunity for

decades. This operation didn't eliminate every terrorist, nor has it denied safe haven to many who continue to operate from Pakistan. But it has led to security improvements in the country, and this area is now safer than ever before. And importantly, the Pakistani Army is continuing to secure the gains it has achieved by building roads, border posts, schools, and healthcare facilities across North Waziristan to promote economic development and give citizens a more prosperous and peaceful future.

In the south, General Sharif also took on the task of clearing Karachi, one of Pakistan's largest cities, of an array of terrorist organizations, criminal groups, and even political corruption. The results were equally impressive, leading to a dramatic decline in militant attacks and ending the kind of targeted killings, kidnappings for ransom, and extortion that had become a feature of life in the city.

Much of the credit for the success of these operations is due to General Sharif and the service and sacrifice of tens of thousands of Pakistani soldiers who followed his lead. What was remarkable about General Sharif was not only the commitment he demonstrated to rooting out terrorism, but also his efforts to improve economic development, political life, and civic services for citizens throughout the country. He recognized that failure to focus on the root causes of radicalization, including economic and political corruption, had exacerbated the growth of extremism in Pakistan, and he showed foresight in seeking to remedy both cause and effect.

This is the kind of leadership that is imperative for the continued improvement of relations between the United States and Pakistan, which is important for the stability of the entire region, and for the national security of both Pakistan and the United States.

But despite the progress I witnessed firsthand when I visited Pakistan this past summer, the U.S.-Pakistan relationship has become strained. Among other things, limitations on U.S. assistance to Pakistan and congressional opposition to approve funding for the sale of defense articles have added to tensions between our two governments. But even with these difficulties, U.S. and Pakistani leaders cannot allow ambivalence and suspicion to fester in our relationship. Our common interests in counterterrorism, nuclear security, and regional stability are too important and too urgent. Both sides share responsibility to improve U.S.-Pakistan relations, and the United States must continue to make clear its enduring commitment to Pakistan's stability and economic growth.

As we look to the future, there remains much to be done. While Pakistan has made progress in its fight against terrorism, the Haqqani Network continues to operate within its border, increasing cross-border attacks are carried out by armed militants on neigh-

boring countries, and political corruption has stilted economic growth. Pakistan must demonstrate that the commitment to fighting terrorism and improving conditions in the country is not dependent on a single individual. In that spirit, I look forward to working with General Qamar Javed Bajwa, Prime Minister Nawaz Sharif's selection to be the next Chief of Army Staff. By taking on all terrorist groups operating in its country, Pakistan will find that the United States remains willing and able to assist in this fight and develop an enduring strategic partnership.

I congratulate Pakistan on carrying out a second consecutive transition of power in the military, and I wish General Sharif well as he enters a well-earned retirement. He has vowed to serve Pakistan even after his retirement, and I would expect nothing less.

SECRETARY KERRY'S REMARKS AT COP22

Mr. MARKEY. Mr. President, last year the world came together in Paris to support a truly historic agreement on climate change. And 2015 was also historic for another reason: It was the hottest year in an observational record that stretches back to the 1880s. In fact, 15 of the 16 hottest years on the planet have occurred since 2000. Recently, July and August 2016 tied the global record for the hottest month, and 2016 is on track to be the warmest year yet. The evidence on climate change is overwhelming. Scientists have understood the fundamental physics for over a century. And the world agrees that we must take action to curb dangerous carbon pollution and reduce the effects of climate change. A majority of the United States agrees that we must take action.

The swiftness with which the Paris Climate Accord came into force demonstrates the global commitment to addressing the serious concerns of climate change. It is also a testament to the leadership of President Barack Obama and Secretary of State John Kerry. This year, the world again came together at the United Nations Climate Change Conference in Marrakesh, Morocco, to begin forging the path towards a lower-emissions world and clean energy future. And while there is much work to be done, we are heading in the right direction. We have seen the price of solar energy reach record lows and the rate of new solar installation reach record highs. We have seen States, regions, and countries reduce their carbon pollution while growing their economies. These positive steps will not only curb carbon pollution, but also create good, well-paying clean energy jobs.

Climate change is a challenge for the entire world. Through the Paris Climate Accord, the international community has decided to face this challenge head on, and the United States must continue to be the global leader.

Under the leadership of Secretary of State John Kerry, the United States has carried this mantle. In the speech that Secretary Kerry delivered last month in Marrakesh, Morocco, at the 22nd meeting of the Conference of Parties to the United Nations Framework Convention on Climate Change and first session of the Conference of Parties to the Paris Agreement, Secretary Kerry shared his vision for our future: a brighter, cleaner, healthier and more prosperous one.

He said:

Thank you so much, everybody. I apologize for being a few moments late. There was a fire and then there was some traffic backed up, and so here I am and here are you, and thank you for being here.

Let me begin by thanking our terrific U.S. Special Envoy for Climate Change Jonathan Pershing. I couldn't be luckier than to have him in this job. He was over at the Energy Department for a while. We stole him from Ernie Moniz, who is a great colleague and was gracious in my theft. And he has done a spectacular job working with all of our international partners as we begin the hard work of implementing the Paris Agreement. And I also want to thank Ambassador Jennifer Haverkamp, who, along with Jonathan and a lot of the team that I see sitting here, has done an absolutely terrific job in leading the State Department's efforts to advance our climate goals this year. And I have to tell you—well, let me just divert for a minute. I also want to thank Brian Deese—I don't know if he's here—but I'm grateful for President Obama's senior advisor on climate issues and the entire intrepid U.S. delegation to the COP, whom I had a chance to meet with earlier this morning, but we've kind of traveled this road together.

I also thank our international partners, and particularly the executive secretary of the UNFCCC, Patricia Espinosa; the outgoing president of the COP, Minister Segolene Royal of France; and the incoming COP president, my friend and our host this week, Minister Salaheddine Mezouar, the foreign minister of Morocco. And I also want to thank our partners from Fiji, who will serve as president for the next COP, which I intend hopefully to attend as Citizen Kerry.

It's a great pleasure for me to be able to be here in Marrakech. I'm reminded of one of the 20th century's most outsized figures whose connection with this city is so famous—Sir Winston Churchill. He loved to paint the landscapes here and to absorb the beauty and the culture.

And in fact, at the very height of World War II, as he and President Franklin Roosevelt and Allied leaders gathered in Casablanca to plan the strategy for the European Theater, Churchill was absolutely stunned to learn that Roosevelt had never been to this part of Morocco.

So in a move that perhaps only Winston Churchill would get away with in the middle of a global war—world war—Churchill convinced Roosevelt to extend his visit and drive through what was still, at the time, a country engulfed in active combat.

So after several hours on the loose, and because we're talking about Winston Churchill, plenty of Scotch—(laughter)—the two leaders arrived in Marrakech in time to see the sun set on the Atlas Mountains.

And Churchill said it was the loveliest view on Earth.

So I think it's fitting, therefore, that almost three-quarters of a century later, friends and allies meet again in Marrakech in order to undertake a very important discussion—a discussion about the natural

world that surrounds us and the importance of preserving it for generations to come.

As Jonathan mentioned, climate change is deeply personal to me, but it's personal to everyone in this room. I know that. And we obviously want it to be just as personal for everyone in every room: men, women, children, businesspeople, consumers, parents, teachers, students, grandparents. Wherever we live, whatever our calling, whatever our background must be, this is an imperative.

Now, I know the danger of preaching to the choir—and, obviously, all of us here are the proverbial choir. But I'm actually grateful for that, because here at the 22nd COP, no one can deny the remarkable progress that we have made—progress that actually was pretty hard to imagine even a few years ago. The global community is more united than ever not just in accepting the challenge, but in confronting it with real action, in making a difference. And no one should doubt the overwhelming majority of the citizens of the United States who know climate change is happening and who are determined to keep our commitments that were made in Paris. (Applause.)

None of us will forget the moment last December at Le Bourget, when the former foreign minister of France, with Segolene and a bunch of you there, led by our friend Laurent Fabius, who gaveled in the strongest, most ambitious global climate agreement ever negotiated. It was an accord that took literally decades to achieve—the proud work product of principled diplomacy, and ultimately, a deeply held, shared understanding that we're all in this together.

And when we left Paris, no one rested on their laurels. Instead, the world—unified—moved expeditiously to begin the—to pull the agreement permanently into force, crossing the thresholds of 55 countries representing 55 percent of global emissions, and doing so far faster than even the most optimistic among us might have predicted. In a powerful statement of the whole world's broad commitment to this agreement, in less than a year, 109 countries representing nearly 75 percent of the world's emissions have now formally committed to bold, decisive action—and we are determined to affirm that action and to stick with it out of Marrakech.

Now, we have in place—(applause)—so we have in place a foundation, based on national climate goals—109 nations, each of them have come up with their own plan, each of us setting goals that are based on our own abilities and our own circumstances. This agreement is, in fact, the essence of common but differentiated responsibilities. It provides support to countries that need help meeting the targets. It leaves no country to weather the storm of climate change alone. It marshals an array of tools in order to help developing nations to invest in infrastructure, technology, and the science to get the job done. It supports the most vulnerable countries, so they can better adapt to the climate impacts that many of those countries are already confronting.

And finally, it enables us to ratchet up ambition over time as technology develops and as the price of clean energy comes down. This is critical: the agreement calls on the parties to revisit their national pledges every five years, in order to ensure that we keep pace with the technology and that we accelerate the global transition to a clean energy economy.

This process—a cornerstone of our agreement—gives us a framework that is built to last, and a degree of global accountability that has never before existed. But I want to share with you that the progress that we've made this year goes well beyond Paris.

In early October, the International Civil Aviation Organization established a sector-

wide agreement for carbon-neutral growth. Why is this so important? Because international aviation wasn't covered by what we did in Paris, and if that aviation was a country, it would rank among the top dozen greenhouse gas emitters in the world.

A few weeks later, I was pleased to be in Kigali, Rwanda, when representatives from again nearly 200 countries came together to phase down the global use and production of hydrofluorocarbons—which has been expected to increase very rapidly with a danger that is multiple of times more damaging than carbon dioxide. The Kigali agreement could singlehandedly help us to avoid an entire half a degree centigrade of warming by the end of the century—while at the same time opening up new opportunities for growth in a range of industries.

All of these steps combine to move the needle in the direction that we need to. And in large part because global leaders have woken up to the enormity of this challenge, the world is now beginning to move forward together towards a clean energy future.

Over the past decade, the global renewable energy market has expanded more than six-fold. Last year, investment in renewable energy was at an all-time high—nearly \$350 billion. But that only tells you part of the story. An average of—that 350 billion is the first time that we've been able to see that money outpacing what is being put into fossil fuels. An average of half a million new solar panels were installed every single day last year. And for the first time since the Pre-Industrial Era, despite the fact that you have global prices of oil and gas and coal that are lower than ever, still more of the world's money was invested in renewable energy technologies than in new fossil fuel plants.

And like many of you, I've seen this transformation take hold in my own country. That's why I'm confident about the future, regardless of what policy might be chosen, because of the marketplace. I've met with leaders and innovators in the energy industry all across our nation, and I am excited about the path that they are on. America's wind generation has tripled since 2008 and that will continue, and solar generation has increased 30 times over. And the reason both of those will continue is that the marketplace will dictate that, not the government. I can tell you with confidence that the United States is right now, today, on our way to meeting all of the international targets that we've set, and because of the market decisions that are being made, I do not believe that that can or will be reversed. (Applause.)

Now, much of this is due to President Obama's leadership, and our Congress also moving in a bipartisan fashion on things like tax credits for renewable energy. This leadership has helped to inspire targeted investment from the private sector. Today our emissions are being driven down because market-based forces are taking hold all over the world. And that's what we said we would do in Paris. None of us pretended that in Paris, the agreement itself was going to achieve two degrees. What we knew is we were sending that critical message to the marketplace, and businesses have responded, as I just described. Most businesspeople have come to understand: investing in clean energy simply makes good economic sense. You can make money. You can do good and do well at the same time.

Now, significantly, the renewable energy boom isn't limited to industrialized countries, and that's important to note. In fact, emerging economies like China, India, and Brazil invested even more in renewable technologies last year than the developed world.

China alone invested more than 100 billion dollars. Ultimately, clean energy is expected

to be a multitrillion dollar market—the largest market the world has ever known. And no nation will do well if it sits on the sidelines, handicapping its new businesses from reaping the benefits of the clean-tech explosion.

My friends, we are in the midst of a global renewable energy surge, and as a result, in many places, clean energy has already reached cost parity with fossil fuels. Millions around the world are currently employed by the renewable energy industry. And if we make the right choices, millions more people will be put to work.

So good things are happening. The energy curve is bending towards sustainability. The market is clearly headed towards clean energy, and that trend will only become more pronounced.

Now, for those of us who have been working on this challenge for decades, this really is a turning point. It is a cause for optimism, notwithstanding what you see in different countries with respect to politics and change. In no uncertain terms, the question now is not whether we will transition to energy economy—to a clean energy economy. That we've already begun to do. The question now is whether or not we are going to have the will to get this job done. That's the question now—whether we will make the transition in time to be able to do what we have to do to prevent catastrophic damage.

Ladies and gentlemen, I'm not a Cassandra. You can tell from what I've said. But I'm a realist. Time is not on our side. The world is already changing at an increasingly alarming rate with increasingly alarming consequences. The last time that Morocco hosted the COP was in 2001, and the intervening 15 years have been among the 16 hottest years in recorded history. 2016 is going to be the warmest year of all. Every month so far has broken a record. And this year will contribute its record-breaking heat to the hottest decade in recorded history, which was, by the way, preceded by the second-hottest decade, which was preceded by the third hottest decade. At some point, even the strongest skeptic has to acknowledge that something disturbing is happening.

We have seen record-breaking droughts everywhere—from India to Brazil to the west coast of the United States. Storms that used to happen once every 500 years are becoming relatively normal. In recent years, an average of 22.5 million people have been displaced by extreme weather events annually. We never saw that in the 20th Century.

Communities in island states like Fiji have already been forced to take steps to relocate permanently, because the places they have called home for generations are now uninhabitable. And there are many, many more who know it's only a matter of time before rising oceans begin to inundate their cities.

I know this is a lot for anyone to process—hard to process. That's why I have found that whenever possible, the best way to try to understand and to see whether people are pushing the envelope of thinking on this or not is to see for oneself what is happening. That's why this summer I went to Greenland to visit the incredible Jakobshavn glacier. Scientists pointed out to me the lines many meters above the water today that mark the glacier's retreat which it has done more in the past 15 years than it did in the entire previous century. And while I was there, I boarded a Danish naval vessel and I traveled through the ice fjord. I saw the massive ice chunks that had just broken off from the glacier to melt inexorably into the sea. And because they come off Greenland, which is on rock, every bit of that ice contributes to the rise of the ocean.

Since the 1990s, the painful pace of that melting has nearly tripled. Every day, 86

million metric tons of ice makes its way down that fjord into the ocean. And the total flow that comes off that glacier in a single year is enough water to meet the needs of New York City for two decades.

But experts in Greenland and elsewhere have always warned me, and they warned me on this trip this summer, if you really want to understand what's happening and what the threat is, go to Antarctica. Nowhere on the planet are the stakes as high as they are on the opposite end of the globe. For half a century, climate scientists have believed the West Antarctic Ice Sheet is a sword of Damocles hanging over our entire way of life. Should it break apart and melt into the sea, it alone could raise global sea levels by four to five meters. And the scientists down there described to me how the pressure of the ice and the weight of the ice pushes the entire continent down so that it's grounded on the base of Earth's crust and rock. But that allows warmer sea water to creep in under the glacier and speed up the process of the melting and destabilize the glacier.

Antarctica contains ice sheets that are, in some places, on the East Antarctic Ice Sheet three miles deep. And if all that ice were somehow able to melt away completely because we are irresponsible about climate change, in the coming centuries, sea level would rise somewhere over 100 to 200 feet.

That's why I flew last week to McMurdo Station in Antarctica to meet with our scientists and to understand better what is taking place. I flew by helicopter over the West Antarctic Ice Sheet. I walked out onto the Ross Sea ice shelf. And I talked with the scientists who are on the front lines, not people involved in day to day politics, but people who are making scientific judgment and doing extensive research. And they were crystal clear: The more they learn, the more alarmed they become about the speed with which these changes are happening. A scientist from New Zealand named Gavin Dunbar described what they're seeing there as the quote, "canary in the coal mine" and warned that some thresholds, if we cross them, cannot be reversed.

In other words, we can't wait too long to translate the science that we have today into the policies that are necessary to address this challenge. These scientists urged me to remind my own government and governments around the world and everyone here that what we do right now—today—matters, because if we don't go far enough and if we don't go fast enough, the damage we inflict could take centuries to undo—if it can be undone at all.

I underscore today: We don't get a second chance. The consequences of failure would in most cases be irreversible. And if we lose this moment for action, there's no speech decades from now that will put these massive ice sheets back together. There's no magic wand in any capital in the world that you can wave to refill all of the lakes and rivers that will dry up, or make farm—arid farm land fertile again. And we certainly won't have the power to hold back rising tides as they encroach on our shores. So we have to get this right, and we have to get it right now.

The scientists in Antarctica told me that they are still trying to figure out how quickly this is all happening. But they know for certain that it's happening, and it's happening faster than we previously thought possible. The alarm bells ought to be going off everywhere. As an American glacial geologist told me down there, a fellow by the name of John Stone, he said, "The catastrophic period could already be underway." That's why wise public policy demands that we take precautionary measures now.

Still, despite the real-life changes that are being done and the threat of more to come,

it's important to remind ourselves that we are not on a pre-ordained path to disaster. This is not pre-ordained. It's not written in the stars. This is about choices—choices that we still have. This is a test of willpower, not capacity. It's within our power to put the planet back on a better track. But doing that requires holding ourselves accountable to the hard truth. It requires holding ourselves accountable to facts, not opinion; to science, not theories that haven't been proven and can't be proven; and certainly not to political bromides and slogans.

For all the progress that we are making, at the current pace we will not meet our goal. I said that earlier. We knew in Paris that what we were doing was trying to start down a road. But we also knew it doesn't get us to the end of the journey. Yes, renewables make up more than half of all the new electricity installation last year. That's progress. But the reality is because of the existing energy infrastructure already in place, that new energy only generated a little more than 10 percent of the world's total energy. That is nowhere near what we need in order to achieve our goals.

If we're going to have the ability to stave off the worst impacts of climate change, we have to dramatically accelerate the transition that is already starting. We need to get to a point where clean sources are generating most of the world's energy, and we need to get there fast. Certainly experts tell us by the middle of this century we have to get there.

Now, I've said many times, and I'll say it again today: It is not going to be governments alone, or even principally, that solve the climate challenge. The private sector is the most important player. And already we are seeing real solutions coming from entrepreneurs and academia. It's going to be innovators, workers, and business leaders, many of whom have been hammering away at this challenge for years who are going to continue to create the technological advances that forever revolutionize the way that we power our world.

But make no mistake, government leadership is absolutely essential. And because today is the last opportunity I will have to address the COP as Secretary of State, I just want to take a moment to underscore the work that government leaders can do and should do, especially the 200—almost 200 nations represented here.

Now, we know that we have not come to Marrakech to bask in the glow of Paris. We've come here to move forward. In doing so, we cannot forget that the contributions we've each made thus far were never meant to be the ceiling. They're a foundation on which we expect to build. And unless our nations voluntarily ratchet up our ambition, and unless we continue to put sustained pressure on one another to act wisely, we will have difficulty meeting the current mitigation needs, let alone holding temperature increases at 2 degrees warming, which science tells us is a tipping point.

And if we fall short, it will be the single greatest instance in modern history of a generation in a time of crisis abdicating responsibility for the future. And it won't just be a policy failure; because of the nature of this challenge, it will be a moral failure, a betrayal of devastating consequence.

Now, I know not—that's not what any of us here signed up for. As Pope Francis said, "We receive this world as an inheritance from past generations, but also as a loan for future generations, to whom we will have to return it."

Now, I fully recognize the challenges that a number of countries face because they have a big population, they have a growing economy, they have a lot of people in poverty,

they're determined to maintain stability and pull those people into the economy. And of course, they're concerned about stability—we all are. Access to affordable energy is a key part of providing that stability. And the dirtiest sources of energy are, unfortunately, some of the cheapest. But I emphasize this: Only in the short term. In the long term, it's an entirely different story, folks. In the long term, carbon-intensive energy is actually today, right now, one of the costliest and most foolhardy investments any nation can possibly make. And that is because the final invoice for carbon-based energy includes a lot more than just the price of the oil or the coal, or the natural gas; it—or the price of building the power plant. The real cost accounting needs to fully consider all of the downstream consequences, which, in the case of dirty fuels, are enough to at least double or triple the initial expenses.

That's the kind of accounting that we need to do today. Just think about the price of environmental and agricultural degradation. Think about the loss of an ability of farmers in one area because of the lack of water or too much heat to be able to grow their crops today. Think of the hospital bills for asthma and emphysema patients, and the millions of deaths that are linked to air pollution caused by the use of fossil fuels.

In 2014, a study found that up to six million people in China have black lung because they lived and worked so close to coal-fired power plants. There are nearly 20 million new asthma cases a year in India linked to coal-related air pollution, and in the United States, asthma costs taxpayers more than \$55 billion annually. The greatest cause of children being hospitalized in the summer in the United States is environmentally induced asthma. These are real costs, and they need to be added to the tally.

We also have to include the price tag of rebuilding after devastating storms and flooding. Just in the first three quarters of this year alone, extreme weather events have cost the United States—have cost American taxpayers \$27 billion in damage. In August alone, Louisiana experienced flooding that resulted in roughly \$10 billion worth of damage.

So none of us can afford to be oblivious to these expenses, and these initial costs are in reality just a glimpse of what the future could hold in store for us if we fail to respond. Just imagine: Sea barriers that have to be built. Go down to Miami—in south Miami, they're building—they're raising streets to deal with flooding that's already occurring, building new storm drains and assessing people additional tax in order to do it. Massive increases in cost of maintaining infrastructure to control flooding, withstand storms. Power outages. All of this and more has to be added to any honest assessment of high-carbon energy sources. And in an age of increasing transparency and public demand for accountability, citizens in the long run will not accept phony accounting or an obfuscation of the consequences of the decisions.

So everyone needs to make smarter choices—with the long game, not the short game, in mind.

Coal, unfortunately, is the single biggest contributor to global carbon pollution. It provides about 30 percent of the world's energy, but it produces nearly 50 percent of the world's greenhouse gases. The unprecedented investments that we are now seeing in clean energy will mean very, very little if, at the same time, new coal fire plants without carbon capture are coming online and at a rate dumping into the atmosphere more and more of the very pollution that we're all working so hard to reduce.

Some of these projections, I have to tell you, are deeply troubling. For example, be-

tween now and 2040, the demand for electricity in Southeast Asia is likely to triple—and the bulk of that demand is currently expected to be met by growth—where? In the coal-fired power sector, rather than clean energy. That threatens everything we're trying to achieve here.

We literally cannot use one hand to pat ourselves on the back for what we've done to take steps to address climate change, and then turn around and use the other hand to write a big fat check enabling the widespread development of the dirtiest source of fuel in an outdated way. It just doesn't make sense. That's suicide. And that's how we all lose this fight.

Make no mistake: People all over the world are working for victory in this. And this issue is increasingly capturing the attention of citizens everywhere, and certainly the private sector. The private sector welcomed the signals that we sent in Paris, but they are demanding even stronger signals now—the private sector—so that they can invest clean energy solutions with even greater confidence.

One of the strongest signals that government can send, one of the most powerful ways to reduce emissions at the lowest possible course—cost—is to move toward carbon pricing that puts basic, free-market economics to work in addressing this challenge.

Now obviously, this is not a new idea. Many have come to this conclusion already. The share of global emissions that are covered by a carbon price has tripled over the last decade. Last year, more than 1,000 businesses and investors—including sectors that might be surprising to some of you—all came together to voice their support for carbon pricing. The long list of supporters includes energy companies like BP, Royal Dutch Shell, utilities like PG&E, transportation companies like British Airways, construction firms like Cemex, financial institutions like Deutsche Bank, like Swiss Re, and consumer goods corporations like Unilever and Nokia. These companies all believe that carbon pricing will establish the necessary certainty in the marketplace that helps the private sector to move the capital that helps to solve the problem.

Carbon pricing allows citizens, innovators, and companies—it allows the market to make independent decisions free from the government to be able to best drive their emission reductions. And this is also, by the way, the chief reason that carbon pricing has received support from leaders and economists on both sides of the aisle in the United States of America. A price on carbon, coupled with government support for innovation in key sectors, is easily one of the most compelling tools for the world to accelerate the clean energy transformation that we are working to achieve. Now, while it may be some time before we see this ideal outcome, the effort to improve carbon markets ought to be a priority going forward.

The bottom line is that there are many tools at the world's disposal. The COP itself is an important tool, in a sense. It has become much more of a—much more than just a gathering of government officials. It's really a yearly summit, 25,000 people strong this year from all over the world, for all sectors to showcase their commitment to climate action and to discuss ways to expand shared efforts. It's a regular reminder of exactly how much this movement has grown—and how many people, in how many countries, are committed to action.

Walking around the conference here before I was coming in here and seeing this site in Marrakech, and seeing the delegations and the business leaders, the entrepreneurs and the activists who have traveled from near and far to be here, it's abundantly clear we

have the ability to prevent the worst impacts of climate change.

But again, we're forced to ask: Do we have the collective will? Because our success is not going to happen by accident. It won't happen without sustained commitment, without cooperation and creative thinking. And it won't happen without confident investors and innovative entrepreneurs. And it certainly won't happen without leadership.

For those in power in all parts of the world, including my own, who may be confronted with decisions about which road to take at this critical juncture, I ask you, on behalf of billions of people around the world: Don't take my word for it. Don't take just the existence of this COP as the stamp of approval for it. I ask you to see for yourselves. Do your own due diligence before making irrevocable choices.

Examine closely what it is that has persuaded the Pope, presidents, and prime ministers all over the world, leaders around the world, to take on the responsibility of responding to this threat. Talk to the business leaders of Fortune 500 companies and smaller innovative companies, all of whom are eager to invest in the energy markets of the future. Get the best economists' judgment on the risk of inaction, of what the cost would be to global economies, versus the opportunities that are to be found in the clean energy market of the future. Speak with the military leaders who view climate change as a global security concern, as a threat multiplier. Ask farmers about—and fisherman about the impact of dramatic changes in weather patterns on their current ability to make a living and to support their families or on what they see for the future. Listen to faith leaders talk about the moral responsibility that human beings have to act as stewards of the planet that we have to share, the only planet we have. Bring in the activists and civil society, groups who have worked for years with communities all over the world to raise awareness and to respond to this threat. Ask young people about their legitimate concerns for the planet that their children will inherit in reducing emissions worldwide.

And above all, consult with the scientists who have dedicated their entire lives to expanding our understanding of this challenge, and whose work will be in vain unless we sound the alarm loud enough for everyone to hear. No one has a right to make decisions that affect billions of people based on solely ideology or without proper input.

Anyone who has these conversations, who takes the time to learn from these experts, who gets the full picture of what we're facing—I believe they can only come to one legitimate decision, and that is to act boldly on climate change and encourage others to do the same.

Now, I want to acknowledge that since this COP started, obviously, an election took place in my country. And I know it has left some here and elsewhere feeling uncertain about the future. I obviously understand that uncertainty. And while I can't stand here and speculate about what policies our president-elect will pursue, I will tell you this: In the time that I have spent in public life, one of the things I have learned is that some issues look a little bit different when you're actually in office compared to when you're on the campaign trail.

And the truth is that climate change shouldn't be a partisan issue in the first place. It isn't a partisan issue for our military leaders at the Pentagon who call climate change a threat multiplier. (Applause.) It isn't a partisan issue for those military leaders because of the way that climate change exacerbates conflicts all over the world and who view it as a threat to military

readiness at their bases and could suffer the consequences of rising seas and stronger storms. It isn't a partisan issue for our intelligence community, who just this year released a report detailing the implications of climate change for U.S. national security: threats to the stability of fragile nations, heightened social and political tensions, rising food prices, increased risks to human health, and more.

It isn't a partisan issue for mayors from New Orleans to Miami, who are already working hard to manage sunny-day floods and stronger storm surges caused by climate change. It isn't partisan for liberal and conservative business leaders alike who are investing unprecedented amounts of money into renewables, voluntarily committing to reduce their own emissions, and even holding their supply chains accountable to their overall carbon footprint.

And there's nothing partisan about climate change for the world scientists who are near unanimous in their conclusion that climate change is real, it is happening, human beings for the most part are causing it, and we will have increasing catastrophic impacts on our way of life if we don't take the dramatic steps necessary to reduce the carbon footprint of our civilization.

Now, whether we are able to meet this moment is a big test—probably as big a test of courage and vision as you'll ever find. Every nation has a responsibility to do its part if we are going to pass that test—and only those nations who step up and respond to this threat can legitimately lay claim to a mantle of global leadership. That's a fact.

More than his love of Marrakech, Winston Churchill was known for his hard-nosed insight and the way that he expressed it. He once argued, tellingly: "It's not always enough that we do our best; sometimes we have to do what is required."

We know today what is required. And with all of the real-world evidence, with all of the peer-reviewed science, with all of the plain just old common sense, there isn't anyone who can credibly argue otherwise. So we have to continue this fight, my friends. We have to continue to defy expectations. We have to continue to accelerate the global transition to a clean energy economy. And we have to continue to hold one another accountable for the choices that our nations makes.

Earlier this year, on Earth Day, I had the great privilege of signing the Paris Agreement on behalf of President Obama and the United States. It was a special day. And because my daughter lives in New York, I invited her to join me at the UN. She surprised me by bringing my 2-year-old granddaughter, Isabelle, along as well.

And that morning, I had been thinking about the history that had brought us to that day. I thought about the first Earth Day in 1970 that I mentioned earlier, when I joined with millions of Americans in teach-ins to educate the public about the environmental challenges we faced. I thought about the first UN climate conference in Rio, which is actually where I met my wife Teresa, and I thought of the urgency that we all felt way back then in 1992. And of course, I thought about that December night at Le Bourget, when it seemed—for the first time—that the world had finally found the path forward.

But as I sat and I played with my granddaughter, waiting for my turn to go out and sign the Agreement, I thought, not of the past, but I thought of the future. Her future. The world her children would one day inherit.

And when it was time for me to go up on that stage, I scooped her up and I brought her out with me. I wanted to share that moment with her. And I'll never forget it.

But to my surprise, people responded to her presence that day, and since then so many people have said to me, they've conveyed to me how that moment conveyed something special and moved them. They told me they thought of their own children, their own grandchildren. They thought of the future. They were reminded of the stakes.

Ladies and gentlemen, here in Marrakech, in the next hours, let us make clear to the world that we will always remember the stakes. Let us stand firm in support of the goals that we set in Paris and recommit ourselves to double our efforts to meet them. Let us say that when it comes to climate change, we will commit not just to doing our best, but as Winston Churchill admonished, we will do what is required.

I look forward to working with you in this important work for whatever number of years ahead I have a chance to. Thank you.

TRIBUTE TO CARDINAL JOSEPH WILLIAM TOBIN

Mr. DONNELLY. Mr. President, today I wish to recognize Archbishop Joseph William Tobin of Indianapolis on his recent elevation to cardinal by Pope Francis and for his extraordinary service to Indiana. As a leader in our State, Cardinal Tobin has demonstrated his lifelong, faith-filled commitment to serving others and giving a voice to the voiceless.

Born in Detroit, MI, Cardinal Tobin is the eldest of Joseph W. Tobin and Marie Terese Kerwin's 13 children. From an early age, it was apparent to his family that he was intellectually and spiritually gifted and wanted to use those talents by becoming a priest. Cardinal Tobin's family instilled in him the importance of faith and family, and he pursued the priesthood with purpose and determination. He received a bachelor of arts in philosophy from Holy Redeemer College in Waterford, WI, and a masters in religious education, as well as a masters in divinity from Mount Saint Alphonsus Seminary in Esopus, NY.

Cardinal Tobin professed first vows as a Redemptorist missionary on August 5, 1973, and he was ordained to the priesthood on June 1, 1978. Over the next 12 years, Cardinal Tobin served communities in the Midwest, including in his hometown of Detroit and in Chicago. He then was elected general consultant to the Superior General of the Redemptorists and moved to Rome, Italy. During his 21 years in Italy, he was recognized for his efforts to promote dialogue and resolve tensions between the Vatican and U.S. nuns. He was elected and reelected as superior general and later named archbishop by Pope Benedict XVI, as well as secretary of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life on August 2, 2010. Soon thereafter, he was ordained to the episcopacy on October 9, 2010, and approximately 2 years later, he was named Metropolitan Archbishop of Indianapolis.

For 4 years, the Indianapolis archdiocese benefited greatly from Cardinal

Tobin's leadership. His commitment to serving those in the greatest need and his tireless dedication to sharing the teachings of the Catholic Church with the people of central and southern Indiana have benefited countless Hoosiers.

Pope Francis announced Archbishop Tobin's selection as cardinal on October 9, 2016, from the steps of St. Peter's Basilica in the Vatican. Less than a month later, the Pope selected him to lead the archdiocese of Newark, NJ, which serves 1.5 million Catholics and is among the 10 largest dioceses in the country.

Outside of the church, Cardinal Tobin has dedicated himself to various organizations including the Canon Law Society of America and the North American Orthodox-Catholic Theological Consultation. He also is a member of United States Conference of Catholic Bishops, USCCB, subcommittee on the Church in Africa and a consultant to the committee on ecumenical and interreligious affairs.

On behalf of Hoosiers, I congratulate Cardinal Tobin and thank him for blessing us with his leadership. Let us honor Cardinal Tobin for his selfless commitment to serving his fellow citizens of the world and steadfast efforts to make Indiana and the world a better place.

TRIBUTE TO LIEUTENANT COLONEL WADE E. WIEGEL

Mr. GRASSLEY. Mr. President, I would like to take a moment to recognize Lt. Col. Wade E. Wiegel for his 22 years of service in the U.S. Marine Corps. Wade is a native of Iowa, and I am proud to say that I nominated him for the U.S. Naval Academy in 1990. In May 1994, he earned a bachelor of science degree in mechanical engineering and reported to the Marine Corps' The Basic School. From there he completed flight training and was designated a naval aviator in March 1997. He deployed aboard the USS *Enterprise* in support of Operation Iraqi Freedom and Operation Enduring Freedom.

Wade later served as the commanding officer for the VMFA-122 "Crusaders" and forward deployed the squadron for 6 months into the Pacific Theater in support of theater security cooperation activities with Japan, South Korea, and the Philippines. After graduating from the National War College, he served as a military adviser in the Office of the Under Secretary of Defense for Policy. Most recently, Wade has served in the Office of Legislative Affairs as a congressional affairs officer. His personal decorations include the Defense Meritorious Service Medal, Meritorious Service Medal with Gold Star, the Navy and Marine Corps Commendation Medal, and the Navy and Marine Corps Achievement Medal with Gold Star.

As he prepares to retire from the Marine Corps, I would like to take this opportunity to thank him for his service to our country and to wish him well in his future endeavors.

REMEMBERING JIM LYONS

Mr. GRASSLEY. Mr. President, I would like to pay tribute to Jim Lyons.

Jim was a tax counsel for Chairman HATCH on the Finance Committee. Before that, he served as a tax counsel for the committee when I was ranking member.

Jim had a medical emergency during a basketball game for charity which, unfortunately for us all, he did not survive.

Those who knew Jim would not be surprised that he was spending an evening at an event to help others.

He was well known for his generosity, whether it was donating holiday gifts for children in foster care or sharing his extensive knowledge of the Tax Code with younger staff who were learning the ropes.

He was incredibly smart and had a zest for his work and for life that was joyous and inspiring to all of those around him.

He loved to laugh and had a gift for making others laugh. Jim's quick wit is legendary, and he drew others to his company to hear what funny story or observation he might share next.

Devising clever floor charts that made an insightful point about tax policy was a Jim Lyons specialty. He was extremely gifted in using humor to draw attention to a serious policy concern or to point out a political absurdity.

It is a rare skill and one that Jim used to great effect. People liked to hear what he had to say. The tragedy of his loss in the prime of his life is immeasurable. Those of us who knew him take comfort in learning from his example. We can do serious work without taking ourselves too seriously. In fact, we might be much more successful by finding room to share a laugh with others. I wish Jim eternal peace and send my best wishes to his loving family.

ADDITIONAL STATEMENTS

TRIBUTE TO VINCENT VESPIA, JR.

• Mr. WHITEHOUSE. Mr. President, South Kingstown Police Chief Vincent Vespia, Jr., has dedicated his career to protecting and serving the people of Rhode Island. He retired this month after nearly 60 years of exceptional service.

The State's longest serving police chief began his career in 1959 as a trooper with the Rhode Island State police. Chief Vespia would eventually go on to become a State police organized crime investigator. His work helped bring down New England's top organized crime family. There are many stories about Vin Vespia. One of the most famous was when he crashed through a second floor window of a Federal Hill crap game from a bucket of a cherry picker, brandishing a machine gun at the surprised dice players. As Pulitzer Prize winning author Mike

Stanton wrote in his book "The Prince of Providence," "Vespia was a kick-ass cop who had grown up on the Hill, playing in the street with some of the wise guys he now pursued." As a young trooper, Vespia had busted a former playmate with a truckload of stolen furs. "How can you arrest me?" the man asked. "We played kick the can together." Replied Vespia: "You went one way, I went another."

After retiring from the State police, Vin was appointed chief of the South Kingstown Police Department in 1981. He would spend the next 35 years of his career building an effective, professional force with strong ties to the community. He created new leadership programs within the department's detective bureau and oversaw the construction of an innovative public safety facility with state-of-the-art information technology.

Chief Vespia will be remembered for his leadership and fairness. Those he led describe him as dedicated, rational, and respectable. He has been called "probably the most admired law enforcement officer in Rhode Island." I was honored to have worked with him when I was attorney general and am proud to call him my friend. Chief Vespia's 57 years of commitment and service to the people of Rhode Island represent the very best in law enforcement.

I commend him and his family for the sacrifices they have made. On behalf of those he has served throughout the years, I offer my thanks. I wish Vin and Judith-Ann, his wife of 40 years, a happy retirement and the best of luck in all future endeavors.●

MESSAGE FROM THE HOUSE
RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 2, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 1808. An act to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

S. 1915. An act to direct the Secretary of Homeland Security to make anthrax vaccines available to emergency response providers, and for other purposes.

H.R. 3471. An act to amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

H.R. 5111. An act to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

H.R. 6297. An act to reauthorize the Iran Sanctions Act of 1996.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 2,

2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 3:06 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1550. An act to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

H.R. 5509. An act to name the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the "Dr. Otis Bowen Veteran House".

H.R. 5995. An act to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 3:07 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6392. An act to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, and for other purposes.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the resolution (H.Con.Res. 122) supporting efforts to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items of American Indians, Alaska Natives, and Native Hawaiians in the United States and internationally.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on December 2, 2016, she had presented to the President of the United States the following enrolled bills:

S. 1808. An act to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

S. 1915. An act to direct the Secretary of Homeland Security to make anthrax vaccines available to emergency response providers, and for other purposes.

The Secretary of the Senate reported that on today, December 5, 2016, she

had presented to the President of the United States the following enrolled bill:

S. 1550. An act to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3346. A bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes (Rept. No. 114-390).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 3183, A bill to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes (Rept. No. 114-391).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1403. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, 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. FLAKE (for himself and Ms. HEITKAMP):

S. 3494. A bill to provide U.S. Customs and Border Protection with adequate flexibility in its employment authorities; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself and Mr. TESTER):

S. 3495. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to designate certain research and extension grants to increase participation by women and underrepresented minorities in the fields of science, technology, engineering, and mathematics as "Jeannette Rankin Women and Minorities in STEM Fields Grants"; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN (for himself and Mr. CASEY):

S. 3496. A bill to amend the Internal Revenue Code of 1986 to allow members of the Ready Reserve of a reserve component of the Armed Forces to make elective deferrals on the basis of their service to the Ready Reserve and on the basis of their other employment; to the Committee on Finance.

By Mr. COTTON (for himself, Mr. WICKER, Mr. BOOZMAN, Mr. COCHRAN, and Mr. SHELBY):

S. 3497. A bill to provide the force and effect of law for certain regulations relating to the taking of double-crested cormorants to reduce depredation at aquaculture facilities and protect public resources; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 3498. A bill to ensure that the Secretary of the Army obtains consent from certain entities before granting certain permits, case-ments, or rights-of-way; to the Committee on Environment and Public Works.

By Mr. LEE (for himself, Mr. LEAHY, Mr. HOEVEN, and Mr. CRUZ):

S. 3499. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

By Mr. WICKER (for himself and Mr. COCHRAN):

S. 3500. A bill to require the appropriate Federal banking agencies to treat certain non-significant investments in the capital of unconsolidated financial institutions as qualifying capital instruments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself and Mr. BOOKER):

S. 3501. A bill to require the Federal Communications Commission to submit to Congress a report on promoting broadband Internet access service for veterans; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES (for himself and Mr. BOOKER):

S. 3502. A bill to require the Federal Aviation Administration to establish annual performance objectives and to hold the Chief NextGen Officer accountable for meeting such objectives; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself and Mr. GRAHAM):

S. Res. 629. A resolution recognizing the 225th anniversary of Alexander Hamilton's seminal Report on the Subject of Manufactures; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. HATCH, Mr. LEE, Mr. SCOTT, and Mr. CRUZ):

S. Res. 630. A resolution recognizing the historical importance of Associate Justice Clarence Thomas; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers al-

lowed to utilize locum tenens arrangements under Medicare.

S. 626

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2268

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2268, a bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 2800

At the request of Mr. COONS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2817

At the request of Mr. PETERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2817, a bill to improve understanding and forecasting of space weather events, and for other purposes.

S. 2957

At the request of Mr. NELSON, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor 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. 2989

At the request of Ms. MURKOWSKI, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of

World War II, in recognition of their dedicated and vital service during World War II.

S. 3198

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3328

At the request of Mr. KAINE, his name was added as a cosponsor of S. 3328, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 3405

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3405, a bill to transfer certain items from the United States Munitions List to the Commerce Control List.

S. 3435

At the request of Mr. ROBERTS, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3435, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 3478

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3478, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. RES. 616

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Res. 616, a resolution supporting the goals and ideals of American Diabetes Month.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. CASEY):

S. 3496. A bill to amend the Internal Revenue Code of 1986 to allow members of the Ready Reserve of a reserve component of the Armed Forces to make elective deferrals on the basis of their service to the Ready Reserve and on the basis of their other employment; to the Committee on Finance.

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. 3496

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 “Service-member Retirement Improvement Act”.

SEC. 2. ELECTIVE DEFERRALS BY MEMBERS OF THE READY RESERVE OF A RESERVE COMPONENT OF THE ARMED FORCES.

(a) IN GENERAL.—Section 402(g) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(9) ELECTIVE DEFERRALS BY MEMBERS OF READY RESERVE.—

“(A) IN GENERAL.—In the case of a qualified ready reservist (other than a specified Federal employee ready reservist) for any taxable year, the limitations of subparagraphs (A) and (C) of paragraph (1) shall be applied separately with respect to—

“(i) elective deferrals of such qualified ready reservist with respect to the Thrift Savings Fund (as defined in section 7701(j)), and

“(ii) any other elective deferrals of such qualified ready reservist.

“(B) SPECIAL RULE FOR FEDERAL EMPLOYEES IN THE READY RESERVE NOT ELIGIBLE TO MAKE ELECTIVE DEFERRALS TO A PLAN OTHER THAN THE THRIFT SAVINGS PLAN.—In the case of a specified Federal employee ready reservist for any taxable year—

“(i) the applicable dollar amount in effect under paragraph (1)(B) for such taxable year shall be twice such amount (as determined without regard to this subclause), and

“(ii) for purposes of paragraph (1)(C), the applicable dollar amount under section 414(v)(2)(B)(i) (as otherwise determined for purposes of paragraph (1)(C)) shall be twice such amount (as determined without regard to this subclause).

“(C) DEFINITIONS.—For purposes of this paragraph—

“(i) QUALIFIED READY RESERVIST.—The term ‘qualified ready reservist’ means any individual for any taxable year if such individual received compensation for service as a member of the Ready Reserve of a reserve component (as defined in section 101 of title 37, United States Code) during such taxable year.

“(ii) SPECIFIED FEDERAL EMPLOYEE READY RESERVIST.—The term ‘specified Federal employee ready reservist’ means any individual for any taxable year if such individual—

“(I) is a qualified ready reservist for such taxable year,

“(II) would be eligible to make elective deferrals with respect to the Thrift Savings Fund (as defined in section 7701(j)) during such taxable year determined without regard to the service of such individual described in clause (i), and

“(III) is not eligible to make elective deferrals with respect to any plan other than such Thrift Savings Fund during such taxable year.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mr. DAINES (for himself and Mr. BOOKER):

S. 3502. A bill to require the Federal Aviation Administration to establish annual performance objectives and to hold the Chief NextGen Officer accountable for meeting such objectives;

to the Committee on Commerce, Science, and Transportation.

Mr. DAINES. Mr. President, in 2003, Congress mandated the Next Generation Air Transportation System known as NextGen, transitioning our radar-based system with radio communication to a satellite-based one, to increase safety and efficiency. NextGen deployment has been bogged with delays and cost overruns, highlighted by Government Accountability Office reports. Final implementation is to be completed by 2025. This legislation would simply create measurable annual performance goals and hold federal officials accountable to meeting these goals through the remainder of implementation.

I want to thank Senator BOOKER for being original cosponsors of this bill and I ask my other Senate colleagues to join us in support of this legislation.

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. 3502

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 “NextGen Accountability Act”.

SEC. 2. NEXTGEN ANNUAL PERFORMANCE GOALS.

Section 214 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) ANNUAL PERFORMANCE GOALS.—The Administrator shall establish annual NextGen performance goals for each of the performance metrics set forth in subsection (a) to meet the performance metric baselines identified under subsection (b). Such goals shall be established in consultation with public and private NextGen stakeholders, including the NextGen Advisory Committee.”.

SEC. 3. NEXTGEN METRICS REPORT.

Section 710(e)(2) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108-176; 49 U.S.C. 40101 note) is amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(F) a description of the progress made in meeting the annual NextGen performance goals relative to the performance metrics established under section 214 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note).”.

SEC. 4. CHIEF NEXTGEN OFFICER.

Section 106(s) of title 49, United States Code, is amended—

(1) in paragraph (2)(B), by adding at the end the following: “In evaluating the performance of the Chief NextGen Officer for the purpose of awarding a bonus under this subparagraph, the Administrator shall consider the progress toward meeting the NextGen performance goals established pursuant to section 214(d) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note)”; and

(2) in paragraph (3), by adding at the end the following: “The annual performance

goals set forth in the agreement shall include quantifiable NextGen airspace performance objectives regarding efficiency, productivity, capacity, and safety, which shall be established in consultation with public and private NextGen stakeholders, including the NextGen Advisory Committee.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 629—RECOGNIZING THE 225TH ANNIVERSARY OF ALEXANDER HAMILTON’S SEMINAL REPORT ON THE SUBJECT OF MANUFACTURES

Mr. COONS (for himself and Mr. GRAMHAM) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 629

Whereas December 5, 2016, is the 225th anniversary of Alexander Hamilton’s landmark Report on the Subject of Manufactures (referred to in this preamble as the “Hamilton report”), which he delivered on December 5, 1791;

Whereas the groundbreaking Hamilton report stressed the importance of a diversified national economy in which manufacturing, alongside agriculture, contributes significantly to economic health;

Whereas Alexander Hamilton promoted a modern economic vision years ahead of his time based on investment, industry, internal improvements, and expanded commerce;

Whereas the Hamilton report had its roots in President George Washington’s first annual message to Congress on January 8, 1790, when he argued that the people of the United States should promote manufacturing to make the United States independent of other nations for essential supplies, particularly military supplies;

Whereas the House of Representatives then requested the Secretary of the Treasury prepare a report describing plans to encourage “manufactories” that would promote that independence;

Whereas the Hamilton report recognized that the Federal Government could take steps to encourage innovation in the manufacturing sector, and recommended government promotion of manufacturing through incentives to encourage risk taking and innovation, as well as reasonable and flexible tariffs to counter Great Britain’s mercantilist system;

Whereas Alexander Hamilton was one of the Founding Fathers, a delegate to the Constitutional Convention, a major author of the Federalist papers, a signatory to the Constitution of the United States, the first Secretary of the Treasury, and the founder of the First Bank of the United States and the Coast Guard;

Whereas Alexander Hamilton founded the Society for the Establishment of Useful Manufactures in Paterson, New Jersey, which became an important center for manufacturing production and innovation;

Whereas Alexander Hamilton used his influence to define the role of the Federal Government in promoting a sound financial foundation for the young nation;

Whereas manufacturing is critical to the United States economy, and contributes approximately \$2,170,000,000,000 to the United States economy annually;

Whereas manufacturing makes an outsized contribution to the United States economy in terms of total output and employment, and supports more than 17,000,000 indirect

jobs in the United States and approximately 12,000,000 individuals directly employed in manufacturing, more than ⅓ (21.3 percent) of total employment in the United States in 2013;

Whereas manufacturing represents more than 11 percent of the United States economy, and accounts for approximately 70 percent of industry-funded research and development;

Whereas manufacturing is entering a dynamic new phase, with new market opportunities in the developing world, game-changing innovations in materials and processes (including composites and nanomaterials, 3-D printing, and advanced robotics), and increased competition across the world;

Whereas manufacturing makes substantial contributions in the United States economy to research and development, exports, and productivity growth;

Whereas the number of manufacturing jobs coming into the United States, through reshoring and foreign direct investment, is now equal to or slightly higher than the number of jobs leaving the United States, which contributes to the manufacturing rebound;

Whereas manufacturing firms have a critical role in innovation, engaging new technologies that improve processes, support product innovation, and create well-paying jobs; and

Whereas the brand “Made in the USA” carries tremendous weight and appeal across the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 225th anniversary of Alexander Hamilton’s seminal Report on the Subject of Manufactures;

(2) recognizes the vision of Alexander Hamilton to make a case for a strong and diversified economy, which has withstood the test of time;

(3) expresses admiration and appreciation for the variety of ways in which Alexander Hamilton contributed to the success of the young United States;

(4) acknowledges the importance of the manufacturing industry’s contributions to the United States in promoting innovation, job creation, and opportunity for the middle class; and

(5) supports efforts to grow and sustain United States manufacturing industries by creating a healthy business climate and establishing the level playing field vital to United States manufacturing success.

SENATE RESOLUTION 630—RECOGNIZING THE HISTORICAL IMPORTANCE OF ASSOCIATE JUSTICE CLARENCE THOMAS

Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. HATCH, Mr. LEE, Mr. SCOTT, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 630

Whereas, in 1948, Clarence Thomas was born outside of Savannah, Georgia, in the small community of Pin Point, Georgia;

Whereas Clarence Thomas was born into poverty and under segregation;

Whereas, notwithstanding his humble beginnings and the many impediments he faced, Clarence Thomas demonstrated incredible intellect, discipline, and strength in attending and graduating from St. Benedict the Moor Catholic School, St. John Vianney Minor Seminar, the College of the Holy Cross, and Yale Law School;

Whereas Clarence Thomas had a distinguished legal career with service in State

government and all branches of the Federal Government, including the Senate, the Department of Education, the Equal Employment Opportunity Commission, and the United States Court of Appeals for the District of Columbia Circuit;

Whereas, on July 1, 1991, President George Herbert Walker Bush nominated Clarence Thomas to be an Associate Justice of the Supreme Court of the United States (in this preamble referred to as the “Supreme Court”);

Whereas Justice Thomas is the second African American to serve on the Supreme Court;

Whereas, during his quarter century on the Supreme Court, Justice Thomas has made a unique and indelible contribution to the jurisprudence of the United States;

Whereas Justice Thomas has propounded a jurisprudence that seeks to faithfully apply the original meaning of the text of the Constitution of the United States;

Whereas Justice Thomas has brought renewed focus to constitutional doctrines that the Framers intended to undergird our republican form of government, including federalism and the separation of powers;

Whereas, in fostering this philosophy of law, Justice Thomas reinvigorated not only the jurisprudence of the United States, but also the democracy of the United States;

Whereas Justice Thomas has been a remarkably prolific Associate Justice, writing influential opinions on topics including constitutional law, administrative law, and civil rights;

Whereas, on August 10, 1846, in the name of founding an establishment for the increase and diffusion of knowledge, Congress established the Smithsonian Institution as a trust to be administered by a Board of Regents and a Secretary of the Smithsonian Institution;

Whereas diversity, including intellectual diversity, is a core value of the Smithsonian Institution and the museums of the Smithsonian Institution should capitalize on the richness inherent in differences;

Whereas, upon opening, the National Museum of African American History and Culture (in this preamble referred to as the “Museum”) is the only national museum devoted exclusively to the documentation of African American life, history, and culture;

Whereas the Museum omits the contribution made by Justice Thomas to the United States; and

Whereas the Senate is hopeful that the Museum will reflect that important contribution: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Associate Justice Clarence Thomas is a historically significant African American who has—

(A) overcome great challenges;

(B) served his country honorably for more than 35 years; and

(C) made an important contribution to the United States, in particular the jurisprudence of the United States; and

(2) the life and work of Justice Thomas are an important part of the story of African Americans in the United States and should have a prominent place in the National Museum of African American History and Culture.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5127. Mr. MCCONNELL (for Mr. SHELBY (for himself and Mr. BROWN)) proposed an amendment to the bill H.R. 5602, to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all

funds when issuing certain geographic targeting orders, and for other purposes.

SA 5128. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 3336, to provide installation reutilization authority for arsenals, depots, and plants.

SA 5129. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 3336, *supra*.

SA 5130. Mr. MANCHIN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table.

SA 5131. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill H.R. 34, *supra*; which was ordered to lie on the table.

SA 5132. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 34, *supra*; which was ordered to lie on the table.

SA 5133. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 34, *supra*; which was ordered to lie on the table.

SA 5134. Mr. MERKLEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 34, *supra*; which was ordered to lie on the table.

SA 5135. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 34, *supra*; which was ordered to lie on the table.

SA 5136. Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 34, *supra*; which was ordered to lie on the table.

SA 5137. Mr. MCCONNELL (for himself and Mr. REID) proposed an amendment to the concurrent resolution H. Con. Res. 174, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 34.

TEXT OF AMENDMENTS

SA 5127. Mr. MCCONNELL (for Mr. SHELBY (for himself and Mr. BROWN)) proposed an amendment to the bill H.R. 5602, to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all funds when issuing certain geographic targeting orders, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

TITLE I—ENHANCING ANTITERRORISM TOOLS OF THE DEPARTMENT OF THE TREASURY

SEC. 101. INCLUSION OF ALL FUNDS.

(a) IN GENERAL.—Section 5326 of title 31, United States Code, is amended—

(1) in the heading of such section, by striking “coin and currency”;

(2) in subsection (a)—

(A) by striking “subtitle and” and inserting “subtitle or to”; and

(B) in paragraph (1)(A), by striking “United States coins or currency (or such other monetary instruments as the Secretary may describe in such order)” and inserting “funds (as the Secretary may describe in such order).”; and

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking “coins or currency (or monetary instruments)” and inserting “funds”; and

(B) in paragraph (2), by striking “coins or currency (or such other monetary instruments as the Secretary may describe in the regulation or order)” and inserting “funds (as the Secretary may describe in the regulation or order)”.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 53 of title 31, United States Code, is amended in the item relating to section 5326 by striking “coin and currency”.

SEC. 102. IMPROVING ANTITERROR FINANCE MONITORING OF FUNDS TRANSFERS.

(a) STUDY.—

(1) IN GENERAL.—To improve the ability of the Department of the Treasury to better track cross-border fund transfers and identify potential financing of terrorist or other forms of illicit finance, the Secretary shall carry out a study to assess—

(A) the potential efficacy of requiring banking regulators to establish a pilot program to provide technical assistance to depository institutions and credit unions that wish to provide account services to money services businesses serving individuals in Somalia;

(B) whether such a pilot program could be a model for improving the ability of United States persons to make legitimate funds transfers through transparent and easily monitored channels while preserving strict compliance with the Bank Secrecy Act (Public Law 91–508; 84 Stat. 1114) and related controls aimed at stopping money laundering and the financing of terrorism; and

(C) consistent with current legal requirements regarding confidential supervisory information, the potential impact of allowing money services businesses to share certain State examination information with depository institutions and credit unions, or whether another appropriate mechanism could be identified to allow a similar exchange of information to give the depository institutions and credit unions a better understanding of whether an individual money services business is adequately meeting its anti-money laundering and counter-terror financing obligations to combat money laundering, the financing of terror, or related illicit finance.

(2) PUBLIC INPUT.—The Secretary should solicit and consider public input as appropriate in developing this study.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains all findings and determinations made in carrying out the study required under subsection (a).

SEC. 103. SENSE OF CONGRESS ON INTERNATIONAL COOPERATION REGARDING TERRORIST FINANCING INTELLIGENCE.

It is the sense of the Congress that the Secretary, acting through the Under Secretary for Terrorism and Financial Crimes, should intensify work with foreign partners to help the foreign partners develop intelligence analytic capacities, in a finance ministry or other appropriate agency, that are—

(1) commensurate to the threats faced by the foreign partner; and

(2) designed to better integrate intelligence efforts with the anti-money laundering and counter-terrorist financing regimes of the foreign partner.

SEC. 104. EXAMINING THE COUNTER-TERROR FINANCING ROLE OF THE DEPARTMENT OF THE TREASURY IN EMBASSIES.

Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains—

(1) a list of the United States embassies in which a full-time Department of the Treasury financial attaché is stationed and a description of how the interests of the Department of the Treasury relating to terrorist financing and money laundering are addressed (via regional attachés or otherwise) at US embassies where no such attachés are present;

(2) a list of the United States embassies at which the Department of the Treasury has assigned a technical assistance advisor from the Office of Technical Assistance of the Department of the Treasury;

(3) an overview of how Department of the Treasury financial attachés and technical assistance advisors assist in efforts to counter illicit finance, to include money laundering, terrorist financing, and proliferation financing; and

(4) an overview of patterns, trends, or other issues identified by Department of the Treasury attachés and whether resources are sufficient to address these issues.

TITLE II—NATIONAL STRATEGY FOR COMBATING TERRORIST AND OTHER ILLICIT FINANCING

SEC. 201. DEVELOPMENT OF NATIONAL STRATEGY.

(a) IN GENERAL.—The President, acting through the Secretary shall, in consultation with the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the appropriate Federal banking agencies, develop a national strategy for combating the financing of terrorism and related forms of illicit finance.

(b) TRANSMITTAL TO CONGRESS.—

(1) IN GENERAL.—Not later than January 31, 2018, the President shall submit to the appropriate congressional committees a comprehensive national strategy developed in accordance with subsection (a).

(2) UPDATES.—Not later than January 31, 2020, and January 31, 2022, the President shall submit to the appropriate congressional committees updated versions of the national strategy submitted under paragraph (1).

(c) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the national strategy that involves information that is properly classified under criteria established by the President shall be submitted to the Congress separately in a classified annex and, if requested by the chairman or ranking Member of one of the appropriate congressional committees, as a briefing at an appropriate level of security.

SEC. 202. CONTENTS.

(a) IN GENERAL.—The strategy described in section 201 shall contain the following:

(1) EVALUATION OF EXISTING EFFORTS.—An assessment of the effectiveness of and ways in which the United States is currently addressing the highest levels of risk of various forms of illicit finance, including those identified in the documents entitled “2015 National Money Laundering Risk Assessment” and “2015 National Terrorist Financing Risk Assessment”, published by the Department of the Treasury and a description of how the strategy is integrated into, and supports, the broader counter terrorism strategy of the United States.

(2) **GOALS, OBJECTIVES, AND PRIORITIES.**—A comprehensive, research-based, long-range, quantifiable discussion of goals, objectives, and priorities for disrupting and preventing illicit finance activities within and transiting the financial system of the United States that outlines priorities to reduce the incidence, dollar value, and effects of illicit finance.

(3) **THREATS.**—An identification of the most significant illicit finance threats to the financial system of the United States.

(4) **REVIEWS AND PROPOSED CHANGES.**—Reviews of enforcement efforts, relevant regulations and relevant provisions of law and, if appropriate, discussions of proposed changes determined to be appropriate to ensure that the United States pursues coordinated and effective efforts at all levels of government, and with international partners of the United States, in the fight against illicit finance.

(5) **DETECTION AND PROSECUTION INITIATIVES.**—A description of efforts to improve detection and prosecution of illicit finance, including efforts to ensure that—

(A) subject to legal restrictions, all appropriate data collected by the Federal Government that is relevant to the efforts described in this section be available in a timely fashion to—

(i) all appropriate Federal departments and agencies; and

(ii) as appropriate and consistent with section 314 of the International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001 (31 U.S.C. 5311 note), to financial institutions to assist the financial institutions in efforts to comply with laws aimed at curbing illicit finance; and

(B) appropriate efforts are undertaken to ensure that Federal departments and agencies charged with reducing and preventing illicit finance make thorough use of publicly available data in furtherance of this effort.

(6) **THE ROLE OF THE PRIVATE FINANCIAL SECTOR IN PREVENTION OF ILLICIT FINANCE.**—A discussion of ways to enhance partnerships between the private financial sector and Federal departments and agencies with regard to the prevention and detection of illicit finance, including—

(A) efforts to facilitate compliance with laws aimed at stopping such illicit finance while maintaining the effectiveness of such efforts; and

(B) providing guidance to strengthen internal controls and to adopt on an industry-wide basis more effective policies.

(7) **ENHANCEMENT OF INTERGOVERNMENTAL COOPERATION.**—A discussion of ways to combat illicit finance by enhancing—

(A) cooperative efforts between and among Federal, State, and local officials, including State regulators, State and local prosecutors, and other law enforcement officials;

(B) cooperative efforts with and between governments of countries and with and between multinational institutions, including the Financial Action Task Force, with expertise in fighting illicit finance.

(8) **TREND ANALYSIS OF EMERGING ILLICIT FINANCE THREATS.**—A discussion of and data regarding trends in illicit finance, including evolving forms of value transfer such as so-called cryptocurrencies, other methods that are computer, telecommunications, or Internet-based, cyber crime, or any other threats that the Secretary may choose to identify.

(9) **BUDGET PRIORITIES.**—A multiyear budget plan that identifies sufficient resources needed to successfully execute the full range of missions called for in this section.

(10) **TECHNOLOGY ENHANCEMENTS.**—An analysis of current and developing ways to leverage technology to improve the effectiveness of efforts to stop the financing of terrorism

and other forms of illicit finance, including better integration of open-source data.

TITLE III—DEFINITIONS

SEC. 301. DEFINITIONS.

In this Act—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on the Judiciary, Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, Committee on Armed Services, Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate;

(2) the term “appropriate Federal banking agencies” has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(3) the term “Bank Secrecy Act” means—

(A) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

(B) chapter 2 of title I of Public Law 91-508 (12 U.S.C. 1951 et seq.); and

(C) subchapter II of chapter 53 of title 31, United States Code;

(4) the term “illicit finance” means the financing of terrorism, money laundering, or other forms of illicit financing domestically or internationally, as defined by the President;

(5) the term “money services business” has the meaning given the term under section 1010.100 of title 31, Code of Federal Regulations;

(6) the term “Secretary” means the Secretary of the Treasury; and

(7) the term “State” means each of the several States, the District of Columbia, and each territory or possession of the United States.

SA 5128. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 3336, to provide installation reutilization authority for arsenals, depots, and plants; as follows:

On page 1, strike lines 3 and 4 and insert the following:

SECTION 1. INSTALLATION REUTILIZATION AUTHORITY FOR ARSENALS, DEPOTS, AND PLANTS.

On page 1, line 6, strike “arsenal, the Secretary concerned” and insert “arsenal, depot, or plant, the Secretary of the Army”.

On page 2, line 4, insert “, depot, or plant” after “arsenal”.

On page 2, line 8, insert “, depot, or plant” after “arsenal”.

On page 2, line 12, insert “, depot, or plant” after “arsenal”.

On page 2, line 17, strike “Secretary concerned” and insert “Secretary of the Army”.

On page 2, line 21, insert “, depot, or plant” after “arsenal”.

On page 4, line 3, insert “, DEPOT, OR PLANT” after “ARSENAL”.

On page 4, line 5, insert “, depot, or plant” after “arsenal”.

On page 4, line 6, strike “Department of the Defense” and insert “Army”.

SA 5129. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 3336, to provide installation reutilization authority for arsenals, depots, and plants; as follows:

Amend the title so as to read: “A bill to provide installation reutilization authority for arsenals, depots, and plants.”.

SA 5130. Mr. MANCHIN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XIX—MINERS PROTECTION

SEC. 19001. SHORT TITLE.

This title may be cited as the “Miners Protection Act of 2016”.

SEC. 19002. INCLUSION OF CERTAIN RETIREES IN THE MULTIEMPLOYER HEALTH BENEFIT PLAN.

(a) **IN GENERAL.**—Section 402 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232) is amended—

(1) in subsection (h)(2)(C)—

(A) by striking “A transfer” and inserting the following:

“(i) **TRANSFER TO THE PLAN.**—A transfer”;

(B) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and moving such subclauses 2 ems to the right; and

(C) by striking the matter following such subclause (II) (as so redesignated) and inserting the following:

“(ii) **CALCULATION OF EXCESS.**—The excess determined under clause (i) shall be calculated by taking into account only—

“(I) those beneficiaries actually enrolled in the Plan as of the date of the enactment of the Miners Protection Act of 2016 who are eligible to receive health benefits under the Plan on the first day of the calendar year for which the transfer is made, other than those beneficiaries enrolled in the Plan under the terms of a participation agreement with the current or former employer of such beneficiaries; and

“(II) those beneficiaries whose health benefits, defined as those benefits payable directly following death or retirement or upon a finding of disability by an employer in the bituminous coal industry under a coal wage agreement (as defined in section 9701(b)(1) of the Internal Revenue Code of 1986), would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015.

“(iii) **ELIGIBILITY OF CERTAIN RETIREES.**—Individuals referred to in clause (ii)(II) shall be treated as eligible to receive health benefits under the Plan.

“(iv) **REQUIREMENTS FOR TRANSFER.**—The amount of the transfer otherwise determined under this subparagraph for a fiscal year shall be reduced by any amount transferred for the fiscal year to the Plan, to pay benefits required under the Plan, from a voluntary employees’ beneficiary association established as a result of a bankruptcy proceeding described in clause (ii).

“(v) **VEBA TRANSFER.**—The administrator of such voluntary employees’ beneficiary association shall transfer to the Plan any amounts received as a result of such bankruptcy proceeding, reduced by an amount for administrative costs of such association.”; and

(2) in subsection (i)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following:

“(4) **ADDITIONAL AMOUNTS.**—

“(A) **CALCULATION.**—If the dollar limitation specified in paragraph (3)(A) exceeds the aggregate amount required to be transferred under paragraphs (1) and (2) for a fiscal year, the Secretary of the Treasury shall transfer an additional amount equal to the difference

between such dollar limitation and such aggregate amount to the trustees of the 1974 UMW Pension Plan to pay benefits required under that plan.

“(B) CESSATION OF TRANSFERS.—The transfers described in subparagraph (A) shall cease as of the first fiscal year beginning after the first plan year for which the funded percentage (as defined in section 432(i)(2) of the Internal Revenue Code of 1986) of the 1974 UMW Pension Plan is at least 100 percent.

“(C) PROHIBITION ON BENEFIT INCREASES, ETC.—During a fiscal year in which the 1974 UMW Pension Plan is receiving transfers under subparagraph (A), no amendment of such plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any change in the rate at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986.

“(D) TREATMENT OF TRANSFERS FOR PURPOSES OF WITHDRAWAL LIABILITY UNDER ERISA.—The amount of any transfer made under subparagraph (A) (and any earnings attributable thereto) shall be disregarded in determining the unfunded vested benefits of the 1974 UMW Pension Plan and the allocation of such unfunded vested benefits to an employer for purposes of determining the employer's withdrawal liability under section 4201.

“(E) REQUIREMENT TO MAINTAIN CONTRIBUTION RATE.—A transfer under subparagraph (A) shall not be made for a fiscal year unless the persons that are obligated to contribute to the 1974 UMW Pension Plan on the date of the transfer are obligated to make the contributions at rates that are no less than those in effect on the date which is 30 days before the date of enactment of the Miners Protection Act of 2016.

“(F) ENHANCED ANNUAL REPORTING.—

“(i) IN GENERAL.—Not later than the 90th day of each plan year beginning after the date of enactment of the Miners Protection Act of 2016, the trustees of the 1974 UMW Pension Plan shall file with the Secretary of the Treasury or the Secretary's delegate and the Pension Benefit Guaranty Corporation a report (including appropriate documentation and actuarial certifications from the plan actuary, as required by the Secretary of the Treasury or the Secretary's delegate) that contains—

“(I) whether the plan is in endangered or critical status under section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 as of the first day of such plan year;

“(II) the funded percentage (as defined in section 432(i)(2) of such Code) as of the first day of such plan year, and the underlying actuarial value of assets and liabilities taken into account in determining such percentage;

“(III) the market value of the assets of the plan as of the last day of the plan year preceding such plan year;

“(IV) the total value of all contributions made during the plan year preceding such plan year;

“(V) the total value of all benefits paid during the plan year preceding such plan year;

“(VI) cash flow projections for such plan year and either the 6 or 10 succeeding plan years, at the election of the trustees, and the assumptions relied upon in making such projections;

“(VII) funding standard account projections for such plan year and the 9 succeeding plan years, and the assumptions relied upon in making such projections;

“(VIII) the total value of all investment gains or losses during the plan year preceding such plan year;

“(IX) any significant reduction in the number of active participants during the plan year preceding such plan year, and the reason for such reduction;

“(X) a list of employers that withdrew from the plan in the plan year preceding such plan year, and the resulting reduction in contributions;

“(XI) a list of employers that paid withdrawal liability to the plan during the plan year preceding such plan year and, for each employer, a total assessment of the withdrawal liability paid, the annual payment amount, and the number of years remaining in the payment schedule with respect to such withdrawal liability;

“(XII) any material changes to benefits, accrual rates, or contribution rates during the plan year preceding such plan year;

“(XIII) any scheduled benefit increase or decrease in the plan year preceding such plan year having a material effect on liabilities of the plan;

“(XIV) details regarding any funding improvement plan or rehabilitation plan and updates to such plan;

“(XV) the number of participants and beneficiaries during the plan year preceding such plan year who are active participants, the number of participants and beneficiaries in pay status, and the number of terminated vested participants and beneficiaries;

“(XVI) the information contained on the most recent annual funding notice submitted by the plan under section 101(f) of the Employee Retirement Income Security Act of 1974;

“(XVII) the information contained on the most recent Department of Labor Form 5500 of the plan; and

“(XVIII) copies of the plan document and amendments, other retirement benefit or ancillary benefit plans relating to the plan and contribution obligations under such plans, a breakdown of administrative expenses of the plan, participant census data and distribution of benefits, the most recent actuarial valuation report as of the plan year, copies of collective bargaining agreements, and financial reports, and such other information as the Secretary of the Treasury or the Secretary's delegate, in consultation with the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, may require.

“(i) ELECTRONIC SUBMISSION.—The report required under clause (i) shall be submitted electronically.

“(iii) INFORMATION SHARING.—The Secretary of the Treasury or the Secretary's delegate shall share the information in the report under clause (i) with the Secretary of Labor.

“(iv) PENALTY.—Any failure to file the report required under clause (i) on or before the date described in such clause shall be treated as a failure to file a report required to be filed under section 6058(a) of the Internal Revenue Code of 1986, except that section 6652(e) of such Code shall be applied with respect to any such failure by substituting ‘\$100’ for ‘\$25’. The preceding sentence shall not apply if the Secretary of the Treasury or the Secretary's delegate determines that reasonable diligence has been exercised by the trustees of such plan in attempting to timely file such report.

“(G) 1974 UMW PENSION PLAN DEFINED.—For purposes of this paragraph, the term ‘1974 UMW Pension Plan’ has the meaning given the term in section 9701(a)(3) of the Internal Revenue Code of 1986, but without regard to the limitation on participation to individuals who retired in 1976 and thereafter.”.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to fiscal years beginning after September 30, 2016.

(2) REPORTING REQUIREMENTS.—Section 402(i)(4)(F) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(i)(4)(F)), as added by this section, shall apply to plan years beginning after the date of the enactment of this Act.

SEC. 19003. CLARIFICATION OF FINANCING OBLIGATIONS.

(a) IN GENERAL.—Subsection (a) of section 9704 of the Internal Revenue Code of 1986 is amended—

(1) by striking paragraph (3),

(2) by striking “three premiums” and inserting “two premiums”, and

(3) by striking “, plus” at the end of paragraph (2) and inserting a period.

(b) CONFORMING AMENDMENTS.—

(1) Section 9704 of the Internal Revenue Code of 1986 is amended—

(A) by striking subsection (d), and

(B) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively.

(2) Subsection (d) of section 9704 of such Code, as so redesignated, is amended—

(A) by striking “3 separate accounts for each of the premiums described in subsections (b), (c), and (d)” in paragraph (1) and inserting “2 separate accounts for each of the premiums described in subsections (b) and (c)”, and

(B) by striking “or the unassigned beneficiary premium account” in paragraph (3)(B).

(3) Subclause (I) of section 9703(b)(2)(C)(ii) of such Code is amended by striking “9704(e)(3)(B)(i)” and inserting “9704(d)(3)(B)(i)”.

(4) Paragraph (3) of section 9705(a) of such Code is amended—

(A) by striking “the unassigned beneficiary premium under section 9704(a)(3) and” in subparagraph (B), and

(B) by striking “9704(i)(1)(B)” and inserting “9704(h)(1)(B)”.

(5) Paragraph (2) of section 9711(c) of such Code is amended—

(A) by striking “9704(j)(2)” in subparagraph (A)(i) and inserting “9704(i)(2)”,

(B) by striking “9704(j)(2)(B)” in subparagraph (B) and inserting “9704(i)(2)(B)”, and

(C) by striking “9704(j)” and inserting “9704(i)”.

(6) Paragraph (4) of section 9712(d) of such Code is amended by striking “9704(j)” and inserting “9704(i)”.

(c) ELIMINATION OF ADDITIONAL BACKSTOP PREMIUM.—

(1) IN GENERAL.—Paragraph (1) of section 9712(d) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).

(2) CONFORMING AMENDMENT.—Paragraph (2) of section 9712(d) of such Code is amended—

(A) by striking subparagraph (B),

(B) by striking “, and” at the end of subparagraph (A) and inserting a period, and

(C) by striking “shall provide for—” and all that follows through “annual adjustments” and inserting “shall provide for annual adjustments”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after September 30, 2016.

SEC. 19004. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking “September 30, 2025” and inserting “May 6, 2026”.

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States-Korea Free Trade Agreement Implementation Act (Public Law 112-41; 19 U.S.C. 3805

note) is amended by striking “September 30, 2025” and inserting “May 6, 2026”.

SA 5131. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3037.

SA 5132. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3033.

SA 5133. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION C—FEDERAL RESEARCH
TRANSPARENCY AND ACCOUNTABILITY**

SEC. 20001. SHORT TITLE.

This division may be cited as the “Federal Research Transparency and Accountability Act of 2016”.

SEC. 20002. DEFINITIONS.

In this division—

(1) the term “agency” has the meaning given the term in section 551 of title 5, United States Code; and

(2) the term “covered study” means any study that—

(A) is carried out in whole or in part with Federal funds; and

(B) is published, presented at a conference or meeting, or otherwise made publicly available.

SEC. 20003. FEDERALLY FUNDED RESEARCH DISCLOSURES AND DATABASE.

(a) **PREVENTION OF DUPLICATIVE RESEARCH FUNDING.**—The Director of the Office of Management and Budget shall coordinate with each agency that provides funding to entities to carry out research and development to establish a system to detect potential duplicative applications for funding in order to prevent duplicative funding.

(b) **DATABASE OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT.**—

(1) **IN GENERAL.**—Each agency shall include in a publicly accessible database a searchable listing of each unclassified research and development project that is funded by the agency, including a contract, grant, cooperative agreement, or task order.

(2) **CONTENTS.**—A database described in paragraph (1) shall, with respect to each unclassified research and development project of an agency, contain—

(A) the agency component that is carrying out or providing funding or other assistance for the project;

(B) the name of the project;

(C) an abstract or summary of the project;

(D) the funding level for the project;

(E) the duration of the project;

(F) the name of any contractor, subcontractor, or grantee;

(G) the title of any published study funded by or related to the project; and

(H) expected objectives and milestones for the project.

(3) **EXISTING DATABASE.**—An agency may satisfy the requirements under this subsection if the Director of the Office of Management and Budget determines that the agency maintains a publicly accessible database, including a database operated by or shared with another agency, that substantially meets the requirements of this subsection.

(c) **REQUIREMENT FOR ACKNOWLEDGMENT IN COVERED STUDIES.**—The acknowledgment section in each covered study shall include—

(1) the name of each agency that provided funding for the covered study;

(2) the project or award number associated with the covered study; and

(3) an estimate of the total cost of the covered study.

(d) **STUDY.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and make publicly available a report, which shall—

(1) analyze the compliance of agencies, contractors, subcontractors, and grantees with the requirements of this division;

(2) identify any obstacles that remain to prevent the public from accessing the cost and findings of covered studies and other research and development projects funded by agencies; and

(3) analyze efforts by agencies to prevent duplicative spending.

SA 5134. Mr. MERKLEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 5009 and 5011.

SA 5135. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 5002, 5003, 5004, and 5012 of division A.

SA 5136. Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

Subtitle K—CREATES Act

SEC. 3201. SHORT TITLE.

This subtitle may be cited as the “Creating and Restoring Equal Access to Equivalent Samples Act of 2016” or the “CREATES Act of 2016”.

SEC. 3202. FINDINGS.

Congress finds the following:

(1) It is the policy of the United States to promote competition in the market for drugs and biological products by facilitating the timely entry of low-cost generic and biosimilar versions of those drugs and biological products.

(2) Since their enactment in 1984 and 2010, respectively, the Drug Price Competition and Patent Term Restoration Act of 1984 (Public Law 98–417; 98 Stat. 1585) and the Biologics Price Competition and Innovation Act of 2009 (Subtitle A of title VII of Public Law 111–148; 124 Stat. 804), have provided pathways for making lower-cost versions of previously approved drugs and previously licensed biological products available to the people of the United States in a timely manner, thereby lowering overall prescription drug costs for patients and taxpayers by billions of dollars each year.

(3) In order for these pathways to function as intended, developers of generic drugs and biosimilar biological products (referred to in this section as “generic product developers”) must be able to obtain quantities of the reference listed drug or biological product with which the generic drug or biosimilar biological product is intended to compete (referred to in this section as a “covered product”) for purposes of supporting an application for approval by the Food and Drug Administration, including for testing to show that—

(A) a prospective generic drug is bioequivalent to the covered product in accordance with subsection (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), or meets the requirements for approval of an application submitted under subsection (b)(2) of that section; or

(B) a prospective biosimilar biological product is biosimilar to or interchangeable with its reference biological product under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)), as applicable.

(4) For drugs and biological products that are subject to a risk evaluation and mitigation strategy, another essential component in the creation of low-cost generic and biosimilar versions of covered products is the ability of generic product developers to join the manufacturer of the covered product (referred to in this section as the “license holder”) in a single, shared system of elements to assure safe use and supporting agreements, or secure a variance therefrom, as required by section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1).

(5) Contrary to the policy of the United States to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products, certain license holders are preventing generic product developers from obtaining quantities of the covered product necessary for the generic product developer to support an application for approval by the Food and Drug Administration, including testing to show bioequivalence, biosimilarity, or interchangeability to the covered product, in some instances based on the justification that the covered product is subject to a risk evaluation and mitigation strategy with elements to assure safe use under section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1).

(6) The Director of the Center for Drug Evaluation and Research at the Food and Drug Administration has testified that some manufacturers of covered products have used REMS and distribution restrictions adopted by the manufacturer on their own behalf as reasons to not sell quantities of a covered product to generic product developers, causing barriers and delays in getting generic products on the market. The Food and Drug

Administration has reported receiving significant numbers of inquiries from generic product developers who were unable to obtain samples of covered products to conduct necessary testing and otherwise meet requirements for approval of generic drugs.

(7) The Chairwoman of the Federal Trade Commission has testified that the Federal Trade Commission continues to be very concerned about potential abuses by manufacturers of brand drugs of REMS or other closed distribution systems to impede generic competition.

(8) Also contrary to the policy of the United States to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products, certain license holders are impeding the prompt negotiation and development on commercially reasonable terms of a single, shared system of elements to assure safe use, which may be necessary for the generic product developer to gain approval for its drug or licensing for its biological product.

(9) While the antitrust laws may address the refusal by some license holders to provide quantities of a covered product to a generic product developer, a more tailored legal pathway would help ensure that generic product developers can obtain necessary quantities of a covered product in a timely way for purposes of developing a generic drug or biosimilar biological product, facilitating competition in the marketplace for drugs and biological products.

(10) The antitrust laws may address actions by license holders who impede the prompt negotiation and development of a single, shared system of elements to assure safe use, and the Food and Drug Administration has some authority to waive the requirement of a single, shared system. Clearer regulatory authority to approve different systems that meet the statutory requirements to ensure patient safety, however, would limit the effectiveness of bad faith negotiations over single, shared systems to delay generic approval. At the same time, clearer regulatory authority would ensure all systems protect patient safety.

SEC. 3203. ACTIONS FOR DELAYS OF GENERIC DRUGS AND BIOSIMILAR BIOLOGICAL PRODUCTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “covered product”—

(A) means—

(i) any drug approved under subsection (b) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or biological product licensed under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262);

(ii) any combination of a drug or biological product described in clause (i); or

(iii) when reasonably necessary to demonstrate sameness, biosimilarity, or interchangeability for purposes of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), or section 351 of the Public Health Service Act (42 U.S.C. 262), as applicable, any product, including any device, that is marketed or intended for use with such drug or biological product; and

(B) does not include any drug or biological product that the Secretary has determined to be currently in shortage and that appears on the drug shortage list in effect under section 506E of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356e), unless the shortage will not be promptly resolved—

(i) as demonstrated by the fact that the drug or biological product has been in shortage for more than 6 months; or

(ii) as otherwise determined by the Secretary;

(2) the term “device” has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321);

(3) the term “eligible product developer” means a person that seeks to develop a product for approval pursuant to an application for approval under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or for licensing pursuant to an application under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k));

(4) the term “license holder” means the holder of an application approved under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or the holder of a license under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262) for a covered product;

(5) the term “REMS” means a risk evaluation and mitigation strategy under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1);

(6) the term “REMS with ETASU” means a REMS that contains elements to assure safe use under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1);

(7) the term “Secretary” means the Secretary of Health and Human Services;

(8) the term “single, shared system of elements to assure safe use” means a single, shared system of elements to assure safe use under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1); and

(9) the term “sufficient quantities” means an amount of a covered product that allows the eligible product developer to—

(A) conduct testing to support an application—

(i) for approval under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355); or

(ii) for licensing under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)); and

(B) fulfill any regulatory requirements relating to such an application for approval or licensing.

(b) **CIVIL ACTION FOR FAILURE TO PROVIDE SUFFICIENT QUANTITIES OF A COVERED PRODUCT.**—

(1) **IN GENERAL.**—An eligible product developer may bring a civil action against the license holder for a covered product seeking relief under this subsection in an appropriate district court of the United States alleging that the license holder has declined to provide sufficient quantities of the covered product to the eligible product developer on commercially reasonable, market-based terms.

(2) **ELEMENTS.**—

(A) **IN GENERAL.**—To prevail in a civil action brought under paragraph (1), an eligible product developer shall prove, by a preponderance of the evidence—

(i) that—

(I) the covered product is not subject to a REMS with ETASU; or

(II) if the covered product is subject to a REMS with ETASU—

(aa) the eligible product developer has obtained a covered product authorization from the Secretary in accordance with subparagraph (B); and

(bb) the eligible product developer has provided a copy of the covered product authorization to the license holder;

(ii) that, as of the date on which the civil action is filed, the product developer has not obtained sufficient quantities of the covered product on commercially reasonable, market-based terms;

(iii) that the eligible product developer has requested to purchase sufficient quantities of the covered product from the license holder; and

(iv) that the license holder has not delivered to the eligible product developer sufficient quantities of the covered product on commercially reasonable, market-based terms—

(I) for a covered product that is not subject to a REMS with ETASU, by the date that is 31 days after the date on which the license holder received the request for the covered product; and

(II) for a covered product that is subject to a REMS with ETASU, by 31 days after the later of—

(aa) the date on which the license holder received the request for the covered product; or

(bb) the date on which the license holder received a copy of the covered product authorization issued by the Secretary in accordance with subparagraph (B).

(B) **AUTHORIZATION FOR COVERED PRODUCT SUBJECT TO A REMS WITH ETASU.**—

(i) **REQUEST.**—An eligible product developer may submit to the Secretary a written request for the eligible product developer to be authorized to obtain sufficient quantities of an individual covered product subject to a REMS with ETASU.

(ii) **AUTHORIZATION.**—Not later than 90 days after the date on which a request under clause (i) is received, the Secretary shall, by written notice, authorize the eligible product developer to obtain sufficient quantities of an individual covered product subject to a REMS with ETASU for purposes of—

(I) development and testing that does not involve human clinical trials, if the eligible product developer has agreed to comply with any conditions the Secretary determines necessary; or

(II) development and testing that involves human clinical trials, if the eligible product developer has—

(aa)(AA) submitted protocols, informed consent documents, and informational materials for testing that include protections that provide safety protections comparable to those provided by the REMS for the covered product; or

(BB) otherwise satisfied the Secretary that such protections will be provided; and

(bb) met any other requirements the Secretary may establish.

(iii) **NOTICE.**—A covered product authorization issued under this subparagraph shall state that the provision of the covered product by the license holder under the terms of the authorization will not be a violation of the REMS for the covered product.

(3) **AFFIRMATIVE DEFENSE.**—In a civil action brought under paragraph (1), it shall be an affirmative defense, on which the defendant has the burden of persuasion by a preponderance of the evidence—

(A) that, on the date on which the eligible product developer requested to purchase sufficient quantities of the covered product from the license holder—

(i) neither the license holder nor any of its agents, wholesalers, or distributors was engaged in the manufacturing or commercial marketing of the covered product; and

(ii) neither the license holder nor any of its agents, wholesalers, or distributors otherwise had access to inventory of the covered product to supply to the eligible product developer on commercially reasonable, market-based terms; or

(B) that—

(i) the license holder sells the covered product through agents, distributors, or wholesalers;

(ii) the license holder has placed no restrictions, explicit or implicit, on its agents, distributors, or wholesalers to sell covered products to eligible product developers; and

(iii) the covered product can be purchased by the eligible product developer in sufficient quantities on commercially reasonable, market-based terms from the agents, distributors, or wholesalers of the license holder.

(4) REMEDIES.—

(A) IN GENERAL.—If an eligible product developer prevails in a civil action brought under paragraph (1), the court shall—

(i) order the license holder to provide to the eligible product developer without delay sufficient quantities of the covered product on commercially reasonable, market-based terms;

(ii) award to the eligible product developer reasonable attorney fees and costs of the civil action; and

(iii) award to the eligible product developer a monetary amount sufficient to deter the license holder from failing to provide other eligible product developers with sufficient quantities of a covered product on commercially reasonable, market-based terms, if the court finds, by a preponderance of the evidence—

(I) that the license holder delayed providing sufficient quantities of the covered product to the eligible product developer without a legitimate business justification; or

(II) that the license holder failed to comply with an order issued under clause (i).

(B) MAXIMUM MONETARY AMOUNT.—A monetary amount awarded under subparagraph (A)(iii) shall not be greater than the revenue that the license holder earned on the covered product during the period—

(i) beginning on—

(I) for a covered product that is not subject to a REMS with ETASU, the date that is 31 days after the date on which the license holder received the request; or

(II) for a covered product that is subject to a REMS with ETASU, the date that is 31 days after the later of—

(aa) the date on which the license holder received the request; or

(bb) the date on which the license holder received a copy of the covered product authorization issued by the Secretary in accordance with paragraph (2)(B); and

(ii) ending on the date on which the eligible product developer received sufficient quantities of the covered product.

(C) AVOIDANCE OF DELAY.—The court may issue an order under subparagraph (A)(i) before conducting further proceedings that may be necessary to determine whether the eligible product developer is entitled to an award under clause (ii) or (iii) of subparagraph (A), or the amount of any such award.

(C) LIMITATION OF LIABILITY.—A license holder for a covered product shall not be liable for any claim arising out of the failure of an eligible product developer to follow adequate safeguards to assure safe use of the

covered product during development or testing activities described in this section, including transportation, handling, use, or disposal of the covered product by the eligible product developer.

(d) RULE OF CONSTRUCTION.—

(1) DEFINITION.—In this subsection, the term “antitrust laws” —

(A) has the meaning given the term in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12); and

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section applies to unfair methods of competition.

(2) ANTITRUST LAWS.—Nothing in this section shall be construed to limit the operation of any provision of the antitrust laws.

SEC. 3204. REMS APPROVAL PROCESS FOR SUBSEQUENT FILERS.

Section 505-1 of the Federal Food Drug and Cosmetic Act (21 U.S.C. 355-1) is amended—

(1) in subsection (g)(4)(B)—

(A) in clause (i) by striking “or” after the semicolon;

(B) in clause (ii) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(iii) accommodate different approved risk evaluation and mitigation strategies for a reference drug product and a drug that is the subject of an abbreviated new drug application.”; and

(2) in subsection (i)(1), by striking subparagraph (B) and inserting the following:

“(B) Elements to assure safe use, if required under subsection (f) for the listed drug.

“(1) Subject to clause (ii), a drug that is the subject of an abbreviated new drug application may use—

“(I) a single, shared system with the listed drug under subsection (f); or

“(II) a different, comparable aspect of the elements to assure safe use under subsection (f).

“(ii) The Secretary may require a drug that is the subject of an abbreviated new drug application and the listed drug to use a single, shared system under subsection (f), if the Secretary determines that no different, comparable aspect of the elements to assure safe use could satisfy the requirements of subsection (f).”.

SA 5137. Mr. McCONNELL (for himself and Mr. REID) proposed an amendment to the concurrent resolution H. Con. Res. 174, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 34; as follows:

Beginning on page 1, line 7, strike “following correction:” and all that follows and insert the following:

“following corrections:

“(1) Amend the long title so as to read: ‘An Act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes.’.

“(2) Amend the section heading for section 1001 so as to read: ‘**BEAU BIDEN CANCER MOONSHOT AND NIH INNOVATION PROJECTS**’.

“(3) Amend the table of contents in section 1 so that the item relating to section 1001 reads as follows:

“‘1001. Beau Biden Cancer Moonshot and NIH innovation projects.’”.

ACTION VITIATED—H.R. 5602, S. 3336, AND CALENDAR NOS. 675 THROUGH 683

Mr. MORAN. Mr. President, I ask unanimous consent to vitiate all action taken during today’s session of the Senate on H.R. 5602, S. 3336, and Calendar Nos. 675 through 683.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDERS FOR TUESDAY,
DECEMBER 6, 2016**

Mr. MORAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 6; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 34 postcloture; finally, that all time during adjournment and recess of the Senate count postcloture on the motion to concur.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ADJOURNMENT UNTIL 10 A.M.
TOMORROW**

Mr. MORAN. 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 6:52 p.m., adjourned until Tuesday, December 6, 2016, at 10 a.m.

EXTENSIONS OF REMARKS

PEARLIE EVANS DID MAKE A DIFFERENCE

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. CLAY. Mr. Speaker, I delivered the following remarks on behalf of my father, former Congressman William (Bill) Clay, at the funeral of Pearlle Evans on Saturday, November 26, 2016, in St. Louis, Missouri.

My friendship with Pearlle spans more than 50 years. During that time we worked together, laughed together, cried together, and raised a lot of hell together.

I first met Pearlle Evans in the early 1960s when a close political associate, Arthur Kennedy, introduced us. He and I had just helped A.J. Cervantes get elected. The new mayor asked me to recommend someone to fill the position of Commissioner of Social Services.

I invited Pearlle to lunch and offered her the position. She was honored but turned down the offer—telling me of her deep devotion in helping residents at the Fellowship Center and Plymouth House. Without any success, I mentioned that her salary would have been twice that at Fellowship Center and help many more people like those at the Plymouth House. Then, I took her to lunch twice and once to dinner before she agreed.

Finally, a well-fed Pearlle Evans accepted the offer and performed exceptionally well in the position.

Her background in social work, dealing with grassroots, ghetto residents, allowed her to develop a realistic grasp of the problems faced by low-income, unemployed, poverty stricken individuals. She provided the compassion and know-how in closing the gap that kept many of them from resolving their woes.

Having disdain and contempt for all kinds of discrimination and segregation, her agenda was about identifying injustice and reshaping our society until it adjusted to accommodate the needs of its underprivileged.

When my first District Director left, I asked Pearlle to run my congressional district office. But this time I knew better than to invite her to lunch or dinner. She accepted and made an ideal District Director for the next 28 years.

Perhaps, more than anyone else other than my wife Carol, Pearlle was able to successfully put up with me and all my audaciousness, my insolence, my sarcasm and my bluster. Her simple response of “ohhhhhhh, Congressman” more often than not was the perfect tonic to calm a rough or chaotic situation. She was by my side through good times and bad. Her advice and counsel was usually sound.

Pearlle was also a pioneer in politics who developed a new strategy for advancing the cause of civil rights and enhancing opportunities. She ushered in the concept that it was time to stop begging for what was ours by citizenship and to start demanding rights that were ours by birth. She played a key role in our developing the political apparatus capable of delivering lopsided margins in electing candidates. She had the unique ability to attract and surround us with people of wisdom, vision, integrity and commitment to racial equality.

She joined a cadre of other outstanding women like Gwen Giles, Ruth Porter, Deverne Calloway, Marian Oldham and many others that enabled our group to convince many to overcome their political apathy and to reject disgraceful absentee elected officials pretending to represent our interests.

I owe a great deal of my political success to committed and dedicated women like Pearlle. In my elections to Congress, women managed all of my campaigns: Doris Moore, Gwen Giles, Gwen Reed and Pearlle Evans each served as campaign managers in all 16 of them.

Pearlle, Virginia Cook, and Gwen Reed also played a key role in electing my son Lacy Clay to Congress.

Pearlle journeyed through a career that forced the political system to change the face of our politics and to provide us with people who truly voiced our legitimate concerns.

She was always on the picket lines, at the sit-ins, in the marches for school equality, wherever the protests against injustice were being waged. She was there to give active support in campaigns that changed the landscape of bigoted policies and replaced them with opportunities for minorities in St. Louis.

Very few lived their life with the enthusiasm, the commitment, the determination, the gusto of Pearlle. She lived every day with the intent of giving back to the community and enhancing the lives of those denied the benefits of humane treatment. In touching their lives, it was a testament to her endearing respect for each individual's humanity.

Carol and I join with you in acknowledging that she was an uncommon lady with a phenomenal effect on those of us who were graced by her presence. She was something special, something beautiful, something precious.

Although Pearlle would tell us not to shed tears for her but rather for a world that is suffering the ravages of war, disease, hunger and racism—still, without ignoring her request not to shed tears for her passing, we are obligated to shed tears for future generations that will never experience the sight of her doing battle with the giants of society who have profited from exploiting those unable to fight back. We mourn for those who will never bear witness to her unyielding fight against bureaucratic bigots in fighting for racial justice.

Yes, Pearlle, when remembering you, what you stood for, how much of your mission is yet unfulfilled, our tears are justified. We cry today because we will have no more tomorrows with you. But we thank God for all the yesterdays we spent with you.

We remember all of the good you have done, all of the people you have helped, all of the causes you have championed. We take comfort in the fact that our community, our state and our nation are better as a result of your having been here.

We have witnessed in you a towering, incredible, noble, dedicated defender of what's right—so we say in all sincerity—so long, our courageous sister in the struggle for equal justice—so long!

HONORING RICHARD COOPER

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of Richard Cooper, Chief Executive Officer of Mendo Lake Credit Union, who is retiring after forty years of service to credit union members.

Richard Cooper was born in Bend, Oregon, and raised in Alaska where he began his long career at Credit Union One in Anchorage. He continued his work in southern California until 2008 when he moved to Mendocino County and became the President and Chief Executive Officer at Mendo Lake Credit Union.

Under Mr. Cooper's leadership, Mendo Lake Credit Union has thrived as a business and flourished as an award-winning community partner. Renowned for his civic service, Mr. Cooper was recognized as the Credit Union Times “Rock Star of the Year” in 2016. During his tenure at Mendo Lake Credit Union, it was recognized with “Desjardins Youth Financial Education Award” from the Credit Union National Association in 2014; a “Trailblazer Award for Serving the Underserved” by the Credit Union Times in 2015; and as a “California Small Business Volunteer Program of the Year” by the Governor's Office in 2012.

In addition to his many contributions to these credit unions, Mr. Cooper has dedicated countless hours as an active board member of the Economic Development and Finance Corporation of Mendocino County, the Mendocino Coast Botanical Gardens, the Mendocino College Foundation, the Ukiah Senior Center Endowment Fund, and the Ukiah Valley Medical Center Community Advisory Council.

Richard Cooper's career is one of dedicated service and the highest level of civic engagement. Please join me in congratulating him on his retirement and expressing our deep appreciation for his outstanding contributions to the residents of Mendocino County.

CELEBRATING THE RETIREMENT OF MR. STEPHEN MANSTER

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. WITTMAN. Mr. Speaker, I rise today to recognize Bowling Green Town Manager Stephen Manster on the occasion of his retirement from public service. Throughout his forty-year career, he worked in both local and regional levels of government.

Mr. Manster was hired by the Town Council as Town Manager on January 3, 2006. Before coming to Bowling Green, he served for nineteen years as the Executive Director of the Rappahannock Area Development Commission (RADCO). During this time he was able

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to work with the Town and Caroline County extensively, leading to a seamless transition into the Town Manager position.

Stephen holds a Bachelor of Arts Degree in Sociology from Pennsylvania State University and a Degree of Master of City and Regional Planning from Rutgers University. He has also completed extensive graduate work in the Master of Public Administration program at Virginia Commonwealth University.

Mr. Manster's commitment to public service demonstrates a rare sense of dedication to duty, and I am pleased to recognize this special occasion. Mr. Speaker, I ask you to join me in celebrating the career of Mr. Stephen Manster.

IN RECOGNITION OF CAMERON D. CLARKE, 2017 RHODES SCHOLAR

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. SCOTT of Virginia. Mr. Speaker, I rise today with great pride to recognize Cameron D. Clarke, a Howard University senior majoring in biology and community health, who was awarded a prestigious Rhodes Scholarship for 2017. Mr. Clarke lives in Richmond, Virginia and is the fourth student from Howard University to have received this honor.

While attending Howard University, Mr. Clarke engaged in research at the University's W. Montague Cobb Research Laboratory, which maintains a national repository for African-American skeletal remains. Mr. Clarke also participated in research at Bahir Dar University in Ethiopia through a Howard University-National Science Foundation grant. As an Amgen Scholar, he conducted research at the National Institutes of Health's Center for Cancer Research. Mr. Clarke is a certified emergency medical technician (EMT) and is the lead author on five out of six publications. He is co-president of Howard University's chapter of the Peer Health Exchange and a news editor of The Hilltop, the Howard University student newspaper. Currently, Mr. Clarke is among our own here on Capitol Hill as he is an intern for the U.S. House Committee on Science, Space, and Technology.

Mr. Clarke is one of 32 men and women selected from U.S. postsecondary institutions who competed with over 800 applicants to receive this award to study at the University of Oxford in England. With his Rhodes scholarship, Mr. Clarke intends to further his studies by pursuing a Master of Science degree with an emphasis in primary health care. Ultimately, Mr. Clarke wants to attend medical school and work in public health policy and clinical research.

"We are extremely proud of Mr. Clarke's accomplishments," said Dr. Wayne Frederick, President of Howard University. "Mr. Clarke's academic pursuits will lead to solutions in the broader society that are needed ever more so today. Cameron is the epitome of Howard University's gift of solutions to the world." His achievements demonstrate what a person committed to excellence in truth and service can obtain when provided the opportunity. He exemplifies the best of Howard University and the Commonwealth of Virginia.

I ask my colleagues in the U.S. House of Representatives to join me in congratulating

Mr. Cameron D. Clarke for his impressive academic achievements and being selected as one of America's Rhodes Scholarship winners. It is with honor that I call attention to this outstanding young man's achievements. May he continue to obtain the success for which he works hard and may he always find purpose and fulfillment in his efforts.

HONORING ESTHER LOUISE HILL
ON THE OCCASION OF HER 100TH
BIRTHDAY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor Esther Louise Hill. She celebrated her 100th birthday on Sunday, December 4th, 2016.

Esther Louise Hill was born in Montgomery City, Missouri on December 4, 1916 to Roy and Emma Patterson. She has lived in Jonesburg, Missouri most of her life. Esther married Richard Hill, who is now deceased. She graduated from a three-year program in 1938 from Missouri Baptist Hospital School of Nursing as a registered nurse.

Her work experiences were in various divisions of healthcare: hospitals, industry, and public health. Esther started her career as a private duty nurse and after a year decided to join the Barnes Hospital Nursing Staff. Before World War II started, Esther moved to Dallas, Texas. She utilized her nursing degree by working at a substation with North American Aviation during the war. After the end of the war, Esther moved back to Missouri and joined the staff at a local nursing home, Katy Jane, located in Warrenton, Missouri. Unfortunately, during her time at Katy Jane, there was a devastating fire which had a profound effect on Esther. Esther started working as a public health nurse through the state of Missouri, first in Warren County and then moving to Montgomery County. She was moved by the loss of life at Katy Jane and realized commonsense steps could have prevented that tragedy.

Eventually, Esther obtained the position of Institutional Advisory Nurse, covering fifteen counties along the Missouri River. In this position, Esther taught nursing home caregivers the details of Missouri state law and procedures that should be part of nursing home care. The Institutional Advisory Nurse position led to a role with the Missouri Department of Health Licensure Program for Nursing Homes. With this position, she taught, investigated and inspected nursing home facilities, and enforced licensure laws. Esther worked for the Visiting Nurse Association for a few years but eventually returned to the Missouri Department of Health. She ended her nursing career with the Missouri Department of Health. Esther appreciates the opportunity she was given to have a career that came full circle; from her days at the Katy Jane Nursing Home where lack of structure allowed for a tragedy, to being involved with the adoption of solutions to protect the most vulnerable. In addition to her successful career in nursing, Esther also taught at Tulane University in New Orleans, Louisiana. Esther has been a lifelong member of the Jonesburg United Methodist Church and

during her time there has enjoyed participating in the Methodist Women organization. In her spare time, she enjoys reading, collecting antiques, cooking, and canning produce from her garden. She also has a passion for hybridized lilies and has even won prizes for them. Esther enjoys a good card game and has been a member of the Canasta Card Club for 50 years.

Please join me in recognizing Esther Louise Hill on the occasion of her 100th birthday.

IN HONOR OF BULLOCK COUNTY,
ALABAMA UPON THE 150TH ANNI-
VERSARY OF ITS FOUNDING

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mrs. ROBY. Mr. Speaker, I rise today to honor Bullock County, Alabama which today is celebrating 150 years as a county.

What is now Bullock County was first inhabited by Creek Indians who moved westward from Georgia and began cultivating the rich, spring-filled land. After the bitter Creek War, American settlers brought schools, churches, and mercantile life to complement the thriving agriculture, and the town of Union Springs was born.

After the Civil War, portions of Macon, Montgomery, Barbour and Pike Counties were brought together to form Bullock County, after Confederate Colonel E.C. Bullock. The late 1800s and early 1900s were prosperous for Bullock County, as railroad connections and industrialization made the county seat of Union Springs an important hub for Alabama and the South.

That history can still be seen in Bullock County today. The National Register of Historic Places, lists 47 homes and businesses that have been preserved as standing monuments to the past.

One hundred and fifty years after its founding, Bullock County is home to fine, hard-working people that I am proud to represent in Congress.

Mr. Speaker, it is my privilege to acknowledge Bullock County's sesquicentennial anniversary and celebrate this special date with all those who call Bullock County home.

HONORING SUPERINTENDENT JAY
SPECK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise, along with Congressman JOHN GARAMENDI, today to recognize and honor Jay Speck who is retiring after forty years of service to our community as an educator and administrator with the Solano County Office of Education.

Mr. Speck began his career in education as a special education teacher at the elementary and secondary levels and has since worked with Solano County as a program manager, principal, director of special education, and assistant superintendent of human resources.

Mr. Speck has served as an outstanding educator and leader in our community and demonstrates a unique and experienced understanding of our community's needs. He was sworn in for his first term as County Superintendent on January 3, 2011 and was re-elected and sworn in for his second term on January 5, 2015. Mr. Speck is known for his fair-mindedness and his strong belief in the potential of each individual student to learn and develop academically.

During his career, Mr. Speck pursued training in interest-based problem solving and collective bargaining to enhance his skills as a trusted leader, highly skilled problem-solver, and ardent collaborator. Mr. Speck has a solid educational foundation with a Bachelor of Arts degree from the University of California, Davis and holds teaching credentials from both California State University, Los Angeles and California State University, Sacramento. Mr. Speck has represented Solano County public schools as a member of many organizations including the California County Superintendents Educational Services Association, the Association of California School Administrators and the Workforce Investment Board.

Mr. Speaker, Superintendent Jay Speck has served our community with admirable leadership and dedication for forty years. It is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement.

HONORING JIM HARRIS OF
WAUSAU, WI FOR HIS SERVICE
TO OTHERS

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. DUFFY. Mr. Speaker, I am honored to stand before you today to recognize Mr. Jim Harris of Wausau, Wisconsin for his exceptional service to others.

Mr. Harris worked for more than 30 years in education. First, as a teacher in the Wisconsin Indian Teacher Corps, where he taught children of the Ho Chunk Tribe, and later as one of the first male kindergarten teachers in Wisconsin. Along his journey in education, Mr. Harris also spent two decades as a school administrator and an activist for public health.

During his many years of service in education, Mr. Harris got to know the children of Hmong Refugees who fled war in their home country to seek a better life in Wisconsin. Our state has a vibrant Hmong community that Mr. Harris has grown close to. He founded We Help War Victims, a nonprofit organization, with his wife, Marty, also a public school educator. Founded over 30 years ago, We Help War Victims has been working with refugee families in the Wausau, Wisconsin area, providing dozens of Lao schools with their first libraries, and helping families receive access to medical care.

Since 2006, his organization has been working with villagers in Laos to destroy land mines, bombs, rockets, mortars, and other unexploded ordnance. Mr. Harris' example directly inspired me to fight for this cause in Congress and his advice has directly affected the focus of my efforts. Countless farmers and families across Laos live in safer communities

because of Mr. Harris' work and my community in Wisconsin has been strengthened by the work he and his wife do through We Help War Victims.

Mr. Speaker, please join me today to congratulate Mr. Harris on his accomplishments and work on behalf of others. His selfless demeanor in which he answers the call to serve in our district is truly valued.

IN HONOR OF SERGEANT 1ST
CLASS JOHN MIMS

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Sergeant 1st Class John Mims of the 82nd Airborne Division, a World War II veteran and Bataan Death March survivor who passed away on Sunday, November 27, 2016. Sergeant Mims was a true American hero and our thoughts and prayers go out to his friends and family as they mourn the loss of this great man.

When his country needed him the most, it was John Mims who answered the call to serve our great nation. After losing his father when he was young, Mims lied about his age in order to join the Army. At the age of 15, Mims served for nearly a year before the Army discovered his true age and discharged him. However, a few short years later Mims re-enlisted in the Army and headed out to the Philippines to begin his training.

After a year in the Philippines, Mims fought alongside his brothers in arms in the Battle of Bataan which culminated in the surrender of 75,000 allied soldiers. The men were then forced to march 65 miles, without food or water, to a prisoner-of-war camp in the Tarlac Province in what became known as the Bataan Death March. One of the greatest atrocities of the entire war, the men suffered beatings, endured torture, and witnessed unimaginable horrors as he faced what can only be described as a living hell. In total more than 10,000 men died during the trek.

Following the war, Mims continued his service in the Army, returning to Japan from 1952 to 1954 as sergeant in charge of the Tokyo Quartermaster Depot. After he retired in 1963, he returned home where he worked in a rug factory and a curtain company. Living in Aberdeen, North Carolina, he became an advocate for other veterans and was a constant presence at ceremonies remembering his fallen comrades. His work in the community made certain that the memories of those lost were not forgotten, and it is that legacy which we celebrate today. While we may have lost this great man, his legacy will live on and we will never forget the sacrifices made by Sergeant Mims or any of those who fought to protect our freedoms against unimaginable dangers.

Mr. Speaker, please join me today in commemorating the life of Sergeant 1st Class John Mims for his service to God and country.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. ELLISON. Mr. Speaker, due to other commitments, I missed the following roll call votes; had I been present, I would have voted as follows:

Roll call no. 594. I would have voted no.
Roll call no. 595. I would have voted no.
Roll call no. 596. I would have voted no.
Roll call no. 597. I would have voted no.
Roll call no. 598. I would have voted yes.
Roll call no. 599. I would have voted no.
Roll call no. 600. I would have voted no.

HONORING MR. JOHN SUTTER

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Ms. LEE. Mr. Speaker, I rise today to celebrate the remarkable life and career of Mr. John Sutter, and to congratulate him on his retirement from the Board of Directors of the East Bay Regional Park District.

As an outdoor enthusiast and lifelong resident of Oakland, California, John's life has been dedicated to preserving and protecting the environment of California's Bay Area. Throughout his sixty years in public service, he has been involved in the conservation of over 35,000 acres of land.

John's career in public service began in 1954 when he became an Alameda County deputy district attorney. He stayed in this position until 1965, when he was appointed to the Bay Conservation and Development Commission (BCDC) by Governor Pat Brown.

John also served as a member of Oakland's City Council for over a decade from 1971–1982, twice holding the position of vice mayor.

In 1982, John was appointed by Governor Jerry Brown to serve as a judge on the Alameda County Superior Court. He remained a judge for 14 years until his election in 1996 to the East Bay Regional Park District Board of Directors.

Over John's illustrious career, he has been directly involved in a variety of community projects and organizations with special emphasis on preserving the natural environment of the Bay Area.

In the 1950s he was prominently involved in the protection of the San Pablo Reservoir and the foundation of the Martin Luther King, Jr. Regional Shoreline. In 1961, John was the leader in the campaign that preserved Oakland's Snow Park.

In addition to his elected and appointed positions, John was a founding board member of the Greenbelt Alliance; and he has served as a board member for the Alameda County Solid Waste Management Authority, Oakland Charter Revision Committee, Oakland Cultural Affairs Commission, Chabot Space and Science Center, Save the Bay, Alameda County Bar Association, California Democratic Council, Oakland Citizens Committee for Urban Renewal, and the Metropolitan YMCA.

On behalf of the residents of California's 13th Congressional District, I wish to congratulate Mr. John Sutter on a well-deserved retirement, and thank him for his many years of service to our community.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. PERLMUTTER. Mr. Speaker, on November 30, 2016, I was incorrectly recorded as voting "Nay" on H.R. 5047, the Protecting Veterans' Educational Choice Act of 2016. I wish to reflect my intentions on roll call No. 591, as a "Yea" vote.

HONORING JOHN D. PRIDNIA

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize John D. Pridnia, loving husband, proud father and grandfather, and pillar of our community.

In search of a better life for his family, John moved to Northeast Michigan becoming a small business owner. Over the next 10 years, he became a successful businessman, passionate about building, developing, and creating new ideas, businesses, and adventures.

After raising his three children, he looked to a life of public service. He served two terms as a State Representative and two terms as a State Senator where he served as the Chairman of the Senate Health Policy Committee. Passionate about promoting business, encouraging tourism, and promoting conservation, John was respected by his colleagues on both sides of the aisle.

Upon retiring from the legislature, John married his wife of 19 years Lisa Dailey. Living in the small community of Port Austin, their family grew to include five beautiful grandchildren and three great-grandchildren.

In the close-knit community of Port Austin, John was passionate about beautifying and developing the harbor and waterfront, creating spaces the entire community could come together and enjoy, such as a thriving local farmer's market.

Mr. Speaker, we can all agree that the tradition of giving back to our communities is something that makes our nation unique, one that makes this country the greatest in the world and this was a spirit that John embodied throughout his entire career and life. More importantly, he has served as an example for future generations, instilling in them the importance of giving back to the communities and country who have given us all so much.

I ask that my colleagues join me today in honoring John for his lifelong contributions to the 10th District of the great State of Michigan, our children, and the future of this country.

IN HONOR OF SENATOR ANDREW MAYNARD UPON HIS RETIREMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. COURTNEY. Mr. Speaker, I rise today to thank an outstanding public servant for his

many years of service to my home state of Connecticut. For ten years, Mr. Andrew Maynard has served as State Senator for the state's 18th Senate district, which includes Griswold, Groton, Stonington, Plainfield, Preston, North Stonington, Sterling and Voluntown. His retirement at the end of his term will conclude a distinguished career of public service that began at the local level many years ago as a borough warden in the Town of Stonington. Andy has been a powerful voice for southeastern Connecticut, earning the respect of both Democratic and Republican colleagues and serving as the Deputy Majority Leader for the Senate Democrats since 2011.

Andy currently serves as chair of the Transportation Committee, and a member of the Internship and Program Review & Investigation Committees. He also served as chair of the Select Committee on Veterans' Affairs, and a member of the Environment Committee. Andy's unwavering advocacy for our region's natural resources and tourist attractions brought to life the long-delayed Thames River Heritage Park and secured millions of dollars for expansion at the Mystic Seaport, our nation's leading maritime museum. Andy understood the integral role of tourism, not only within the state, but within our region. It was this understanding that guided his leadership as he fought to secure the crucial funding need to dredge the Mystic River and spearhead the Connecticut Treasures program.

Our region will miss Andy's advocacy on the floor of the State Senate, but I am sure he will remain a strong and respected voice in his community. A true gentleman, Andy brought a thoughtful, civilized tone in his campaigns for office and his bipartisan camaraderie which characterized his style in office. I ask my colleagues to join me in thanking Andy for his tenure as an accomplished public servant, and wish him well in his future endeavors.

ALL IS BRIGHT

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. SESSIONS. Mr. Speaker, I rise today in honor of The Armed Forces and Their Families on this Christmas and Holiday Season, with a poetic tribute by Albert Carey Caswell. Let us remember their selfless sacrifice, and give a prayer of thanks for those who are separated by death and distance this Christmas.

Silent Night

Holy Night

As a magnificent hero lays down their life all is Bright

As our Lord smiles at their light all is Calm
All is Bright

Way up in heaven where your soul took flight!
Round Yon Virgin Mother and Child

While, all in her tears your Mother so remembers your smile
Holy Infant so tender and mild

As once all in your Mother's arms the while
Now sleep in heavenly peace my child

As your war is over my Daughter, my Son
Silent Night

Holy Night

As your family and your loved ones so miss you this night
Silent Night

But, your new battle has just begun

As an Angel in The Army of Our Lord, my Daughter my Son All is Calm

All is Bright

And we will hear you on the wind

And we will sleep in Heavenly Peace

As we awake knowing you are watching over us as where you've been
Until, we meet you once again in heaven where all is bright

And your Brothers and Sisters in Arms will live a good life

For you their best friend by remembering your light
Silent Night

Holy Night

All is Calm

All is Bright

All because of The Men and Women of The Armed Forces, and Their Families who fight the fight

All is Bright

Sleep in Heavenly Peace

Amen

PROTECTING VETERANS' EDUCATIONAL CHOICE ACT OF 2016

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 29, 2016

Mr. VAN HOLLEN. Mr. Speaker, I submit this statement in support of H.R. 5047, the Protecting Veterans' Educational Choice Act of 2016. I will be unable to submit my recorded vote but I fully support this legislation that ensures that veterans will not be unwittingly exploited by deceptive recruiters.

H.R. 5047 is a bipartisan bill that reinforces our commitment to the success of our service members, on and off the battlefield. The bill requires the Department of Veterans Affairs to supply all information regarding articulation agreements to service members who wish to use their VA education benefits. The bill will inform service members, in advance, if and how they can transfer credits and avoid unwittingly misusing their VA education benefits.

In 2010, Congress passed the Post-9/11 Veterans Education Assistance Improvements Act which expanded educational benefits to include more service members and allows them to use their benefits to receive not only traditional degrees but also apprenticeships, vocational training certifications, and on-the-job training. This expansion was vital in providing access to a variety of educational platforms but some for-profit institutions focused on recruiting and scamming service members out of their benefits. H.R. 5047 provides education career counseling to make sure service members are informed of their options.

RECOGNIZING ROB AUSTRIAN AND MONICA MOSIMANN

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize Rob Austrian and Monica Mosimann for their hard work and dedication to the people of Colorado's Fourth District as interns in my Washington, D.C. office for the Fall of 2016.

The work of this young man and woman has been exemplary, and I know they will

have bright futures. They served as tour guides, interacted with constituents, and both learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing them build their careers in public service.

Rob plans to continue pursuing his degree at the end of his internship, and I have recently hired Monica as a Staff Assistant in my D.C. office. I wish them both the best as they pursue their respective career paths. Mr. Speaker, it is an honor to recognize Rob Austrian and Monica Mosimann for their service the last several months to the people of Colorado's 4th district.

HONORING CITY OF REFUGE UCC

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Ms. LEE. Mr. Speaker, I rise today to honor the City of Refuge UCC upon its 25th anniversary for its legacy of promoting community building, inclusion, and faith in the Bay Area.

First established in San Francisco, the City of Refuge was founded in 1991 by a group of primarily gay and lesbian Christians with the goal of establishing a church that did not adhere to the exclusion of people based on gender or sexual orientation. Three years later in 1994, the City of Refuge joined the United Church of Christ (UCC) and became incorporated with over 5,000 churches worldwide working to uphold the denomination's commitment to social justice.

Founder and Senior Pastor Reverend Dr. Yvette A. Flunder has been nationally recognized for her work to promote the inclusion of gay and lesbian parishioners and to minister to their specific needs. In response to the AIDS epidemic, Rev. Dr. Flunder established the Ark of Refuge, a non-profit organization that provided direct services to homeless and low-income individuals, and also created the Hazard-Ashley House and Walker House in Oakland as a means to provide housing services, education, and training for people affected by HIV/AIDS. In 2000, she created the Fellowship of Affirming Ministries, a network of more than 100 primarily African American churches around the world that work to promote "radical inclusivity", whereby the ministry is open to all without prejudice or discrimination.

In 2013 the City of Refuge UCC relocated to Oakland. Through the hard work and dedication of the ministry, staff, and congregation, community members and in particular women, immigrants, and those who identify as LGBTQ, have found a safe space for self-expression, belonging, and religious participation. Through the Church's various ministries, this community provides support for those needing help addressing substance abuse, homelessness, HIV/AIDS treatment, and environmental justice.

On behalf of California's 13th Congressional District, I would like to congratulate the City of Refuge UCC on this important milestone, and thank the community for the many valuable services that they provide to those in need. I wish the congregation continued success in upholding its commitment to social justice and

expanding the radical inclusivity that has come to be the City of Refuge's hallmark.

RECOGNIZING ROMANIA'S GREAT UNION DAY

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. TURNER. Mr. Speaker, as the co-Chairman of the Congressional Romania Caucus and as the former President of the North Atlantic Treaty Organization Parliamentary Assembly, I congratulate Romania on its Great Union Day. Romania is celebrating the anniversary of its unification on December 1, 1918.

Romania is a loyal U.S. and NATO ally. Romania and the United States work closely together to confront a host of global challenges, including through our joint efforts to bolster regional defense, halt nuclear proliferation, and increase energy security. With the signing of the U.S.-Romania Ballistic Missile Defense Agreement in September 2011, Romania established itself as a key strategic partner in NATO's emerging missile defense capabilities effort. The Missile Defense Interceptor site at Deveselu Air Base near the Bulgarian border, which became operational in May 2016, now provides missile defense protection to our allies in Europe and the Middle East.

Tragically, ongoing events in Ukraine are unsettling the region and testing the transatlantic alliance. As you know, Russia seeks to once again destabilize much of Eastern Europe and restore influence over territories lost following the collapse of the Soviet Union. That is why it is critically important for the United States, Romania, and other European allies to continue to work together to strengthen the transatlantic alliance and bolster regional security.

The strategic partnership between the United States and Romania has greatly advanced our common interests in promoting transatlantic and regional security and free market opportunities. Our partnership should continue to foster greater economic and cultural exchanges, trade and investment, and social contacts.

Mr. Speaker, I urge all of my colleagues to join me in celebrating Romania's Great Union Day.

FILIPINO VETERANS OF WORLD WAR II CONGRESSIONAL GOLD MEDAL ACT OF 2015

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise in support of S. 1555, the "Filipino Veterans of World War II Congressional Gold Medal Act of 2015."

S. 1555 honors the brave Filipino soldiers who courageously fought for freedom in World War II by awarding the highest honor that this Congress can bestow.

More than 260,000 Filipino veterans, 18,000 of who are still alive today, who for decades

had to fight for benefits and recognition, will now receive the recognition they have earned and deserve.

These Filipino soldiers were instrumental to the United States efforts in the Pacific.

After the invasion of the Philippines by Japanese forces they retired to the Bataan Peninsula and continued to fight valiantly.

Among these brave soldiers is Dominador Soriano, a resident of San Antonio, Texas, who fought as a member of both the Philippine and United States Armies.

He was drafted into the Philippine Army in 1938 and then inducted into the U.S. Army in the Far East on September 1, 1941.

Under the leadership of General Douglas MacArthur, Soriano commanded the Echo Company of the 83rd Infantry Regiment, keeping watch on Japanese ships moving through the Tanon Strait.

During the Japanese invasion he was shot and in July of 1944 was captured, beaten and then released, but could barely walk.

Soriano continued working with the resistance until the surrender of the Japanese on August 15, 1945.

Recently, the city of San Antonio honored Soriano and other Filipino veterans with a resolution that recognized their efforts during World War II and supported legislation to award these courageous men the Congressional Gold Medal.

The resolution is the first of its kind by any city in the United States, and I believe that it is time for Congress to follow suit.

These brave Filipino soldiers answered President Franklin D. Roosevelt's call to serve in World War II and they deserve the highest award that we can give, for there is no higher duty than putting one's life on the line for freedom and country.

For these reasons, Mr. Speaker, I rise in support of S. 1555 the "Filipino Veterans of World War II Congressional Gold Medal Act of 2015."

PERSONAL EXPLANATION

HON. MIA B. LOVE

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mrs. LOVE. Mr. Speaker, I submit the following remarks regarding my absence from votes which occurred on December 2, 2016. A member of my immediate family experienced a medical crisis out of state, and I traveled to support him. As a result, I missed votes for the day.

MR. ANTHONY XUEREBO

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute to Mr. Anthony Xuerebo.

Anthony was born in Malta, and he had always yearned to come to the United States to make a better life for himself. He came to this country in 1934 during the Great Depression and struggled mightily to survive the terrible economic and social conditions of the time. He

sought employment in the Brooklyn Navy Yard and had the pleasure to work on the USS *Missouri*. As he continued working and living in the United States, Anthony applied for U.S. citizenship and became a naturalized citizen in 1943.

During World War II, he applied for military service, but unfortunately he lost most of his hearing in his left ear due to a diving accident he suffered from, and was unable to serve. Anthony still wanted to contribute to the country in whatever way possible, so he volunteered for civilian duty as an Air Raid Warden and served in this position until the end of the war. Air Raid Wardens were vital in ensuring the safety of everyone in the neighborhood and he did not take his role lightly. He returned to Malta in 1948, met the love of his life, and returned to the United States to start their new life together.

Anthony's exemplary life of service was motivated and fueled by his love of God, family, and country. He was a humble man who lived on a modest income and was very proud of his service as an Air Raid Warden. The service these dedicated civilians provided was vital in keeping civilians safe. It is important we acknowledge people like Anthony, who dedicated their services to a nation in need during a time of war. In honor and memory of Anthony Xuereb and all who served, and continue to serve, our great nation, I would like to take this opportunity to recognize his devotion to our country.

SUPPORT OF H.R. 4665, THE OUTDOOR RECREATION JOBS AND ECONOMIC IMPACT ACT

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Ms. BONAMICI. Mr. Speaker, I rise today in support of H.R. 4665, the Outdoor Recreation Jobs and Economic Impact Act, introduced by my friend from Virginia, Congressman BEYER. I am proud to be a cosponsor of this legislation to highlight the importance of the outdoor recreation economy.

In Oregon, we know how important the outdoor industry is to our economy. Northwest Oregon businesses like Keen, Columbia Sportswear, and Nike have thrived and brought thousands of jobs to our communities. Surveys conducted by the Outdoor Industry Association in 2012 show that, in my home state, the industry contributes 141,000 direct jobs, \$4.0 billion in wages and salaries, and \$12.8 billion in consumer spending annually. Nationwide, outdoor recreation generates \$646 billion in consumer spending every year.

The climbers, hikers, hunters, and anglers who are passionate about the outdoors spend time and money in hotels, campgrounds, restaurants, and stores in nearby communities, providing an economic boost for local economies. They also purchase necessary attire, gear, and footwear from innovative businesses to help them reach the summit, catch fish, and enjoy our nation's natural treasures.

I am proud to support the Outdoor Recreation Jobs and Economic Impact Act.

PAYING TRIBUTE TO NATHANIEL JONES ON HIS RETIREMENT

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor an outstanding educator, Superintendent Nathaniel Jones of the Metropolitan School District of Pike Township. Superintendent Jones is retiring after 43 years of exceptional service to students and the community. The people of the Fifth Congressional District of Indiana are forever grateful for Superintendent Jones' contributions and commitment to the students of the Pike Township School District and to our Hoosier community.

Superintendent Jones is an Indianapolis native. He received his formal education from the Indianapolis Public School (IPS) system. After graduating high school Superintendent Jones went to Indiana University where he pursued his interest in education. Upon completion of his B.S. in Elementary Education, he returned to IPS where he taught elementary school as well as adult education classes for five years. He returned to IUPUI to earn his M.S. in Education as well as an Administrative Certificate. In 1978, Superintendent Jones was named Assistant Principal to John Strange Elementary School of the Metropolitan School District of Washington Township, and shortly thereafter in 1980 he was named Principal of Delaware Trail Elementary, at age 27, making him one of the youngest principals in the state of Indiana. He served the Washington Township School system in a variety of positions over 25 years; he served Washington Township as Principal, Director of Elementary Education, and as Assistant Superintendent of Curriculum and Instruction. His leadership proved truly transformational as every school he led as Principal attained state and national recognition for academic achievement. In 1982, he earned his Education Specialist Degree in School Administration from Indiana University, Bloomington and in 1994 his Superintendent Certification. In 2003, he became the first African American to accept the role of Superintendent for the Metropolitan School District of Pike Township and the first African American IPS graduate to be a Superintendent in the state of Indiana.

Superintendent Jones has been instrumental in creating positive change in each of the school systems he has served. Pike High School in particular has made monumental strides under Superintendent Jones' leadership. Pike High School has one of the most successful pre-collegiate programs in Indiana with over 85 percent of students attending post-secondary institutions upon graduating from high school and has a graduation rate of over 91 percent. In 2005, the Standard & Poor's ratings recognized Pike High School for significantly narrowing the Black-white and Hispanic-white achievement gaps. During Superintendent Jones' tenure the number of scholarships and grants received by Pike students has grown tremendously. Pike High School boasts the highest number of Gates Scholars in Indiana. Superintendent Jones also implemented the STEM Center and spearheaded major construction and renovation of many facilities, and earned over \$75 million in Federal Competitive Grants from

2005 through 2015. Superintendent Jones' tireless efforts to seek educational grants and funding opportunities helped in part to create the Youth CareerConnect program. This program offers work-based learning opportunities that teaches students marketable and useful STEM skills empowering students in future learning as well as career opportunities. Through the collaboration of Superintendent Jones' visionary leadership, the help of a supportive board, dedicated administrators, extraordinary teachers, and engaged parents, Pike Township schools have become a more positive learning environment where student achievement continues to soar.

Throughout his career Superintendent Jones has received numerous awards that recognize the accomplishments and contributions he has made to education in our community. From Indiana University he received two "Distinguished Alumni Awards". In 1996, he earned the Milken Award, which aims to grant funds to accomplished mid-career educators. He received the Achiever Award from the Center for Leadership, is a recipient of a Sagamore of the Wabash Award, has received a Congressional Salute, and he received two District of Distinction awards. He was selected as one of the 100 top administrators in North America by the "Executive Educator" and has received over 60 local, state, and national awards for his leadership and innovative approach to educating students, teachers, and the community. His award winning work is well regarded not only from these institutions but from his peers and fellow educators. He has been invited to conduct and participate in numerous conferences throughout the United States. In addition, he is a lifetime member of the NAACP and in 2011 he was featured in the "Education Executive Publication" as a Trendsetter, and in a Who's Who in "Black Indianapolis".

Superintendent Jones continues to serve the community through his roles on numerous boards. He currently sits on the Board of Directors for American Heart Association, he was the Chair for National Council on Educating Black Children Conference in 2015, and he was the Board Chairman for Conner Prairie in 2011. In 2008, he served on the Indianapolis Marion-County Public Library Board of Directors and the Teachers' Treasures Board of Directors. He was the coordinator for the Lilly Initiative supported by the Lilly Endowment in 2000 through 2003. He was on the State Advisory Committee on Textbook Adoption in 2001 through 2003.

I am proud to thank Superintendent Jones for his service in helping the students of Pike Township graduate from high school with the essential skills necessary to be confident, creative, productive, and prosperous in college, careers, and life. He has always put the needs of students first throughout his educational career and truly enriched the lives of so many. He takes great pride in addressing the individual needs of the children he serves. Superintendent Jones never overlooked the fact that his students come to him from a variety of backgrounds, possessing individual gifts, talents, challenges and dreams. On behalf of all Hoosiers and the nation, I'd like to congratulate Superintendent Nathaniel Jones on his success and wish him, his wife Cynthia, two children, and their families all the best as Superintendent Jones enjoys a well-deserved retirement.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted: YEA on Roll Call No. 594, YEA on Roll Call No. 595, YEA on Roll Call No. 596, YEA on Roll Call No. 597, and NAY on Roll Call No. 598.

HONORING MR. DOUG SIDEN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Ms. LEE. Mr. Speaker, today I rise to honor the invaluable service to our community from the leadership of Mr. Doug Siden, and to congratulate him on his retirement from the East Bay Park District Board of Directors.

Mr. Siden has served for the past 24 years on the East Bay Regional Park District (EBRPD) Board. During his tenure, Mr. Siden recognized the importance that the East Bay Parks play in the lives of so many local residents, and has worked tirelessly to provide access and an enjoyable experience for visitors to all of the District's 66 locations.

As an EBRPD Board member, he worked diligently to help EBRPD pass Measures CC and WW to support and expand the system. At \$500 million, Measure WW was the largest bond measure ever awarded to a local district to acquire and develop new parks, and it helped the Park District meet the increasing demand to preserve open space for recreation and wildlife habitat.

Mr. Siden served for many years on the East Bay Economic Development Alliance's Executive Board, was a founding member and served as a chairperson of the Martin Luther King Freedom Center in Oakland, and led the fight to establish the Alameda County Creek and Watershed Symposium. Additionally, during his career he has served on the advisory committees of the Golden Gate National Recreation Area and Pt. Reyes National Seashore.

Mr. Siden is also a longtime Rotarian and has served as a Baptist minister for over six decades. He directed a youth camp for Baptist Churches of the West for 20 years, and led the effort to establish year-round camps in Santa Cruz and near Lake Tahoe. He holds an honorary Doctorate of Humane Letters from the American Baptist Seminary of the West for his leadership.

On a personal note, Doug has been a longtime friend and partner in the East Bay, and I greatly appreciate his leadership and counsel. I wish him well on this new chapter of his life.

On behalf of the residents of California's 13th Congressional District, I congratulate Mr. Doug Siden on a well-deserved retirement. We honor his tireless support of open space, parks, and healthy recreation, and also for his vision of a more ideal world in which all can enjoy and benefit from these natural treasures.

BEST OF LUCK TO TEXAS 02'S FOOTBALL TEAMS AT STATE SEMI-FINALS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. POE of Texas. Mr. Speaker, sweet tea, BBQ, and football—these are just some of the things Texans love dearly. From high school football to college football, Texans will come out to every game no matter what the temperature and weather are. Our commitment to our football teams is so strong that preachers will find a way to mention the local team in their sermons and make sure you get home just in time to watch the game with friends and family.

Football is a very special part of the culture in Texas. From the stadiums to the food to the different student clubs that gather in the stadiums, football games unite Texans. The bands, the drill teams, the cheerleading teams, the students that form it all—they are an extraordinary group that make the culture and character of Texas so unique in the United States. More than just uniting families and friends, football allows our community to share in the joy of victory and the sadness of temporary defeat; it teaches our children to keep working hard for their goals both individually and with their teammates.

Although professional and college football receive the most national attention, high school football is just as important in Texas. I still remember going to my son's football games, from his start at pee-wee leagues to his career playing for my alma mater, Abilene Christian University. Those memories make me even more proud to say that two high schools in my district have met their goals and broken records this season.

Atascocita High School is fighting for a chance to compete in the state championship. Last year they had a record-setting playoff run, reaching the Region II-6A Division I final. This year, they raised the bar even higher. With the outstanding sportsmanship of their players, the football team of Atascocita High School has exceeded expectations. I know how proud the players, their parents, and their school must be. Ranking at Number 18 in the state, the Eagles have some of the most promising players on their team.

Quarterback Daveon Boyd, now a senior, has received four awards throughout his high school football career. He has surpassed the national average in number of yards, yards per game, touchdown passes, completion percentage, attempts, and interceptions. This season alone, he's had a 63 percent pass rate for 4,139 yards and 46 touchdowns.

But Boyd is not the only outstanding player in Atascocita High School. Samuel Cosmi, the offensive tackle, is a University of Houston pledge. Defensive tackles De'Marius Brooks and Kendrix Burford, along with defensive backs Justin Campbell, Alerick Soularie, and Travian Blaylock give the Eagles an edge in size and speed.

Another high school in my district, Klein Collins, won its first regional semi-finals at Baylor's McLane Stadium in the Division II Region II-6A playoffs. While all the players have done outstanding work, senior running back D'Anthony Doyle rushed 167 yards and got a

couple of touchdowns, making him the hardest working player that game. His teammate, Josh Powell, also earned the team two more scores. At the end of the game, the team's hard work left the team with a 54-16 victory over John Tyler. As a proud dad who beamed in the stands watching his son play, I know how thrilled their parents will be watching them play against Spring Westfield on December 2.

I am incredibly proud of the students of the Atascocita and Klein Collins High School football teams for their successes this season. It is great to see students in my district represent us so well with their hard work and talent. I look forward to their upcoming games and seeing them succeed and exceed expectations for years to come. Best of luck at State Semi-Finals.

And that's just the way it is.

MERCHANT MARINE OF WORLD WAR II CONGRESSIONAL GOLD MEDAL ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to express my strong support for the bipartisan H.R. 2992, the "Merchant Marine of World War II Congressional Gold Medal Act," introduced by my colleague, Congresswoman SUSAN BROOKS of Indiana.

I stand to recognize every service member who has dedicated his or her life to the protection of this nation and the world.

The Merchant Marines of World War II were vital in the collective effort to defeat the Axis powers.

Serving our military as a distributor, Merchant Marine fleets carry imports and exports during peacetime and become a naval auxiliary during wartime, delivering troops and needed war supplies and materials.

Many Merchant Marines have sacrificed their lives, perishing at the highest rate of casualties of any service members, sometimes as high as 1 in 24 in any given mission.

During World War II, a total of 1,554 ships were sunk by German U-boats, including 733 ships weighing over 1,000 gross tons.

One hundred forty Merchant Marines have been awarded the Distinguished Service Medal, the Merchant Marine's highest honor, seven of whom were cadet graduates from the U.S. Merchant Marine Academy.

Mr. Speaker, I support H.R. 2992 which honors those civilians who answered the call to serve our nation in the United States Merchant Marines during World War II.

GEORGIA DAY OF CODE

HON. BARRY LOUDERMILK

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. LOUDERMILK. Mr. Speaker, computer technology dominates our ever-evolving world. As we continue moving towards a society dependent on communicating through our technical devices, the need for qualified people in the STEM fields is rapidly growing.

Offering the opportunity for Georgia students to delve into computer programming will enhance industries across Georgia, our country, and the globe. Harnessing these skills benefits future generations, and will help build strong twenty-first century economies.

Georgia's Day of Code, during Computer Science Education week, is a great way to place coding in the public eye. We must continue to promote this important vocation, and engage in our communities to advance technology development.

The need for those in the technology field is vast and, in Georgia alone, employers post hundreds of IT-related jobs every day, which shows how promising the future is for professionals entering this field. Georgia's Day of Code encourages educators, parents, and policy makers to promote STEM-focused careers to students across the state. We must continue to advance and innovate in the technology sector, and what better way to do that than to invest in our next generation.

COMMEMORATING THE LIFE OF RAMONA NEILL

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. SIMPSON. Mr. Speaker, Ramona (Johnnie) North Neill of Blackfoot, Idaho passed away at the age of 88 on December 4, 2016 at the Gables of Blackfoot Assisted Living and Memory Center. Mona was born September 6, 1928 and raised in Kirksville, Missouri to Oscar and Zelma Jewell North. She lived there until the age of six when the family moved to Blackfoot, and attended grade school, junior high, followed by graduating from high school in 1946.

In December 1949 she met the love of her life: James (Jimmy) K. Neill who was an Employee of Idaho Power Company and was part of the Mobile Line Crew that was upgrading the Electrical Power Grid in Blackfoot. Their relationship quickly blossomed and they were married on May 26, 1950 in Winnemucca, Nevada. From there, Jim and Mona lived primarily in Boise, Idaho until they moved permanently to Blackfoot, Idaho in the summer of 1956 where she lived at the family home on Riverton Road up to the time that her health forced her to move last year.

Mona enjoyed outdoors trips with her husband and children, attending every scout, school, sports activity of her sons and the grandchildren residing in Blackfoot as well as visiting or following the adventures of her two grandchildren in Washington state.

Mona is survived by her sons: David K. Neill (Marie Carter, deceased), Blackfoot, Kim O. Neill (Christi Ann), Bainbridge Island, Washington, and James Todd Neill (Melody Renee), Scottsdale, Arizona, her four grandchildren: Cassandra Lynnette Neill, San Diego, California, Thomas K. Neill (Laura), Boise, Idaho, James K. Neill (Emily), Washington, D.C. and Andrew Albert Neill, Washington, D.C.

She will be laid to rest at Dry Creek Cemetery in Boise, Idaho where she will be next to her late husband James K. Neill.

MASTER SERGEANT MICHAEL
THOMAS DONOHUE

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay special tribute to Master Sergeant Michael Thomas Donohue, in appreciation of his 30 years of meritorious service in the United States Army, Navy, Navy Reserve, and New York Army National Guard.

Throughout his military career, Master Sergeant Donohue has served with honor and distinction in numerous positions, from Aircraft Handler and Tank Mechanic, to Intelligence Analyst and Operations NCOIC, culminating with his service as a Senior Maintenance Supervisor for the 42nd CAB. His unwavering dedication to duty and unparalleled professionalism has consistently earned the respect of subordinates, peers, and superiors alike.

An innovative and relentless troubleshooter, his vast technical knowledge greatly aided in his Brigade's success while deployed in support of Operation Iraqi Freedom 08–09. His experience, gained from serving in two combat deployments in support of Operation Iraqi Freedom and Operation Enduring Freedom, proved invaluable as he mentored junior non-commissioned officers and officers on a wide spectrum of operational and technical topics, increasing their readiness for deployment and ultimately, unit effectiveness. His long and illustrious career has been marked by humility and service, and reflects great credit upon himself, the New York Army National Guard, United States Army, and United States Navy.

MSG Donohue's deployments include Operation El Dorado Canyon (USN, 1986), Operation Ernest Will (USN, 1988), multiple natural disasters (1997–2012), Counter Drug operations (1998–2001), World Trade Center (2001), OIF (2008–2009), and OEF (2012–2013). He provided mentorship and leadership and skillfully groomed the next generation of leaders, which resulted in the Soldier and NCO Warrior of the Year competitions for the Aviation Brigade in 2009, 2010, and 2011 and New York State Soldier of the Year in 2011. His faithfulness through these times was and is a testimony for others to follow, and I would like to take this opportunity to recognize his devotion to our country.

THE THIN BLUE LINE: OFFICER REGINALD GUTIERREZ

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. POE of Texas. Mr. Speaker, our men and women in blue are the best we have. They are the thin blue line between good and evil. Each day these men and women head out into the field not knowing what they will face, not knowing if their day will be filled with routine traffic stops, or extreme dangers. Our peace officers face the unknown and stand up for the rest of us.

Reginald "Jake" Gutierrez was one of these men. Gutierrez was responding to a domestic violence call in Tacoma, Washington after a

woman approached animal control officers claiming her husband had locked her out of the house and taken her cell phone. Gutierrez and his partner entered the home. Shots rang out as he proceeded up the stairs to speak with the suspect. Two young children were held hostage inside the house, being used as human shields. His partner returned fire, taking the wife to safety. Gutierrez was shot multiple times, his life taken away by a vicious criminal.

Gutierrez gave his life to protect the young and innocent. As a veteran of the Department since 1999, 45-year-old Gutierrez was a model police officer. Each day he got up, put on the uniform and badge and dedicated himself to his profession and community. He is now the 132nd officer to die in the line of duty this year alone. At least eight of these deaths occurred while responding to reports of domestic disturbance and violence.

Hundreds of individuals came to honor Gutierrez as he made his way from the hospital to the medical examiner's office. The hospital was surrounded by fellow officers standing in support of their fallen brother. The King County Sheriff's Department ordered all Deputies to wear mourning bands in honor of the fallen peace officer.

The needless murder of our officers is absolutely unacceptable. These men and women work tirelessly, day in and day out trying to make a difference. It is time to put an end to the needless murder of our peace officers. Congress must stand up for those who work to protect the rest of us. The men and women behind the badge are some of America's best.

Officer Reginald "Jake" Gutierrez's life may be gone, but his memory serves as a reminder of all those who gave their lives for the thin blue line.

And that's just the way it is.

COMMEMORATING WORLD AIDS DAY 2016

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Ms. JACKSON LEE. Mr. Speaker, World AIDS Day affords us an opportunity to reflect on our progress in the fight against the global AIDS pandemic and to rededicate ourselves to ending the disease once and for all.

We have come a long way since the first World AIDS Day in 1988 by dramatically expanding investments in HIV/AIDS prevention, care, treatment, and research.

Strong advocacy has paved the way for the Ryan White Act, the Housing Opportunities for People with AIDS Initiative, growing investments in NIH research, and an end to the ban on federal funds for syringe exchange.

Beyond our borders, our efforts have extended care to millions in the developing world, through increased resources for PEPFAR and the Global Fund.

Our investments have saved lives—preventing millions of new HIV cases, expanding access to improved treatments, and enabling medical advances that help HIV/AIDS patients live longer and healthier.

Here and across the globe, AIDS deaths are on the decline, and studies are pointing the way to new approaches to limit the spread of the disease, with treatment as prevention.

While our efforts have grown, we still only reach half of all people eligible for HIV treatment; and more must be done.

Working together, we must continue to strengthen—not weaken—our national and international efforts to combat AIDS and other infectious diseases.

We must work to achieve the Obama Administration's goal of an AIDS-free generation.

We must honor the memory of those we have lost and act on our hope, optimism, and determination to end the HIV/AIDS pandemic.

We must continue to work with programs and clinics, like the Harris County Hospital District (HCHD), who are treating and caring for patients with HIV/AIDS.

In 1989, HCHD opened Thomas Street Health Center, the first free-standing facility dedicated to outpatient HIV/AIDS care in the nation. The center has become the cornerstone of all HIV/AIDS care available to Harris County residents.

The Thomas Street Health Center has dedicated their services to about 25 percent of Harris County's HIV/AIDS.

Annually, the health center, along with HCHD, serves 4,463 unique patients for about 37,000 patients' visits.

We will continue to fight a tough fight against HIV and AIDS.

We will continue to strengthen and support centers like Thomas Street Health Center that work diligently with HIV/AIDS patients.

Our focus on HIV/AIDS prevention and awareness will be to ensure all of our friends, relatives and children live healthy and full lives.

There is a pressing need to raise awareness and engage in education within the African American community where HIV infections have been and continue to rise.

The incidence of HIV has decreased for the majority population, while it has grown nearly unchecked among African Americans.

This must change—decisions regarding funding for agencies charged with infectious disease education and minority health must be supported.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted: YEA on Roll Call No. 599.

OVERTIME PAY FOR SECRET SERVICE AGENTS ACT OF 2016

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 6302, "The Overtime Pay For Secret Service Agents Act".

This important legislation will provide an increase in premium pay for United States Secret Service agents performing protective services.

H.R. 6302 will raise the cap on overtime compensation for U.S. Secret Service agents tasked with the responsibility for protecting the president, vice president and major presidential and vice presidential candidates during campaigns.

Under current law, an executive branch employee's premium pay, including overtime combined with basic pay cannot exceed the maximum rate of basic pay for a GS-15 or Level V executive schedule, whichever is greater.

The maximum rate for a GS-15 employee in the Washington, D.C., area is set at \$160,300 in 2016, while the pay rate for Level V is set at \$150,200 adjusted for the current cost of living.

H.R. 6302 will increase the pay rate cap by nearly \$35,000.

The H.R. 6302 will also apply to agents responsible for protecting candidates' spouses, former presidents, their spouses and children, high profile foreign visitors, as well as other government officials.

More than 1,000 agents have exceeded the overtime pay limit this year and can greatly benefit from the prospective adjustments.

Some by as much as \$60,000, according to the Federal Law Enforcement Officers Association.

For these reasons I support H.R. 6302.

IN HONOR OF BEAUREGARD WINNING AHSAA CLASS 5A HIGH SCHOOL FOOTBALL TITLE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Beauregard High School for winning their first ever Alabama High School Athletic Association (AHSAA) Class 5A football state title.

The Hornets sealed their victory by beating Wenonah 33-13 on December 1st at Jordan-Hare Stadium in Auburn.

Not only was this Beauregard's first state title, but also Lee County's first ever state champion!

Mr. Speaker, please join me in congratulating the students and faculty of Beauregard High School, Coach Braun, the players and all the Hornets fans on this exciting achievement. Go Hornets!

HONORING THE LIFE OF KATHLEEN O'DAY

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. MCGOVERN. Mr. Speaker, I rise today to honor the extraordinary life of Kathleen O'Day.

Kathleen passed away on November 28, leaving three brothers, nieces, nephews, cousins and many dear friends. She resided in Arlington, Virginia, but was born and raised in my hometown of Worcester, Massachusetts. Her loved ones gathered in Worcester today to honor her life and pay tribute to a truly remarkable woman.

Kathleen had a distinguished legal career. After graduating from Assumption College and Boston College School of Law with honors, Kathleen began working in the legal division of the Board of Governors of the Federal Reserve System in 1978. She served in the Board's legal division for decades and became a well-known expert in international banking and trade negotiations.

Those who knew her best will miss her warmth, wit, and generosity. Scott Alvarez, the Fed's General Counsel, remarked, "Kathleen was a dedicated employee, serving nearly 40 years in the Board's Legal Division. She was a kind, brilliant, generous, witty, and wonderfully warm friend to all of us, and we will all miss her tremendously."

Mr. Speaker, Kathleen touched the lives of so many around her, and had a profound impact on all of us through her work with the Federal Reserve.

I deeply admire Kathleen's life-long commitment to public service, and extend my deepest sympathies to the family and friends she leaves behind. We will all miss her.

Mr. Speaker, I ask my colleagues to join me today in honoring Kathleen O'Day, and recognizing the important contributions she has made to our country.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 34, TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 6392, SYSTEMIC RISK DESIGNATION IMPROVEMENT ACT OF 2016

SPEECH OF

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2016

Mr. DESAULNIER. Madam Speaker, I rise today in support of H.R. 34, the 21st Century Cures Act. It is vital that we ensure that the National Institutes of Health (NIH) have the resources they need to continue to advance biomedical and mental health research, and improve access to innovative treatments for some of the most debilitating illnesses.

The additional \$4.8 billion authorized for the NIH to improve biomedical research and treatment innovations is commendable, particularly the \$1.8 billion for the Vice President's Cancer Moonshot, in line with the President's budget request, that will advance critical life-saving research. I fully support the Cancer Moonshot's mission to speed up the advancement of other treatments that will help individuals and families who are fighting diseases or disorders. As a Cancer survivor, I know all too well the value of these investments and how many lives can be saved as a result.

Additionally, the allocation of \$1 billion to step up federal efforts combating the growing opioid and heroin epidemic is a positive step towards better treatment of addicted individuals. Every day, families across California and the nation are torn apart by a loved one or neighbor abusing opioids. Hopefully our Republican colleagues consider this the first of many steps to advance meaningful policies designed to erode the strong grip these drugs have on so many Americans.

Unfortunately, key aspects of this legislation fall short and are clearly designed to benefit Big Pharma over American consumers, patients, and doctors. I am deeply troubled by the Majority's decision to drastically reduce new NIH funding in the legislation compared to H.R. 6, stifling new research and vital progress. Additionally, it is disappointing that an amendment I authored, which would have helped to improve doctor-patient communication around the diagnosis and treatment of severe or chronic illnesses, was not included in this legislation. This oversight shows the lack of understanding of the importance of communication between patients and doctors in a patient's treatment and recovery.

IN HONOR OF PIEDMONT WINNING
AHSAA CLASS 3A HIGH SCHOOL
FOOTBALL TITLE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Piedmont High School for winning the Alabama High School Athletic Association (AHSAA) Class 3A football state title for the second year in a row.

The Bulldogs sealed their victory by beating Mobile Christian 22-12 on December 1st at Jordan-Hare Stadium in Auburn, Alabama.

Mr. Speaker, please join me in congratulating the students and faculty of Piedmont High School, Coach Steve Smith, the players and all the Bulldogs fans on this exciting achievement for the second year in a row. Go Bulldogs!

PERSONAL EXPLANATION

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. FLORES. Mr. Speaker, I rise to state that I was not able to be on the House floor for roll call vote 600—Adoption of the Conference Report to Accompany S. 2943—National Defense Authorization Act for Fiscal Year 2017 taken on December 2, 2016. Had I been present for this vote, I would have voted aye.

Congress has a duty to ensure our military has every resource necessary to fight and defeat the threats that exist in the world today. The National Defense Authorization Act provides America's uniformed men and women with the tools and support they need and deserve. It gives our troops a much needed pay raise and ensures that promises made to them are kept. This strong defense bill will strengthen our national security and help bring our military into the 21st century.

As I close, I ask everyone to continue praying for our country, and for our military and first responders who selflessly serve and sacrifice to protect us.

CONFERENCE REPORT ON S. 2943,
NATIONAL DEFENSE AUTHORIZA-
TION ACT FOR FISCAL YEAR 2017

SPEECH OF

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, December 2, 2016

Ms. BORDALLO. Mr. Speaker, I rise to speak on the Fiscal Year 2017 National Defense Authorization Act, which was passed by a 375-34 vote on Friday. I commend Chairman THORNBERRY, Ranking Member SMITH and the committee staff who worked many long nights on the FY17 NDAA. I worked with Mr. SMITH and members of the committee, particularly Readiness Chairman ROB WITTMAN, to include a number of provisions and funding levels that will address certain readiness shortfalls and continue to support the Asia-Pacific Rebalance.

This conference agreement, along with the House report passed in May, includes a number of provisions that are particularly important for the people of Guam. Over the past few months of negotiations, we were able to secure the provision that authorizes the payment of claims to the survivors of the occupation of Guam during World War II and the heirs of those who were killed during the occupation. During World War II, Guam was the only U.S. civilian population occupied by Japan, and during this time our people were subjected to rape, torture, assault, murder, and other inhumane atrocities. The provision does not add to federal spending and utilizes mandatory federal spending provided only to the Government of Guam for taxes paid by federal personnel stationed on Guam. This is an important step towards recognizing the men, women, and children who endured injustice yet remained and remain loyal and patriotic Americans, and its inclusion this year is a hard fought victory for the people of Guam. I look forward to working with the Foreign Claims Settlement Commission, the Trump Administration and stakeholders on Guam to ensure that the war claims program is implemented in a fair, transparent and equitable manner. I will work to ensure the process is as clear to the people of Guam as possible so that we can truly bring closure to this matter.

We also successfully repealed the remaining restrictions on civilian infrastructure projects related to water and wastewater, as well as the construction of a cultural artifact repository, and authorized \$67.5 million for these investments. This bill also authorizes military infrastructure projects, including full funding for six military construction projects for housing, munitions, and power infrastructure development. These projects total nearly \$250 million and demonstrate further the continued commitment of the U.S. government to the Guam build-up and the realignment of Marines.

At the same time, this build-up must continue to reflect the 2011 Four Pillars agreement that commits the Navy to being a responsible community partner. Because of local concerns raised about land returns and how that will be calculated and tracked, we hold the Navy accountable to its "Net Negative" commitment by including in this bill a reporting requirement on past, current, and future Navy land usage on Guam. It is important that we

have a mutual understanding about what lands will be returned to ensure that the Navy's commitment to hold no more land than it already has is upheld.

There are other challenges associated with the Guam build-up that are addressed this year. The Senate Judiciary Committee majority objected to the House-passed provision that would address workforce challenges affecting the health care and construction industries by providing flexibility to U.S. Customs and Immigration Services as it evaluates H-2B visa renewal applications. These industries directly support the military mission on Guam and having an inadequate workforce on island could negatively impact our national security. However, in order to gather additional data and continue to build the argument in order to address the situation in the coming year, there is a reporting requirement that asks the Navy to document the mission specific impacts of a reduced workforce associated with increased denials of these applications. I am deeply disappointed that this tailored provision was not ultimately included in the Conference Report but I will work with the Department of Defense to address this matter in next year's defense bill or any other appropriate legislation next year. Immediately, I will work with USCIS to see if any additional emergency authorities exist to find a temporary solution to the matter so that we do not hold up military construction projects. We must find a more permanent solution to the repeated denials of H-2B labor on Guam so we can have a stable and consistent workforce to meet construction timelines and provide critical health care to the military and residents of Guam.

Additionally, ballooning cost estimates and associated scheduling delays because of Navy requirements for clearance of munitions and explosives of concern have disrupted numerous projects and need to be addressed. While the Navy has demonstrated a commitment to finding a balance that assures public safety while eliminating unnecessary, burdensome, and duplicative requirements, there is more that needs to be done. Early next spring, I expect the Navy to brief us on steps they are taking to mitigate redundancies and find acceptable efficiencies and we will continue to track this issue closely.

Additionally, this bill mandates a review of distinguished Asian American and Pacific Islander war heroes who may have been unjustly overlooked in consideration of the Medal of Honor. I especially want to thank Ranking Member SMITH for his leadership on issues important to Asian American Pacific Islanders (AAPIs) and working to get that provision included in the Conference report. This review was first conducted for AAPIs who served during World War II, but did not include those who served during the Korean and Vietnam Wars. Similar reviews have been conducted for African, Jewish, and Hispanic Americans and I believe that it is prudent to also conduct a comprehensive review for AAPIs who may have faced similar discrimination. It's important we appropriately recognize those who have given so much in support of our freedoms.

There are numerous provisions in this year's NDAA which help develop or restate our national security priorities in the Asia-Pacific region. We included several provisions which aim to help continue to build our relationship with Taiwan, including requiring a feasibility report on replenishment stops for Taiwanese

midshipmen during their annual exercise in the Pacific as well as encouraging the U.S. and Taiwan to work together to engage in senior military leader exchanges. These will help build our bilateral relationship and provide opportunities for mutual exchange of information and training. This relationship will continue to be a critical asset for U.S. engagement in the region. We also seek to clarify and document aerial and maritime freedom of navigation operations in the South China Sea. This requirement tasks the Navy and Air Force with reporting quarterly on important details pertaining to individual operations which are meant to challenge claims to disputed islands in the region and ensure freedom of navigation for all vessels and aircraft. Additionally, this report expresses a Sense of Congress in support of trilateral cooperation between the United States, Japan, and South Korea. Japan and South Korea are important American allies in the region and have taken steps to rebuild their bilateral relationship, which the U.S. must continue to encourage and foster. As we continue a unified approach to countering nuclear proliferation in North Korea, as well as deterring and destroying threats emanating from the unstable regime, there are opportunities to leverage the Guam National Guard in defense of the homeland. Building on discussions I have had with senior Army leaders, the bill report encourages the Department of the Army and the National Guard Bureau to ensure that there are resources made available in the Fiscal Year 2018 Budget to integrate the Guam Army National Guard into the security force mission for the THAAD deployed to Guam. Not only does this mission fit perfectly into the Total Force integration for which the Army has been an advocate, it contributes to Active and Reserve Component readiness, and enables the National Guard to utilize their capabilities for the homeland defense mission.

The bill also continues to promote invasive specific prevention and management and regional biosecurity issues and complements appropriations legislation for the Department of Agriculture and the National Oceanic and Atmospheric Administration which require briefing on the Regional Biosecurity Plan on recommendations that will minimize the harmful ecological, social, cultural, and economic impacts of invasive species. This will encourage the Department of Defense and other federal agencies to make progress on implementation of high priority proposals contained within the Plan.

Finally, this bill provides critical funding for a number of Department of Defense programs that are important to Guam, the Asia-Pacific rebalance, and our broader national security interests. We provide critical funding to the Long Range Strike Bomber program and additional funding to keep the fielding of the MQ-4 program on track. There is also \$15 million in additional funding for the Readiness and Environmental Protection Integration Program.

Though there needs to be greater allocation of resources for critical programs such as the National Guard State Partnership Program and the Naval Sea Cadet Corps, we were able to protect the President's Budget Request. However, these programs and their significant return on investment merit greater funding contributions.

IN HONOR OF THE ORIGINAL
CALDWELL GOSPEL SINGERS OF
SEALE, ALABAMA

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the Original Gospel Singers of Seale, Alabama.

For over 40 years, this family has been spreading the gospel through their musical talents. What started as a duet in 1965, grew to be on television for their first debut on the "Home with Rozell Show" on WRBL in 1969.

The group has traveled to several states and participated in many benefit programs to give back to their community. In 2014, the Russell County Commission dedicated a portion of roadway from Highway 169 South to Uchee Road as the "Original Caldwell Gospel Singers" Road.

Mr. Speaker, please join me in recognizing four decades of music by this special group.

RECOGNIZING MARS, INCORPORATED AND THE 40TH ANNIVERSARY OF ITS WACO, TEXAS PRODUCTION FACILITY

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 5, 2016

Mr. FLORES. Mr. Speaker, I rise today to recognize Mars, Incorporated and the 40th Anniversary of its Waco, Texas production facility.

As a family-owned business since its founding in 1911, Mars has been a leading example of corporate responsibility practices that benefit the communities in which it operates. Guided by five core principles—Quality, Responsibility, Mutuality, Efficiency, and Freedom—Mars has had a positive social and economic impact on many communities within the Seventeenth Congressional District of Texas.

Since 1976, when Mars opened the doors of its facility in Waco the company has provided sustainable economic growth for our community. As such, the Waco facility currently em-

plays over 550 full time associates, providing reliable jobs for many citizens in the District. The facility is responsible for producing both Mars Chocolate and Wrigley products, including Snickers, Skittles Candies, and Starburst Fruit Chews. In October, Mars announced its intent to combine its Chocolate and Wrigley segments to create Mars Wrigley Confectionery, which will help the company continue to deliver value to customers around the world.

In addition to its commitment to producing high quality products for its consumers, the Waco facility has sought to create an environment that is mutually beneficial to the local community. For example, the Waco facility promotes sustainability and environmental efficiency through the use of a Wetlands Wastewater Treatment Facility, saving three to five million gallons of water each year. The facility also uses locally sourced peanuts in its Snickers bars, and it sponsors the annual Waco Wild West Century Bike Tour to raise money for the American Red Cross. In recognition of its outstanding commitment to diversity and unity in the workplace, the Waco facility recently received the Model of Unity Award from the Community Race Relations Coalition.

On behalf of the Seventeenth Congressional District and the State of Texas, I am pleased to celebrate this important milestone with Mars' Waco facility, and I thank Mars for its continued dedication to our community.

As I close, I ask everyone to continue praying for our country, and for our military and first responders who selflessly serve and sacrifice to protect us.

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 Tuesday, December 6, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 7

10 a.m.

Committee on the Judiciary
 Subcommittee on Antitrust, Competition
 Policy and Consumer Rights
 To hold hearings to examine the competitive impact of the AT&T-Time Warner transaction.

SD-226

2 p.m.

Commission on Security and Cooperation
 in Europe
 To receive a briefing on Baltic security after the Warsaw NATO summit.

CHOB-340

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine the Department of the Interior's Land Buy-Back Program for Tribal Nations, four years later.

SD-628

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security

To hold hearings to examine assessing the security of our critical surface transportation infrastructure.

SR-253

3 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

DECEMBER 8

10 a.m.

Committee on Foreign Relations

Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development

To hold hearings to examine State Department and United States Agency for International Development management challenges and opportunities for the next administration.

SD-419

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6683–S6716

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 3494–3502, and S. Res. 629–630. **Page S6708**

Measures Reported:

S. 3346, to authorize the programs of the National Aeronautics and Space Administration, with an amendment in the nature of a substitute. (S. Rept. No. 114–390)

Report to accompany S. 3183, to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event. (S. Rept. No. 114–391)

S. 1403, to amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, with an amendment in the nature of a substitute. **Page S6708**

Measures Passed:

Geographic Targeting Orders: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 5602, to amend title 31, United States Code, to authorize the Secretary of the Treasury to include all funds when issuing certain geographic targeting orders, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S6683–84**

McConnell (for Shelby/Brown) Amendment No. 5127, in the nature of a substitute. **Page S6683**

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building: Senate passed H.R. 3218, to designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the "Special Warfare Operator Master

Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building". **Page S6684**

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Richard Allen Cable Post Office: Senate passed H.R. 4887, to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the "Richard Allen Cable Post Office". **Page S6684**

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Leonard Montalto Post Office Building: Senate passed H.R. 5150, to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building". **Page S6684**

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Army First Lieutenant Donald C. Carwile Post Office Building: Senate passed H.R. 5309, to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the "Army First Lieutenant Donald C. Carwile Post Office Building". **Page S6684**

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

E. Marie Youngblood Post Office: Senate passed H.R. 5356, to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the "E. Marie Youngblood Post Office". **Page S6684**

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Zapata Veterans Post Office: Senate passed H.R. 5591, to designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the "Zapata Veterans Post Office".

Page S6684

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Officer Joseph P. Cali Post Office Building: Senate passed H.R. 5676, to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the "Officer Joseph P. Cali Post Office Building".

Page S6684

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Abner J. Mikva Post Office Building: Senate passed H.R. 5798, to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building".

Page S6684

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building: Senate passed H.R. 5889, to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the "Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building".

Page S6684

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Installation Reutilization Authority: Committee on Armed Services was discharged from further consideration of S. 3336, to provide installation reutilization authority for arsenals, depots, and plants, and the bill was then passed, after agreeing to the following amendments proposed thereto:

Page S6684

McConnell (for Ernst) Amendment No. 5128, relating to installation reutilization authority.

Page S6684

McConnell (for Ernst) Amendment No. 5129, to amend the title.

Page S6684

Subsequently, passage of the bill was vitiated.

Page S6688

Subsequently, all action taken during today's session of the Senate on the bill was vitiated.

Page S6716

Correct the Enrollment: Senate agreed to H. Con. Res. 174, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 34, after agreeing to the following amendment proposed thereto:

Pages S6696–97

McConnell/Reid Amendment No. 5137, to make additional corrections in the enrollment of H.R. 34.

Pages S6696–97

Conference Reports:

National Defense Authorization Act—Conference Report: Senate began consideration of the conference report to accompany S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.

Pages S6684–96

A motion was entered to close further debate on the conference report to accompany the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the message of the House to accompany H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration.

Pages S6684–85

House Messages:

Tsunami Warning, Education, and Research Act—Agreement: Senate resumed consideration of the amendment of the House to the amendment of the Senate to H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, taking action on the following motions and amendments proposed thereto:

Page S6686

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Page S6686

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 5117, to change the enactment date.

Page S6686

McConnell Amendment No. 5118 (to Amendment No. 5117), of a perfecting nature. **Page S6686**

During consideration of this measure today, Senate also took the following action:

By 85 yeas to 13 nays (Vote No. 156), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S6697**

McConnell motion to refer the message of the House on the bill to the Committee on Health, Education, Labor, and Pensions, with instructions, McConnell Amendment No. 5119, to change the enactment date, fell when cloture was invoked on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Pages S6686, S6697**

McConnell Amendment No. 5120 (to the instructions (Amendment No. 5119) of the motion to refer), of a perfecting nature, fell when McConnell motion to refer fell. **Pages S6686, S6697**

McConnell Amendment No. 5121 (to Amendment No. 5120), of a perfecting nature, fell when McConnell Amendment No. 5120 (to the instructions (Amendment No. 5119) of the motion to refer) fell. **Pages S6686, S6697**

A unanimous-consent agreement was reached providing for further consideration of the message of the

House to accompany the bill, post-cloture, at approximately 10 a.m., on Tuesday, December 6, 2016; and that all time during adjournment and recess of the Senate count post-cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Page S6716

Messages from the House:

Page S6707

Enrolled Bills Presented:

Pages S6707–08

Additional Cosponsors:

Pages S6708–09

Statements on Introduced Bills/Resolutions:

Pages S6709–10

Additional Statements:

Page S6707

Amendments Submitted:

Pages S6710–16

Record Votes: One record vote was taken today. (Total—156) **Page S6697**

Adjournment: Senate convened at 3 p.m. and adjourned at 6:52 p.m., until 10 a.m. on Tuesday, December 6, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6716.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 5 public bills, H.R. 6434–6438; and 4 resolutions, H.J. Res. 179; and H. Res. 941–943, were introduced.

Page H7181

Additional Cosponsors:

Page H7181

Report Filed: A report was filed today as follows:

H.R. 3711, to authorize the Secretary of the Interior to conduct a special resource study of Chicano Park, located in San Diego, California, and for other purposes, with an amendment (H. Rept. 114–845).

Page H7181

Speaker: Read a letter from the Speaker wherein he appointed Representative Denham to act as Speaker pro tempore for today.

Page H7145

Recess: The House recessed at 12:05 p.m. and reconvened at 2 p.m.

Page H7146

Whole Number of the House: The Chair announced to the House that, in light of the resignation of the gentlewoman from California, Ms. Hahn, the whole number of the House is 434.

Pages H7146–47

Member Resignation: Read a letter from Representative Miller, wherein she resigned as Representative for the Tenth Congressional District of Michigan, effective midnight on December 31, 2016.

Page H7147

Recess: The House recessed at 2:07 p.m. and reconvened at 4:30 p.m.

Page H7147

Suspensions: The House agreed to suspend the rules and pass the following measures:

Enhancing whistleblower protection for contractor and grantee employees: S. 795, to enhance whistleblower protection for contractor and grantee employees;

Pages H7147–49

Apollo 11 50th Anniversary Commemorative Coin Act: H.R. 2726, amended, 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; **Pages H7149–52**

Creating Financial Prosperity for Businesses and Investors Act: H.R. 6427, to improve the operation of United States capital markets, by a 2/3 yeas-and-nay vote of 391 yeas to 2 nays, Roll No. 602; **Pages H7152–56, H7176–77**

Combat-Injured Veterans Tax Fairness Act of 2016: H.R. 5015, amended, to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, by a 2/3 yeas-and-nay vote 392 yeas with none voting “nay”, Roll No. 601;

Pages H7156–59, H7176

Prescribed Burn Approval Act of 2016: S. 3395, to require limitations on prescribed burns; and

Pages H7159–60

Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016: S. 1635, amended, to authorize the Department of State for fiscal year 2016, by a 2/3 yeas-and-nay vote of 374 yeas to 16 nays, Roll No. 603.

Pages H7160–75, H7177–78

Recess: The House recessed at 6:08 p.m. and reconvened at 6:30 p.m. **Page H7175**

Veto Message—Motion to Refer: Agreed by unanimous consent that, notwithstanding the order of the House of September 22, 2016, the veto message of the President on the bill, H.R. 1777, to amend the Act of August 25, 1958, commonly known as the “Former Presidents Act of 1958”, with respect to the monetary allowance payable to a former President, together with the accompanying bill, be referred to the Committee on Oversight and Government Reform. **Page H7178**

Providing for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017: The House agreed to discharge from committee and pass H.R. 6415, to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017. **Page H7178**

Directing the Secretary of the Senate to make certain corrections in the enrollment of S. 2943: The House agreed to H. Con. Res. 179, directing the Secretary of the Senate to make certain corrections in the enrollment of S. 2943. **Page H7178**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H7146.

Quorum Calls—Votes: Three yeas-and-nay votes developed during the proceedings of today and appear on pages H7176, H7176–77, H7177. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 7:19 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, DECEMBER 6, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine emerging United States defense challenges and worldwide threats, 9:30 a.m., SH–216.

Committee on Foreign Relations: business meeting to consider H.R. 1150, to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, H.R. 2845, to promote access to benefits under the African Growth and Opportunity Act, 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, H.R. 4939, to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, S. Res. 537, expressing profound concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes, S. Res. 535, expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China, an original bill to provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy, an original concurrent resolution honoring in praise and remembrance the extraordinary life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand, S.

Con. Res. 30, expressing concern over the disappearance of David Sneddon, protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro (Treaty Doc. 114–12), and the nomination of Kamala Shirin Lakhdhir, of Connecticut, to be Ambassador to Malaysia, and lists in the Foreign Service, all of the Department of State; to be immediately followed by a hearing to examine defeating the Iranian threat network, focusing on options for countering Iranian proxies, 2:30 p.m., SD–419.

Committee on Judiciary: Subcommittee on Crime and Terrorism, to hold hearings to examine whether additional firewalls are needed to protect Congressional oversight staff from retaliatory criminal referrals, 2:30 p.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled “Volkswagen’s Emissions Cheating Settlement: Questions Concerning ZEV Program Implementation”, 11 a.m., 2322 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled “American Compassion in India: Government Obstacles”, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing entitled “Step or Stumble: The Obama Administration’s Pivot to Asia”, 2 p.m., 2172 Rayburn.

Committee on Natural Resources, Subcommittee on Oversight and Investigations, hearing entitled “Examining Decades of Data Manipulation at the United States Geological Survey”, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled “The Federal Information Technology Acquisition Reform Act (FITARA) Scorecard 3.0: Measuring Agencies’ Implementation”, 2 p.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 5143, the “Transparent Insurance Standards Act of 2016”, 3 p.m., H–313 Capitol.

CONGRESSIONAL PROGRAM AHEAD

Week of December 6 through December 9, 2016

Senate Chamber

On *Tuesday*, at approximately 10 a.m., Senate will continue consideration of the message of the House to accompany H.R. 34, Tsunami Warning, Education, and Research Act (the legislative vehicle for 21st Century Cures Act), post-cloture.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: December 6, to hold hearings to examine emerging United States defense challenges and worldwide threats, 9:30 a.m., SH–216.

Committee on Commerce, Science, and Transportation: December 7, Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine assessing the security of our critical surface transportation infrastructure, 2:30 p.m., SR–253.

Committee on Foreign Relations: December 6, business meeting to consider H.R. 1150, to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, H.R. 2845, to promote access to benefits under the African Growth and Opportunity Act, 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, H.R. 4939, to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, S. Res. 537, expressing profound concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes, S. Res. 535, expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China, an original bill to provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy, an original concurrent resolution honoring in praise and remembrance the extraordinary life, steady leadership, and remarkable, 70-year reign of King Bhumibol Adulyadej of Thailand, S. Con. Res. 30, expressing concern over the disappearance of David Sneddon, protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro (Treaty Doc. 114–12), and the nomination of Kamala Shirin Lakhdhir, of Connecticut, to be Ambassador to Malaysia, and lists in the Foreign Service, all of the Department of State; to be immediately followed by a hearing to examine defeating the Iranian threat network, focusing on options for countering Iranian proxies, 2:30 p.m., SD–419.

December 8, Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development, to hold hearings to examine State Department and United States Agency for International Development management challenges and opportunities for the next administration, 10 a.m., SD–419.

Committee on Indian Affairs: December 7, to hold an oversight hearing to examine the Department of the Interior's Land Buy-Back Program for Tribal Nations, four years later, 2:15 p.m., SD-628.

Committee on Judiciary: December 6, Subcommittee on Crime and Terrorism, to hold hearings to examine whether additional firewalls are needed to protect Congressional oversight staff from retaliatory criminal referrals, 2:30 p.m., SD-226.

December 7, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine the competitive impact of the AT&T-Time Warner transaction, 10 a.m., SD-226.

Select Committee on Intelligence: December 6, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

December 7, Full Committee, to receive a closed briefing on certain intelligence matters, 3 p.m., SH-219.

House Committees

Committee on Agriculture, December 7, Full Committee, hearing entitled "1890 Land-Grant Institutions: Recruitment Challenges and Scholarship Opportunities", 10 a.m., 1300 Longworth.

Committee on Armed Services, December 7, Subcommittee on Military Personnel, hearing entitled "California National Guard Bonus Repayment Issue", 2 p.m., 2118 Rayburn.

December 8, Subcommittee on Oversight and Investigations, hearing entitled "Oversight Review of the U.S. Navy's Littoral Combat Ship (LCS) Program", 9 a.m., 2118 Rayburn.

Committee on Energy and Commerce, December 7, Subcommittee on Health, hearing entitled "Waste and Duplication in the USDA Catfish Inspection Program", 10 a.m., 2322 Rayburn.

December 8, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Mixed Martial Arts: Issues and Perspectives", 10 a.m., 2322 Rayburn.

Committee on Financial Services, December 7, Subcommittee on Monetary Policy and Trade, hearing entitled "Unconventional Monetary Policy", 10 a.m., 2128 Rayburn.

December 8, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled "The Impact of Regulations on Short-Term Financing", 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, December 7, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled "Corruption: A Danger to Democracy in Europe and Eurasia", 10 a.m., 2172 Rayburn.

Committee on Oversight and Government Reform, December 7, Full Committee, hearing entitled "Examining the Costs of Overclassification on Transparency and Security", 9 a.m., 2154 Rayburn.

December 7, Subcommittee on Government Operations, hearing entitled "Time and Attendance Abuse at the U.S. Patent and Trademark Office", 2 p.m., 2154 Rayburn.

December 8, Subcommittee on Government Operations, hearing entitled "DATA Act Implementation Check-In", 9 a.m., 2154 Rayburn.

Committee on Rules, December 7, Full Committee, hearing on S. 612, to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse", 3 p.m., H-313 Capitol.

Committee on Transportation and Infrastructure, December 7, Full Committee, markup on General Services Administration Capital Investment and Leasing Program Resolutions; and possible other matters cleared for consideration, 10 a.m., 2167 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: December 7, to receive a briefing on Baltic security after the Warsaw NATO summit, 2 p.m., 340, Cannon Building.

Next Meeting of the SENATE

10 a.m., Tuesday, December 6

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, December 6

Senate Chamber

Program for Tuesday: Senate will continue consideration of the message of the House to accompany H.R. 34, Tsunami Warning, Education, and Research Act (the legislative vehicle for 21st Century Cures Act), post-cloture.

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Bonamici, Suzanne, Ore., E1586
 Bordallo, Madeleine Z., Guam, E1590
 Brooks, Susan W., Ind., E1586
 Buck, Ken, Colo., E1584
 Clay, Wm. Lacy, Mo., E1581
 Courtney, Joe, Conn., E1584
 DeSaulnier, Mark, Calif., E1589
 Duffy, Sean, P., Wisc., E1583
 Ellison, Keith, Minn., E1583
 Flores, Bill, Tex., E1590, E1591

Hudson, Richard, N.C., E1583
 Huffman, Jared, Calif., E1581
 Jackson Lee, Sheila, Tex., E1585, E1587, E1588, E1589
 Lee, Barbara, Calif., E1583, E1585, E1587
 Loudermilk, Barry, Ga., E1587
 Love, Mia B., Utah, E1585
 Luetkemeyer, Blaine, Mo., E1582
 McGovern, James P., Mass., E1589
 Miller, Candice S., Mich., E1584
 Perlmutter, Ed, Colo., E1584
 Poe, Ted, Tex., E1587, E1588
 Renacci, James B., Ohio, E1587, E1589

Roby, Martha, Ala., E1582
 Rogers, Mike, Ala., E1589, E1590, E1591
 Scott, Robert C. "Bobby", Va., E1582
 Sessions, Pete, Tex., E1584
 Simpson, Michael K., Idaho, E1588
 Thompson, Mike, Calif., E1582
 Turner, Michael R., Ohio, E1585
 Van Hollen, Chris, Md., E1584
 Wittman, Robert J., Va., E1581
 Zeldin, Lee M., N.Y., E1585, E1588



Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at www.fdsys.gov, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800, or 866-512-1800 (toll-free). E-Mail, contactcenter@gpo.gov. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, or phone orders to 866-512-1800 (toll-free), 202-512-1800 (D.C. area), or fax to 202-512-2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.