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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Merciful God, enthroned far above all powers, thank You for the gift of another day. Help us to use this borrowed time wisely. Forgive us when we forget that You are still on Your throne and that the hearts of humanity are in Your hands. Remind our lawmakers that Your sovereignty is far above any conceivable command, authority, or control. May this knowledge of Your unstoppable providence motivate them to contribute to peace in our time.

Bless the members of our military and their families, surrounding them all with the shield of Your Divine favor. Lord, bless also those who are ill and in pain, poor and in need, worried and in distress, discouraged and in despair, tempted and in danger.

We pray in Your merciful 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 (Mrs. CAPITO). The majority leader is recognized.

NOTICE

If the 114th Congress, 1st Session, adjourns sine die on or before December 24, 2015, a final issue of the *Congressional Record* for the 114th Congress, 1st Session, will be published on Thursday, December 31, 2015, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2015, and will be delivered on Monday, January 4, 2016.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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By order of the Joint Committee on Printing.

GREGG HARPER, *Chairman.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

INTERNATIONAL MEGAN'S LAW TO PREVENT DEMAND FOR CHILD SEX TRAFFICKING

Mr. MCCONNELL. Madam President, I ask unanimous consent that notwithstanding passage of H.R. 515, the committee-reported title amendment be agreed to.

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

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: ''An Act to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.''.

OMNIBUS LEGISLATION

Mr. MCCONNELL. Madam President, we know our constituents are deeply concerned about America's struggling economy. So let's take steps, as the legislation we will consider proposes, to support more jobs, more opportunity, and more economic growth.

Let's enact permanent tax relief for American families and small businesses. Let's set the table for progrowth tax reform. Let's permanently eliminate an energy policy from the 1970s that not only costs American jobs but also strengthens America's adversaries like Iran and Russia. This will end the absurd position we are in now, where the Iranians, as a result of the President's deal, can export oil and the United States can't.

Here is something else. We know our constituents are deeply concerned about America's national security. So let's take steps, as the legislation we will consider proposes, to strengthen our national security in a dangerous world. Let's help ensure our military has more of the funding it needs to train, equip, and confront the threats that face us from literally every corner of the globe. Let's bolster the FBI's ability to confront terror within our borders. Let's bring badly needed reform to the Visa Waiver Program. The last provision is especially important. Let's prevent the transfer of dangerous terrorists from Guantanamo's secure detention center into America's communities. Let's provide the people we represent with some long overdue protection from cyber attacks. Let's honor our veterans and enact critical reforms to help address the crises we have seen at the VA.

The legislation we will consider today would take steps to strengthen our economy and strengthen our national security. It would also bolster the First Amendment. It would attack key pillars of ObamaCare and prevent a taxpayer bailout of this partisan law. That last provision is especially important. Protecting the middle class from financing a bailout of ObamaCare means we are likely to speed up America's day of liberation from ObamaCare as well.

So here is my view. This legislation helps our economy, helps our national security, and strikes more blows to a partisan health law that hurts the middle class. I think it is legislation worth supporting.

SENATE ACCOMPLISHMENTS

Mr. MCCONNELL. Madam President, before I leave the floor, I would like to say something about last year. The American people voted for a new majority last November. We were humbled to have their support and take the Senate in a new direction. The Senate has made great strides in the year since. I think we have shown how the Senate can not only get back to work, but also return to a place of higher purpose.

We have committees working again. We opened up the legislative process. We gave Senators from both parties more of a say. As a result, we have gotten a lot done for the American people.

There are numbers that help tell the story, such as the fact that this Senate allowed 200 rollcall votes compared to just 15 last year. But it is the substance of what we passed that truly shows what a new and more open Senate can achieve for the American people: replacing No Child Left Behind with the most significant K–12 education reform in more than a dozen years; addressing crumbling roads and bridges with the first long-term Transportation bill in a decade; a balanced budget for the first time since 2001; help for our veterans; hope for the victims of modern slavery; modernizing changes for our military and its acquisition systems; and notable, bipartisan reforms for programs like Medicare—reforms that set a precedent for further positive action in the future.

We brought a permanent end to more of Washington's artificial cliffs and manufactured dramas by working toward real reform instead of just temporary patches, and we will do that again today. We will enact permanent tax relief for families and small businesses. We will bring an end to a job-destroying, 40-year ban on energy exports. We will finally pass landmark cyber security legislation after years of Senate inaction. And just last night, we passed the first significant environmental reform bill in decades, one that will create more certainty for businesses and ensure uniform safety standards for products our families use.

This is all very good news for the American people. Nearly all the policies I mentioned were, or will be, signed into law by the President.

Others, while important, do not have his support. That includes legislation to rescue the middle class from the pain of ObamaCare, to support Keystone's energy jobs, and to protect Kentucky's small businesses and coal families from Washington's regulatory assault.

It is now clear that it will take a new President—a new President—to achieve those things for the American people. But we are proving that you can still get a lot done with a President from a different party. We are proving you can actually enact significant, long-term reforms, achieve conservative policy goals, and get them signed into law.

I am proud of what the new Senate has accomplished. I wish to thank the many friends across the aisle who joined us in passing so many bipartisan reforms for the American people. We are not only putting the Senate back to work; we are putting it back on the side of the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OMNIBUS LEGISLATION

Mr. REID. Madam President, the accomplishments of the first session of this Senate has been a demonstration of what can happen when the minority is not trying to block everything. There has been no need this last year for scores and scores of cloture petitions being filed because we didn't block things; we rarely did that. In the past, of course, it was done all the time. So we have demonstrated that it is important to have a minority that is responsible.

Of course, we know the issues that have passed this year are issues that we worked on for a number of years and that had been blocked by Republicans. We are glad to have been part of this Congress and able to move forward on a number of issues that have been languishing for a long time.

Of course, next year we need to do more for the middle class. There are lots of things that we haven't been able to do and should do—minimum wage, making sure that my daughter and my granddaughter are paid the same as a man who does the same work.

We also have to understand that the lack of college affordability is crushing our country. It is often said it is a larger debt than credit cards, and we have to do something to relieve that pressure on the American people.

It is often said that legislation is the art of compromise, and I know that is true. Crafting bipartisan legislation is hard, tedious work. It requires a complex calibration of competing interests, needs, and realities. The legislation that will soon be before this body, the combined omnibus spending bill and tax extenders package, is a perfect example of a bipartisan compromise wrought in good faith.

It wasn't easy. In fact, coming to an agreement on this package was a painstaking endeavor by Senate and House leaders and by House and Senate Members, but it was especially hard for our staffs. I am so appreciative of their exceptionally good work. I know it meant

long hours, late nights and weekends spent here in the Capitol. Without their diligent efforts, we wouldn't be here voting on this legislation today.

On my leadership staff, no one worked harder than my chief of staff, Drew Willison. He was my lead negotiator, and he did an admirable job—a tremendous job. He worked very, very hard. I won't go into all the hard work that he did, but I remember one night I was having trouble dozing off. I called him at midnight, and he responded on the phone. For the next three hours I still didn't do too well sleeping, so I called him at 3 a.m. He still responded. He was here at the Capitol working—working to make this agreement a reality. In all his years here, I have found that Drew, a congressional fellow who came in from the Environmental Protection Agency, was so good that I wouldn't let him leave, and he has been a Senate person since then. He was selected by me to be Assistant Sergeant at Arms. In everything he has been asked to do, he has done a remarkably good job. So I wasn't surprised at all that he was able to do the work he did on these bills with tremendously difficult legislative issues that will be before this body shortly.

I want to speak for just a minute about Gary Myrick, Secretary for the minority. He has been my floor general and my chief of staff. I depend on his expertise on the issues now before us, which soon will be before us, and on everything we do here in the Senate. He is an expert on Senate rules, and I appreciate very much his good work.

Bill Dauster, my deputy chief of staff—nobody on Capitol Hill better understands policy or legislation than Bill. Anytime legislative staff—not just mine, but anyone's staff in the Senate—has an issue dealing with legislation, they know Bill will be available. I admire him. He is a fine man. I so appreciate the example he sets in being good to everybody.

Kate Leone is my senior health counsel. To say she does an exceptional job is an understatement. Kate is probably the world's leading expert on ObamaCare, and she is an absolute expert on all health policy issues. She brought her expertise to this agreement in full force with the able assistance of McKenzie Bennett, who also works on health care issues for me. Again, I appreciate very much her hard work.

Ellen Doneski, my chief tax policy adviser, deserves praise. Tax policy is difficult. I took a couple of courses in law school on tax policy. To be honest with you, it didn't interest me very much, but for my lack of interest, Ellen has been stupendous. Even while not feeling well, she has worked her way through the last few weeks exhausted, working with Democrats, Republican counterparts, and making intricate tax decisions and putting intricate tax provisions in the agreement that is before this body.

Alex McDonough, my senior policy adviser, handles my energy and environmental problems. This legislation is one of the greatest investments in renewable energy in American history. It is amazing what we have done in this legislation. The writing of this legislation was done by Alex. This work that has been done on this bill dealing with renewable energy—picture 65 coal-fired powerplants with an average megawatt production, let's say, of 800 megawatts. Sixty-five coal-fired plants would be gone, and they will be gone. That is how much pollution from fossil fuel will be saved as a result of the work done here. If you don't like that example, try 50 million automobiles will be taken off the roads—not 5 million, 50 million.

Alex, I appreciate your good work very much. This legislation wouldn't be what it is today without Alex.

Gavin Parke, my senior policy adviser and counsel was here working hard on banking and financial in this legislation. He worked like everyone: long, hard hours on very complicated banking issues, housing issues. I appreciate and admire his good work and his pleasant personality. He was assisted by Sammi Swing, who worked with him on some housing issues that were extremely difficult in this bill.

My brilliant chief counsel, Ayesha Khanna, oversaw cyber security, surveillance, and all kinds of things when I needed a good legal mind to help me work my way through understanding these issues. I appreciate her tireless efforts.

My senior adviser, Tyler Moran, I don't think there is anyone in Washington who understands immigration issues more than Tyler. She worked in the White House. I was able to coax her into coming from the White House to work with us, and she has done an outstanding job on everything dealing with immigration—whether it is the DREAMers, whether it is litigation that followed the President doing an Executive order, helping the DREAMers' parents, whatever it is, children coming across the border, all related issues, including refugees and visas.

Jessica Lewis is one of the most pleasant, nicest people I have ever known. She is my national security advisor. I so appreciate her demeanor, her intellect, and her hard work. Late yesterday, when we finished work here, we went to one of the secure rooms in the Capitol, and we spent time with her telling me what is going on around the world. A lot of it is not very pleasant, but that is her job. I appreciate her work on foreign policy and intelligence issues. She is assisted by my deputy national security advisor, Julie Klein, who is also a good person and knows foreign policy.

Sara Moffat worked on interior-related issues and many other environmental issues but especially wild horses, sage grouse, and many other environmental issues that kept popping up on this bill.

George Holman helped me to fend off attacks on campaign finance reform and other issues as they arose.

Caren Street spent weeks on the EB–5 visa issue. I found her to be someone who is very intelligent and always available. I appreciate her good work and her wonderful smile.

Bruce King is stunningly smart. He is a Stanford person. He is my adviser, my confidant on issues relating to budget and finance. He is formerly staff director of the Budget Committee. He worked on all budget components of this bill and there were lots of them. I admire his soft speaking and his directness. I really like him as a person.

Jason Unger is my legislative director. I have such admiration for him. He also is quiet and very effective. He is a person who believes in public service. This young man, who graduated with high honors from UCLA, decided he wanted to do something in public service, so he taught for the Teach For America Program for 5 years in Compton, CA. It is a very difficult job. He taught little kids, and I bet he did a wonderful job, as he has done in the Capitol working with me as my legislative director.

My staffers were not alone in their efforts. They were helped tremendously by staff from other offices. The four principal leadership negotiators were, as I mentioned, Drew Willison, my chief of staff; Hazen Marshall from Senator MCCONNELL's staff; Dick Meltzer from Leader PELOSI's staff; Austin Smythe; and Cindy Herrle from Speaker RYAN's office. They worked well together. I am sure once in a while they would raise their voices with one another, but it worked out real well. It was a good team, and we have the result to prove it.

As I indicated, these were tough negotiations, but these five individuals worked very hard. They made tough choices and brought them to their principal and decisions were made. It was amazingly cooperative. It was done in a collegial manner. I believe that all the leaders were exceptionally well represented by these men and women.

I would be remiss not to mention BARBARA MIKULSKI's outstanding appropriations team. The entire staff deserves our thanks but especially Staff Director Chuck Kieffer, who is an institution of the U.S. Senate. He is a fine person, a hard worker, and no one understands the appropriations process better than he does, and of course Deputy Staff Director Jean Eisen, who has been remarkably involved.

This leaves me to say a word about BARBARA MIKULSKI. When the history books are written of what has taken place in the U.S. Senate during the last 40 years, she will be a principal of that history. I had the good fortune of being able to come to the Senate with her. We served on the same committees. We have served on the Appropriations Committee for sure and enjoyed our relationship. There is no one I have served with in public office I have more respect for than BARBARA MIKULSKI. I admire her. I admire how she has been so dynamic in the U.S. Senate. She is

one of the finest orators we have ever had in the Senate while I have been here. She does it in a unique way, but we all listen.

BARBARA MIKULSKI, thank you very much.

We also had to work hard with the Finance Committee. I extend my appreciation to our ranking member, RON WYDEN. He and I have served together in Congress for a long time, more than three decades, but not only do I appreciate his work but also his staff director, Josh Sheinkman. I may not pronounce his name just right, but everybody knows Josh. I want the Finance Committee and all of their staff to know how much we appreciate this product that they were responsible for piecing together.

I already talked a day or so ago about Dennis McDonough, the President's Chief of Staff. He is a remarkably fine man.

Brian Deese, Senior Adviser to the President, was one of the reasons we got the great agreement we got out of Paris with those accords dealing with the environment.

Katie Beirne Fallon, President Obama's Legislative Affairs Director, I have already laid out on the record what a wonderful person she is.

Jason Furman, Chairman of the Council of Economic Advisers, I extend my appreciation to him and his entire family whom I know.

Marty Paone, I talked about him.

We really care a great deal about them.

There are many others who helped craft this compromise.

From the Republican Leader's office: Brendan Dunn and Scott Rabb.

From Speaker RYAN's office: George Callas and Matt Hoffman.

From Leader PELOSI's office: Katherine Monge and Wendell Primus.

From Senator CORNYN's office: Monica Popp.

From the Senate Finance Committee: Ryan Abraham, Brett Baker, Kim Brandt, Chris Campbell, Adam Carrasco, Anne Dwyer, Karen Fisher, Liz Jurinka, Matt Kazan, Jay Khosla, Jim Lyons, Juan Machado, Todd Metcalf, Matt Prater, Josh Sheinkman, Katie Simeon, Tiffany Smith, and Todd Wooten.

From the Senate HELP Committee: Nick Bath and Andi Fristedt.

From the Senate Banking Committee: Mark Powden.

From the Senate Committee on Environment and Natural Resources: Angela Becker-Dippmann and Sam Fowler.

From Senator SCHUMER's office: Meghan Taira.

From Senator GILLIBRAND's office: Brooke Jamison.

From Congressman LEVIN's office: Karen McAffe.

I realize I may be missing some people. So to everyone who helped push this legislation across the finish line, thank you. You have done America a great service.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. REID. Madam President, will my friend allow me to interrupt for just a second?

Mr. HATCH. I will be happy to yield.

COMMENDING SENATOR HATCH

Mr. REID. Madam President, I had it in my notes, but I didn't do it.

I wish to express my appreciation for the majority staff on the Finance Committee. The chairman of this powerful Finance Committee is ORRIN HATCH. We have served together in the Senate for these many years. There is not a finer gentleman in the Senate than ORRIN HATCH. I apologize for reading over my notes. I appreciate very much his friendship and his leadership.

Mr. HATCH. I thank the leader, and I feel the same way toward him. He and I are dear friends, and we are going to continue to be dear friends, despite our differences.

PROPER OPERATION OF THE SENATE

Mr. HATCH. Madam President, I rise to discuss the state of the U.S. Senate. My 39 years of service in this body have given me an increasingly unique vantage point to reflect upon this institution. Over the years, I have seen the Senate both at its best—rising to meet the lofty expectations of the Framers—and, unfortunately, I have seen it at its worst.

Last year I came to the floor repeatedly to speak out against what I viewed as the abuse of the Senate by the previous majority, under which this great body fell into great dysfunction. In addition to identifying these abuses, I did my best to lay out a vision for how the Senate ought to function—how we could best live up to the best traditions of our forebearers.

Over the past year, since my selection as President pro tempore, I have endeavored to continue to offer what lessons I have learned and what accumulated knowledge I have acquired over my nearly four decades here to help our new Republican majority to get the Senate working again. After a year of hard work, I can report a significant degree of success. Under the leadership of our new majority leader and his team, the Senate is back to work for the American people.

By the end of last Congress, these best traditions of the Senate that have allowed it to serve the Republic for so well for so long were left, in my opinion, in severe disrepair. The then-majority leadership curtailed debate on an unprecedented scale, moving to cut off debate before this body could even begin considering legislation. The leader also used the so-called nuclear option to permanently weaken the opportunity to debate nominations, including crucial lifetime nominations to the Federal court. In all of last year, the Senate voted on only 15 amendments, with the majority leadership refusing to countenance any amendment it did not support. The 113th Congress set a record for bills that bypassed committees—this institution's incubators of consensus. Instead of adhering to the committee process, the legislation was crafted in the back rooms of leadership offices and brought directly to the floor.

Thanks to this institutional degradation, the Senate became a wasteland of partisan warfare. Much of the time spent in session was wasted on voting on the previous majority's messaging bills. This legislation had no chance of passing the Senate and was designed simply to buttress the majority's election-year arguments. The time that was not spent on this political gamesmanship was otherwise wasted largely on rushing through President Obama's nominees at a breakneck pace.

Our new majority has thus faced the daunting task of restoring the Senate to its proper function so this body can resume its rightful role as the source of wise legislation. These efforts have produced some impressive statistics.

This year, the Senate has held almost 200 votes on amendments of individual Senators. That figure is nearly 9 times as many as last year. Earlier this year, the Senate brought up more amendments in a single week than all of last year.

Debate has also flourished. The Senate spent over 25 percent more days in session than last year. The majority leader has greatly curtailed the practice of filing cloture as soon as debate begins, restricting it to rare occasions that involve time-sensitive measures and, particularly, sensitive bipartisan legislation.

Furthermore, our committees are all back to work. With only a few exceptions, the legislation passed by the Senate has been crafted by the committee rather than by leadership. The close, collaborative environment that the committees foster helps build bipartisan consensus, even in these polarizing times. In fact, many of our committees posted impressive statistics of bipartisan legislating. The Finance Committee—the accomplishments of which I spoke on yesterday—has passed 37 bills, all bipartisan. The Homeland Security and Governmental Affairs Committee has passed 71 bills, all bipartisan. The Health, Education, Labor, and Pensions Committee has passed 10 pieces of legislation, and all but one was bipartisan.

According to the Résumé of Congressional Activity, as of December 1, the Senate had passed 391 measures as compared to 290 in 2014 and 246 in 2013. While this year's number compares favorably to the two previous years, the Senate's productivity is best measured not by a simple count of measures passed, in which a post office naming counts the same as a comprehensive budget for the entire Federal Government, but instead by the sort and substance of measures passed. This measure paints by far the best picture of the good work done by the Senate in the first year of our new Republican Senate majority.

Instead of wasting the Senate's precious time on political show votes, the new majority leadership has focused the Senate's consideration on measures that can actually pass, which almost always require bipartisan support. We have also made sure to fulfill Congress's most basic fiscal management responsibilities. We passed the first bicameral budget since 2009 and the first budget that balances in 14 years. Based on that budget blueprint, the Appropriations Committee passed all 12 appropriations bills for the first time since 2009. While the minority unfortunately chose to block numerous attempts we made to pass these bills on the floor through regular order, we struck a multiyear bipartisan budget deal to last through the rest of the Obama administration. Passing this legislation warded off the threat of another shutdown or a disastrous default on our debt. We have also struck a deal on an omnibus spending bill for next year that, while imperfect, makes important progress in a number of areas, such as repealing the antiquated oil export ban to create jobs at home and ward off the influences of Vladimir Putin and other dangerous rogues abroad, increasing resources for our military at a time of great threat, strengthening the Visa Waiver Program to protect against terrorists, and provisions to bar the transfer of Guantanamo detainees to American soil.

As we look forward to next year, our leadership has built a pathway to return to regular order in the appropriations process, allowing Congress to fulfill our constitutional duty to oversee the executive branch through the power of the purse.

The Senate also overcame a bitter partisan dispute to pass the annual National Defense Authorization Act to further our most basic responsibility to provide for the common defense. Under the leadership of our Armed Services Committee, with colleagues on both sides, we passed into law a bill that contains a wide variety of critical defense items, from acquisition reform to aid to Ukraine. Moreover, among the most important accomplishments of the year have been the long-term challenges tackled by the Senate. Over the past few years, Congress earned a well-deserved reputation for kicking the can down the road on a number of key issues that affect Americans' lives in crucial ways—from our commutes to our health care to our children's education. This year Congress has taken a number of crucial steps to end this cycle of irresponsible delays. Instead of passing yet another patch to the highway trust fund, we passed the first long-term highway bill in a decade; instead of leaving seniors in a lurch with yet another doc fix, we permanently fixed how Medicare reimburses physicians and passed a real down payment on real entitlement reform; instead of consigning ourselves to a backseat role in shaping the international economy of the future, we passed the first trade promotion authority legislation since 2002; instead of waiting until the last minute to pass another extension of critical tax breaks, we have struck a deal to make much important tax relief permanent and provide multiyear extensions of others, providing vital certainty to business and family budgets; and instead of leaving our schools webbed in by No Child Left Behind and the Obama administration's conditioned waivers, we passed the Every Student Succeeds Act, which the Wall Street Journal called the greatest devolution of power to the States in a quarter century.

Moreover, we pushed against the Obama administration's most egregious overreach, preparing the way to reverse them under a future President. We passed Congressional Review Act resolutions to repeal the President's most onerous and job-killing labor and environmental regulations, and most importantly, we passed the Senate's first repeal of ObamaCare.

Finally, after the turmoil in the confirmation process in recent years, we have moved at a deliberate pace in examining the President's nominees. Despite the spurious claims of some on the other side, our record on confirmations fits favorably within historical norms. As of December 10, 316 of President Obama's judicial nominees have been confirmed, constituting more than 37 percent of the actual active Federal bench.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HATCH. Madam President, I ask unanimous consent to finish my statement.

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

Mr. HATCH. I thank the Presiding Officer.

By comparison, only 292 of President George W. Bush's nominees had been confirmed at the same point in his tenure, constituting less than 35 percent of the active judiciary. There are only 65 judicial vacancies today. Vacancies have been lower in only 13 of the 83 months, or less than 16 percent of the time, that this President has held office. During 2015, the average number of judicial vacancies has been 58, the lowest average for any year of the Obama Presidency.

This is a record of achievement that speaks for itself, one that easily shows why PoltiFact awarded the minority leader three Pinocchios for his accusations that the Senate, under our new Republican majority, has been unproductive by historical standards. While there have been, no doubt, many bumps in the road—and we still need more mutual restraint of both the minority and the majority—there should be no doubt that our new Republican majority has the Senate back to work for the American people.

I thank the Presiding Officer for the extra time.

BUDGETARY REVISIONS

Mr. ENZI. Madam President, on November 2, 2015, the President signed the Bipartisan Budget Act of 2015 into law, H.R. 1314, P.L. 114–74. This bill passed the House of Representatives by a vote of 266 to 167 and the Senate by a vote of 64 to 35. Section 101 of H.R. 1314 redefined the term ''discretionary spending limit'' to add $50 billion in budget authority for fiscal year 2016. This increase was split evenly between defense and nondefense spending. More specifically it increased the fiscal year 2016 discretionary spending limit for the revised security category to $548.091 billion in new budget authority and the revised nonsecurity category to $518.491 billion in new budget authority. Section 3404 of the fiscal year 2016 budget resolution provides me with the authority to adjust levels and allocations for such changes in definitions in enacted legislation. I am therefore adjusting the allocation to the Committee on Appropriations and the budgetary aggregates to reflect the spending limits of the Bipartisan Budget Act of 2015.

In addition to the changes triggered by P.L. 114–74, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, allows for various adjustments to the discretionary spending limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. The Senate will soon consider H.R. 2029, the Consolidated Appropriations Act, 2016. This bill includes numerous provisions that meet the terms laid out in section 251 of BBEDCA to generate a change in the discretionary spending limits. As such, this spending is eligible for an adjustment under the Congressional Budget Act.

Earlier this year I made adjustments to budgetary aggregates and the Committee on Appropriations' allocation to reflect provisions in appropriations bills that qualified for cap adjustments under BBEDCA that were being considered on the Senate floor. The adjustments I make today take these adjustments into consideration and reflect the appropriate level for adjustments for considering this Omnibus appropriations bill.

Section 3102 of S. Con. Res. 11 provides a separate allocation to the Committee on Appropriations for overseas contingency operations, OCO/global war on terrorism, GWOT, spending. Furthermore, the budget resolution provides the chairman of the Committee on the Budget the authority to change levels, aggregates, and allocations related to OCO/GWOT based on new information. As such, I am making the appropriate adjustments to bring allocation levels in line with the amounts provided in H.R. 2029.

As a result, I am increasing the budgetary aggregate for 2016 by $36,072 million in budget authority and reducing the aggregate for outlays by $997 million. I am increasing the fiscal year 2016 non-OCO/GWOT allocations to the Appropriations Committee by $25,000 million in budget authority for defense, revised security category, $33,666 million in budget authority for non-defense, revised nonsecurity category, and $15,722 million in general purpose outlays. I am also reducing the OCO/GWOT allocation to the Committee on Appropriations by $22,594 million in budget authority and $16,719 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3404 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016
Current Spending Aggregates:	
Budget Authority	3,009,557
Outlays	3,067,943
Adjustments:	
Budget Authority	36,072
Outlays	−997
Revised Spending Aggregates:	
Budget Authority	3,045,629
Outlays	3,066,946

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2016

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974 and Section 3404 of S. Con. Res 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016
Current Allocation*:	
Revised Security Discretionary Budget Authority	523,091
Revised Nonsecurity Category Discretionary Budget Authority	494,191
General Purpose Outlays	1,157,345
Adjustments:	
Revised Security Discretionary Budget Authority	25,000
Revised Nonsecurity Category Discretionary Budget Authority	33,666
General Purpose Outlays	15,722
Revised Allocation*:	
Revised Security Discretionary Budget Authority	548,091
Revised Nonsecurity Category Discretionary Budget Authority	527,857
General Purpose Outlays	1,173,067

*Excludes amounts designated for Overseas Contingency Operations/Global War on Terrorism pursuant to Section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Memorandum: Detail of Adjustments Made Above	Regular	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority	25,000	0	0	0	25,000
Revised Nonsecurity Category Discretionary Budget Authority	25,000	1,523	7,143	0	33,666
General Purpose Outlays	13,788	1,311	388	235	15,722

REVISION TO OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2016

(Pursuant to Section 3102 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016
Current OCO/GWOT Allocation:	
Budget Authority	96,287
Outlays	48,798
Adjustments:	
Budget Authority	−22,594
Outlays	−16,719
Revised OCO/GWOT Allocation:	
Budget Authority	73,693
Outlays	32,079

OMNUBUS LEGISLATION

Ms. MIKULSKI. Madam President, I rise to speak on the Consolidated Appropriations Act of 2016, otherwise known as the omnibus bill.

I wish to report to my colleagues in the Senate that the House has passed the bill this morning with a robust vote of 316 to 113. Three months ago it was unclear if we would be at this positive point. We were uncertain if we could get a budget deal that would lift the caps for defense and nondefense spending, it was unclear if we could cancel sequester, and it was unclear if we could avoid a government shutdown.

I am happy to say today that we have completed our work, and we have done it in the traditional style of this institution and also of the Appropriations Committee and by working on a bipartisan basis. The chairman of the committee, the Senator from Mississippi, Mr. COCHRAN, and I worked across the aisle to get the job done. I thank him for the leadership he provided the committee, for his professionalism, and for the ability and the fact that we could work, both he and I, together. I thank both of our staffs for working with civility and candor.

For the third year in a row, we left no appropriations bill behind. We negotiated and we compromised. We compromised without capitulation of our principles, which has always been a strong tradition of the Appropriations Committee.

As we bring this bill to the floor, I urge all of my colleagues to vote for this bill. I want to do it on the basis of content and on the basis of merit.

Now, I will tell you what this bill does. First of all, it does a lot to protect the United States of America. We know that right now America feels on edge. We know our leadership needs to provide clarity, consistency, and specificity, but most of all, we need to provide the resources that our institutions need so they can protect our country.

This bill provides $606 billion for the national defense of the United States of America and to support, train, and equip our troops; to deal with the new threats of biosecurity and the rising efforts of ISIL so we can follow through with our vow to defeat and destroy them.

We have a must-do list to make sure our troops have the best weapons and know that the troops and families are supported. We looked out for their health care and Tricare, and we looked out for the food that they need to buy in their commissaries.

We know that protecting America is not only accomplished in the Defense Department. It also lies in the important agencies that do the tough work. We have adequately capitalized the State Department and provided money for embassy security so we can protect our embassies and those who work with them abroad. We have also funded Homeland Security. We have approved close to $11 billion so that the Coast Guard can protect our ports and waterways, and we have added $50 million in new grants to counter violent extremism. We also made sure that we have given TSA, or the Transportation Security Administration, the equipment and people it needs to protect travelers with all of the airport screeners that have been requested. At the same time, we have funded the FBI, which is doing such an able job of rooting out the terrorists, including the lone wolf threats that are emerging in our own country.

I want to particularly do a shout-out to the FBI in the Baltimore district for uncovering a plot in our own home State of Maryland where someone was organizing and planning a lone wolf effort.

I also wish to thank my colleagues for what we did in the budget deal. This bill provides $65 billion more to meet our national security needs, support compelling human needs, and promote the middle class. We made sure we kept our promises to our veterans. We have a $1.3 billion increase for veterans health care to meet their health

needs, the educational needs we promised them, and to deal with this backlog of disability benefits.

We are not only looking to the past, we are looking to the future. We have made robust funds available in our innovation area, whether it was the Department of Energy or the National Institutes of Health, which is in my home State. On our committee and across the aisle—Senator PATTY MURRAY, the ranking member, and Senator ROY BLUNT, the chairman of the HHS committee—we renamed the National Institutes of Health the ''National Institutes of Hope'' because of what it does to find the cures and the breakthroughs for Alzheimer's, on which we have almost doubled the research in order to break the code on how we can find a cure or a cognitive stretch-out. We have added $2 billion because we worked together, because we know that when we want to find the cure for cancer, Alzheimer's, autism, we need to be able to do that.

We looked also at working out other compelling needs, such as Head Start, child care and development grants in which we have added more money, and we make the first payment to fund the programs for elementary, middle, and high school.

We also meet the physical infrastructure needs, where we have increased our funding in the T-HUD bill for Transit New Starts to $2.2 billion.

We increased the funding for the HOME Program. Instead of cutting it by 90 percent, we increased it by $50 million, to $950 million.

We have also looked out for our ports, creating jobs by keeping goods moving through the full funding of the harbor maintenance trust fund and the Army Corps of Engineers.

This is about jobs. This isn't about money; this is about jobs. In my own home State of Maryland, the Port of Baltimore is an incubator for jobs. It keeps people going, whether it is the people who work to bring the ships in, whether it is the longshoremen, the tugboat operators, or those who benefit from the goods and services coming into our port or leaving our port. It is the ports that create our jobs, and we in Maryland are ready for the new ships coming through the newly built Panama Canal. We know this is a big deal that could help our communities all over America if we invest in our ports.

I know many of our colleagues also want to know about riders. We faced hundreds of policy riders, some of which were highly controversial. We did the best we could with them. But while everybody talks about one item or this item, I want to talk about some of the ones we were able to deal with.

We prevented double-trailer trucks from taking over our highways. We protected women's health against devastating riders. We also made sure those who regulate our financial institutions so that we never have another meltdown like we had 8 years ago are taken care of, and we looked out for the environment.

The appropriations bills are good bills, and I could go over more items, but I see that the chairman of the committee is on the floor. I again reiterate my appreciation to Senator COCHRAN and his very able staff.

I also want to comment about the other side of the dome. Working with Congressman HAL ROGERS, the chairman of the Appropriations Committee, and Ranking Member NITA LOWEY has indeed been a very professional relationship. I wish that now, with new leadership in the House, they could function like the Appropriations Committee. Do we disagree? Yes. The Presiding Officer is a member of that committee, and she knows we are ready to duke it out when we have to. But we put it all out on the table. We discuss it. We debate it.

We had an open process with amendments in our committee. We have worked to resolve conflict by actually meeting and discussing with each other. We need the same thing with our colleagues on the other side of the dome. That is what we mean when we say we want to get back to regular order.

Thanks to the budget deal we have now, I do hope that next year we can bring bills up one at a time for debate, discussion, and amendment. I hope we can do that. But I also hope the tone of the Appropriations Committee is adopted. We can make sure we advocate for our States and for our viewpoints, but we can do it in a way that it gets done.

I want to conclude by thanking my entire staff, Chuck Kieffer and Jean Toal Eisen, the staff on the other side of the dome, and all of those who worked for me. I want to recognize Shannon Kula and Rachel MacKnight, as well as Brigid Houton and Mara Stark Alcala and Jean Kwon.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I am pleased to recommend approval of the Omnibus appropriations and tax relief bill that will soon be considered by the Senate. This bill is consistent with the Budget Act that was enacted in November. It funds the operations of the Federal Government for the remainder of this fiscal year. It provides funding for the Department of Defense and the State Department, along with the FBI, Customs and Border Protection, and U.S. immigration enforcement provisions. It provides a $2 billion increase for the National Institutes of Health. It also funds improvements to our Nation's water and surface transportation infrastructure.

I deeply appreciate the good work and active leadership of our committee's vice chairwoman, the distinguished Senator from Maryland. She has been a pleasure to work with. She has been very helpful in producing this bill.

I also thank the very able staff members of the committee who have been very diligent and professional throughout this process. They are a credit to the Senate.

Madam President, I urge approval of the bill.

The PRESIDING OFFICER. The Senator from Arizona.

UNANIMOUS CONSENT REQUEST—S. 145

Mr. FLAKE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 204, S. 145; that the bill be read a third time and passed; and that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

UNANIMOUS CONSENT REQUEST—S. 145, S. 403, S. 521, S. 593, S. 610, S. 873, S. 1103, S. 1104, S. 1240, S. 1305, AND S. 1483

Mr. CARDIN. Madam President, reserving the right to object, the bill Senator FLAKE is referring to, S. 145—a bill I support—is part of a package of 11 bills that have been approved by the Energy and Natural Resources Committee known as the lands bills. By the way, of the 11 bills, 7 of the principal sponsors are Republican and 4 are Democrats. S. 403 by Senator KLOBUCHAR is on that list, which includes the North Country National Scenic Trail; S. 521 that I introduced concerning the President's Station in Baltimore; S. 593 by Senator BARRASSO that includes the Bureau of Reclamation report on their infrastructure assets; S. 610 that I introduced dealing with P.S. 103, which is Thurgood Marshall Elementary School; S. 873 by the chair, Senator MURKOWSKI, to designate wilderness within the Lake Clark National Park and Preserve; two bills, S. 1103 and S. 1104, by Senator DAINES extending deadlines; S. 1240 by Senator HEINRICH designating the Cerro del Yuta and Rio San Antonio wilderness areas in New Mexico; S. 1305 by Senator BARRASSO concerning the Colorado River Storage Project Act; and, lastly, S. 1483 by Senator ALEXANDER that would direct a feasibility study for designating the James K. Polk Home in Columbia, TN, as a unit of the National Park System.

So therefore I ask unanimous consent that the request by Senator FLAKE be modified so that the Senate proceed to the immediate consideration of the following calendar items en bloc: Calendar No. 204, S. 145; Calendar No. 205, S. 403; Calendar No. 206, S. 521; Calendar No. 208, S. 593; Calendar No. 209, S. 610; Calendar No. 211, S. 873; Calendar No. 212, S. 1103; Calendar No. 213, S. 1104; Calendar No. 214, S. 1240; Calendar No. 215, S. 1305; and Calendar No. 216, S. 1483; that the applicable committee-reported amendments be agreed to, the bills, as amended, if amended,

be read a third time and passed, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

That would be the list I just mentioned, the lands bills that have been reported out unanimously by the Energy and Natural Resources Committee.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. FLAKE. I have no objection to the modification.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, as the ranking member of the Foreign Affairs Committee is well aware, in July I told Secretary Kerry in a written letter that if the administration sent to the United Nations this catastrophic Iranian nuclear deal before submitting it to the U.S. Congress, that the consequence would be that each and every political appointee to the State Department would be held. Secretary Kerry nonetheless decided to disregard the contents of that letter, submitted it to the United Nations in derogation of U.S. sovereignty, and accordingly, I have been blocking those political nominees.

Mr. CARDIN. Will the Senator yield for one moment?

Mr. CRUZ. Yes.

Mr. CARDIN. I think this request deals with the lands bills, not the political appointments. I just wanted to point that out. These are the bills that came out of the Energy and Natural Resources Committee that deal with designating certain lands. We will have a chance later on the nominations.

Mr. CRUZ. Well, reserving the right to object to that one, I would simply say we were going to do both. I thought you were doing the first one, but you are doing the other.

On that as well, in my view, there is far too much Federal land in the United States that is under the control of the Federal Government. I was just yesterday in the State of Nevada, where some 84 percent of the State of Nevada is controlled by the Federal Government. We do not need the Federal Government becoming the largest landlord in the United States. Therefore, I object.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. FLAKE. Yes, I so modify.

The PRESIDING OFFICER. Objection was heard to the modification.

Is there objection to the original request?

Mr. CARDIN. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

CONSOLIDATED APPROPRIATIONS ACT, 2016

Mr. MCCONNELL. Madam President, I ask the Chair to lay before the Senate the message to accompany H.R. 2029.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2029) entitled ''An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes,'' with amendments.

MOTION TO CONCUR

Mr. MCCONNELL. I move to concur in the House amendments to the Senate amendment to H.R. 2029.

Mr. BURR. Madam President, I ask unanimous consent that the Joint Explanatory Statement for Division M—Intelligence Authorization Act for Fiscal Year 2016 be printed in the RECORD.

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

JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The following consists of the joint explanatory statement to accompany the Intelligence Authorization Act for Fiscal Year 2016.

This joint explanatory statement reflects the status of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence (hereinafter, ''the Agreement''). The joint explanatory statement shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

The joint explanatory statement comprises three parts: an overview of the application of the annex to accompany this statement; unclassified congressional direction; and a section-by-section analysis of the legislative text.

PART I: APPLICATION OF THE CLASSIFIED ANNEX

The classified nature of U.S. intelligence activities prevents the congressional intelligence committees from publicly disclosing many details concerning the conclusions and recommendations of the Agreement. Therefore, a classified Schedule of Authorizations and a classified annex have been prepared to describe in detail the scope and intent of the congressional intelligence committees' actions. The Agreement authorizes the Intelligence Community to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified annex is the result of negotiations between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. It reconciles the differences between the committees' respective versions of the bill for the National Intelligence Program (NIP) and the Homeland Security Intelligence Program for Fiscal Year 2016. The Agreement also makes recommendations for the Military Intelligence Program (MIP), and the Information Systems Security Program, consistent with the National Defense Authorization Act for Fiscal Year 2016, and provides certain direction for these two programs.

The Agreement supersedes the classified annexes to the reports accompanying H.R. 4127, as passed by the House on December 1, 2015, H.R. 2596, as passed by the House on June 16, 2015, and S. 1705, as reported by the Senate Select Committee on Intelligence on July 7, 2015. All references to the House-passed and Senate-reported annexes are solely to identify the heritage of specific provisions.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 102. It has the status of law. The classified annex supplements and adds detail to clarify the authorization levels found in the bill and the classified Schedule of Authorizations. The classified annex shall have the same legal force as the report to accompany the bill.

PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

Enhancing Geographic and Demographic Diversity

The Agreement directs the Office of the Director for National Intelligence (ODNI) to conduct an awareness, outreach, and recruitment program to rural, under-represented colleges and universities that are not part of the IC Centers of Academic Excellence (IC CAE) program. Further, the Agreement directs that ODNI shall increase and formally track the number of competitive candidates for IC employment or internships who studied at IC CAE schools and other scholarship programs supported by the IC.

Additionally, the Agreement directs that ODNI, acting through the Executive Agent for the IC CAE program, the IC Chief Human Capital Officer, and the Chief, Office of IC Equal Opportunity & Diversity, as appropriate, shall:

1. Add a criterion to the IC CAE selection process that applicants must be part of a consortium or actively collaborate with under-resourced schools in their area;

2. Work with CAE schools to reach out to rural and under-resourced schools, including by inviting such schools to participate in the annual IC CAE colloquium and IC recruitment events;

3. Increase and formally track the number of competitive IC internship candidates from IC CAE schools, starting with Fiscal Year 2016 IC summer internships, and provide a report, within 180 days of the enactment of this Act, on its plan to do so;

4. Develop metrics to ascertain whether IC CAE, the Pat Roberts Intelligence Scholars Program, the Louis Stokes Educational Scholarship Program, and the Intelligence Officer Training Program reach a diverse demographic and serve as feeders to the IC workforce;

5. Include in the annual report on minority hiring and retention a breakdown of the students participating in these programs who serve as IC interns, applied for full-time IC employment, received offers of employment, and entered on duty in the IC;

6. Conduct a feasibility study with necessary funding levels regarding how the IC CAE could be better tailored to serve under-resourced schools, and provide such study to the congressional intelligence committees within 180 days of the enactment of this Act;

7. Publicize all IC elements' recruitment activities, including the new Applicant Gateway and the IC Virtual Career Fair, to rural schools, Historically Black Colleges and Universities, and other minority-serving institutions that have been contacted by IC recruiters;

8. Contact new groups with the objective of expanding the IC Heritage Community Liaison Council; and

9. Ensure that IC elements add such activities listed above that may be appropriate to their recruitment plans for Fiscal Year 2016.

ODNI shall provide an interim update to the congressional intelligence committees on its efforts within 90 days of the enactment of this Act and include final results in its annual report on minority hiring and retention.

Analytic Duplication & Improving Customer Impact

The congressional intelligence committees are concerned about potential duplication in finished analytic products. Specifically, the congressional intelligence committees are concerned that contemporaneous publication of substantially similar intelligence products fosters confusion among intelligence customers (including those in Congress), impedes analytic coherence across the IC, and wastes time and effort. The congressional intelligence committees value competitive analysis, but believe there is room to reduce duplicative analytic activity and improve customer impact.

Therefore, the Agreement directs ODNI to pilot a repeatable methodology to evaluate potential duplication in finished intelligence analytic products and to report the findings to the congressional intelligence committees within 60 days of the enactment of this Act. In addition, the Agreement directs ODNI to report to the congressional intelligence committees within 180 days of enactment of this Act on how it will revise analytic practice, tradecraft, and standards to ensure customers can clearly identify how products that are produced contemporaneously and cover similar topics differ from one another in their methodological, informational, or temporal aspects, and the significance of those differences. This report is not intended to cover operationally urgent analysis or current intelligence.

Countering Violent Extremism and the Islamic State of Iraq and the Levant

The Agreement directs ODNI, within 180 days of enactment of this Act and in consultation with appropriate interagency partners, to brief the congressional intelligence committees on how intelligence agencies are supporting both (1) the Administration's Countering Violent Extremism (CVE) program first detailed in the 2011 White House strategy Empowering Local Partners to Prevent Violent Extremism in the United States, which was expanded following the January 2015 White House Summit on Countering Violent Extremism, and (2) the Administration's Strategy to Counter the Islamic State of Iraq and the Levant, which was announced in September 2014.

Analytic Health Reports

The Agreement directs the Defense Intelligence Agency (DIA) to provide Analytic Health Reports to the congressional intelligence committees on a quarterly basis, including an update on the specific effect of analytic modernization on the health of the Defense Intelligence Analysis Program (DIAP) and its ability to reduce analytic risk.

All-Source Analysis Standards

The Agreement directs DIA to conduct a comprehensive evaluation of the Defense Intelligence Enterprise's all-source analysis capability and production in Fiscal Year 2015. The evaluation should assess the analytic output of both NIP and MW funded all-source analysts, separately and collectively, and apply the following four criteria identified in the ODNI Strategic Evaluation Report for all-source analysis: 1) integrated, 2) objective, 3) timely, and 4) value-added. The results of this evaluation shall be included as part of the Fiscal Year 2017 congressional budget justification book.

Terrorism Investigations

The Agreement directs the Federal Bureau of Investigation (FBI) to submit to the congressional intelligence committees, within 180 days of enactment of this Act, a report detailing how FBI has allocated resources between domestic and foreign terrorist threats based on numbers of investigations over the past 5 years. The report should be submitted in unclassified form but may include a classified annex.

Investigations of Minors Involved in Radicalization

The Agreement directs the FBI to provide a briefing to the congressional intelligence committees within 180 days of enactment of this Act on investigations in which minors are encouraged to turn away from violent extremism rather than take actions that would lead to Federal terrorism indictments. This briefing should place these rates in the context of all investigations of minors for violent extremist activity and should describe any FBI engagement with minors' families, law enforcement, or other individuals or groups connected to the minor during or after investigations.

Furthermore, the Agreement directs the FBI to include how often undercover agents pursue investigations based on a location of interest related to violent extremist activity compared to investigations of an individual or group believed to be engaged in such activity. Included should be the number of locations of interest associated with a religious group or entity. This briefing also should include trend analysis covering the last five years describing violent extremist activity in the U.S.

Declassification Review of Video of the 2012 Benghazi Terrorist Attacks

Numerous investigations have been conducted regarding the 2012 terrorist attack against U.S. facilities in Benghazi. The Senate Select Committee on Intelligence produced one of the first declassified Congressional reports and continues to believe that the public should have access to information about the attacks, so long as it does not jeopardize intelligence sources and methods.

The closed circuit television videos from the Temporary Mission Facility (TMF) captured some of the activity that took place at the State Department facility on September 11, 2012, and their release would contribute to the public's understanding of the event without compromising sources or methods.

Therefore, the Agreement directs the Director of National Intelligence, or the appropriate federal official, to conduct a declassification review and to facilitate the release to the public of the declassified closed circuit television videos of the September 11, 2012, terrorist attack on the TMF in Benghazi, Libya, consistent with the protection of sources and methods, not later than 120 days after the enactment of this Act.

PART III: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2016.

TITLE I—INTELLIGENCE ACTIVITIES

Section 101. Authorization of appropriations

Section 101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2016.

Section 102. Classified Schedule of Authorizations

Section 102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and the applicable personnel levels by program for Fiscal Year 2016 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

Section 103. Personnel ceiling adjustments

Section 103 is intended to provide additional flexibility to the Director of National Intelligence in managing the civilian personnel of the Intelligence Community. Section 103 provides that the Director may authorize employment of civilian personnel in Fiscal Year 2016 in excess of the number of authorized positions by an amount not exceeding three percent of the total limit applicable to each Intelligence Community element under Section 102. The Director may do so only if necessary to the performance of important intelligence functions.

Section 104. Intelligence Community Management Account

Section 104 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the Director of National Intelligence and sets the authorized personnel levels for the elements within the ICMA for Fiscal Year 2016.

Section 105. Clarification regarding authority for flexible personnel management among elements of intelligence community

Section 105 clarifies that certain Intelligence Community elements may make hiring decisions based on the excepted service designation.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 201. Authorization of appropriations

Section 201 authorizes appropriations in the amount of $514,000,000 for Fiscal Year 2016 for the Central Intelligence Agency Retirement and Disability Fund.

TITLE III—GENERAL PROVISIONS

Section 301. Increase in employee compensation and benefits authorized by law

Section 301 provides that funds authorized to be appropriated by the Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in compensation or benefits authorized by law.

Section 302. Restriction on conduct of intelligence activities

Section 302 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

Section 303. Provision of information and assistance to Inspector General of the Intelligence Community

Section 303 amends the National Security Act of 1947 to clarify the Inspector General of the Intelligence Community's authority to seek information and assistance from federal, state, and local agencies, or units thereof.

Section 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency

Section 304 amends Section 11(b)(1)(B) of the Inspector General Act of 1978 to reflect the correct name of the Office of the Inspector General of the Intelligence Community. The section also clarifies that the Inspector General of the Intelligence Community is a member of the Council of the Inspectors General on Integrity and Efficiency.

Section 305. Clarification of authority of Privacy and Civil Liberties Oversight Board

Section 305 amends the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) to clarify that nothing in the statute authorizing the Privacy and Civil Liberties Oversight Board should be construed to allow that Board to gain access to information regarding an activity covered by section 503 of the National Security Act of 1947.

Section 306. Enhancing government personnel security programs

Section 306 directs the Director of National Intelligence to develop and implement a plan for eliminating the backlog of overdue periodic investigations, and further requires the Director to direct each agency to implement a program to provide enhanced security review to individuals determined eligible for access to classified information or eligible to hold a sensitive position.

These enhanced personnel security programs will integrate information relevant and appropriate for determining an individual's suitability for access to classified information or eligibility to hold a sensitive position; be conducted at least 2 times every 5 years; and commence not later than 5 years after the date of enactment of the Fiscal Year 2016 Intelligence Authorization Act, or the elimination of the backlog of overdue periodic investigations, whichever occurs first.

Section 307. Notification of changes to retention of call detail record policies

Section 307 requires the Director of National Intelligence to notify the congressional intelligence committees in writing not later than 15 days after learning that an electronic communication service provider that generates call detail records in the ordinary course of business has changed its policy on the retention of such call details records to result in a retention period of less than 18 months. Section 307 further requires the Director to submit to the congressional intelligence committees within 30 days of enactment a report identifying each electronic communication service provider (if any) that has a current policy in place to retain call detail records for 18 months or less.

Section 308. Personnel information notification policy by the Director of National Intelligence

Section 308 requires the Director of National Intelligence to establish a policy to ensure timely notification to the congressional intelligence committees of the identities of individuals occupying senior level positions within the Intelligence Community.

Section 309. Designation of lead intelligence officer for tunnels

Section 309 requires the Director of National Intelligence to designate an official to manage the collection and analysis of intelligence regarding the tactical use of tunnels by state and nonstate actors.

Section 310. Reporting process for tracking country clearance requests

Section 310 requires the Director of National Intelligence to establish a formal reporting process for tracking requests for country clearance submitted to overseas Director of National Intelligence representatives. Section 310 also requires the Director to brief the congressional intelligence committees on its progress.

Section 311. Study on reduction of analytic duplication

Section 311 requires the Director of National Intelligence to carry out a study to identify duplicative analytic products and the reasons for such duplication, ascertain the frequency and types of such duplication, and determine whether this review should be considered a part of the responsibilities assigned to the Analytic Integrity and Standards office inside the Office of the Director of National Intelligence. Section 311 also requires the Director to provide a plan for revising analytic practice, tradecraft, and standards to ensure customers are able to readily identify how analytic products on similar topics that are produced contemporaneously differ from one another and what is the significance of those differences.

Section 312. Strategy for comprehensive interagency review of the United States national security overhead satellite architecture

Section 312 requires the Director of National Intelligence, in collaboration with the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, to develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive interagency review of policies and practices for planning and acquiring national security satellite systems and architectures, including the capabilities of commercial systems and partner countries, consistent with the National Space Policy issued on June 28, 2010. Where applicable, this strategy shall account for the unique missions and authorities vested in the Department of Defense and the Intelligence Community.

Section 313. Cyber attack standards of measurement study

Section 313 directs the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Secretary of Defense, to carry out a study to determine the appropriate standards to measure the damage of cyber incidents.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SUBTITLE A—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Section 401. Appointment and confirmation of the National Counterintelligence Executive

Section 401 makes subject to Presidential appointment and Senate confirmation, the executive branch position of National Counterintelligence Executive (NCIX), which was created by the 2002 Counterintelligence Enhancement Act. Effective December 2014, the NCIX was also dual-hatted as the Director of the National Counterintelligence and Security Center.

Section 402. Technical amendments relating to pay under title 5, United States Code

Section 402 amends 5 U.S.C. §5102(a)(1) to expressly exclude the Office of the Director of National Intelligence (ODNI) from the provisions of chapter 51 of title 5, relating to position classification, pay, and allowances for General Schedule employees, which does not apply to ODNI by virtue of the National Security Act. This proposal would have no substantive effect.

Section 403. Analytic Objectivity Review

The Office of the Director of National Intelligence's Analytic Integrity and Standards (AIS) office was established in response to the requirement in the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) for the designation of an entity responsible for ensuring that the Intelligence Community's finished intelligence products are timely, objective, independent of political considerations, based upon all sources of available intelligence, and demonstrative of the standards of proper analytic tradecraft.

Consistent with responsibilities prescribed under IRTPA, Section 403 requires the AIS Chief to conduct a review of finished intelligence products produced by the CIA to assess whether the reorganization of the Agency, announced publicly on March 6, 2015, has resulted in any loss of analytic objectivity. The report is due no later than March 6, 2017.

SUBTITLE B—CENTRAL INTELLIGENCE AGENCY AND OTHER ELEMENTS

Section 411. Authorities of the Inspector General for the Central Intelligence Agency

Section 411 amends Section 17 of the Central Intelligence Agency Act of 1949 to consolidate the Inspector General's personnel authorities and to provide the Inspector General with the same authorities as other Inspectors General to request assistance and information from federal, state, and local agencies or units thereof.

Section 412. Prior congressional notification of transfers of funds for certain intelligence activities

Section 412 requires notification to the congressional intelligence committees before transferring funds from the Joint Improvised Explosive Device Defeat Fund or the Counterterrorism Partnerships Fund that are to be used for intelligence activities.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

SUBTITLE A—MATTERS RELATING TO RUSSIA

Section 501. Notice of deployment or transfer of Club-K container missile system by the Russian Federation

Section 501 requires the Director of National Intelligence to submit written notice to the appropriate congressional committees if the Intelligence Community receives intelligence that the Russian Federation has deployed, or is about to deploy, the Club-K container missile system through the Russian military, or transferred or sold, or intends to transfer or sell, such system to another state or non-state actor.

Section 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation

Section 502 requires the Director of National Intelligence to submit an Intelligence Community assessment to the appropriate congressional committees concerning the funding of political parties and nongovernmental organizations in the former Soviet States and Europe by the Russian Security Services since January 1, 2006, not later than 180 days after the enactment of the Fiscal Year 2016 Intelligence Authorization Act.

Section 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation

Section 503 requires the Director of National Intelligence to submit an Intelligence Community assessment concerning the use of political assassinations as a form of statecraft by the Russian Federation to the appropriate congressional committees, not later than 180 days after the enactment of the Fiscal Year 2016 Intelligence Authorization Act.

SUBTITLE B—MATTERS RELATING TO OTHER COUNTRIES

Section 511. Report of resources and collection posture with regard to the South China Sea and East China Sea

Section 511 requires the Director of National Intelligence to submit to the appropriate congressional committees an Intelligence Community assessment on Intelligence Community resourcing and collection posture with regard to the South China Sea and East China Sea, not later than 180 days after the enactment of the Fiscal Year 2016 Intelligence Authorization Act.

Section 512. Use of locally employed staff serving at a United States diplomatic facility in Cuba

Section 512 requires the Secretary of State, not later than 1 year after the date of the enactment of this Act, to ensure that key supervisory positions at a United States diplomatic facility in Cuba are occupied by citizens of the United States who have passed a thorough background check. Further, not later than 180 days after the date of the enactment of this Act, the provision requires the Secretary of State, in coordination with other appropriate government agencies, to submit to the appropriate congressional committees a plan to further reduce the reliance on locally employed staff in United

States diplomatic facilities in Cuba. The plan shall, at a minimum, include cost estimates, timelines, and numbers of employees to be replaced.

Section 513. Inclusion of sensitive compartmented information facilities in United States diplomatic facilities in Cuba

Section 513 requires that each United States diplomatic facility in Cuba—in which classified information will be processed or in which classified communications occur—that is constructed, or undergoes a construction upgrade, be constructed to include a sensitive compartmented information facility.

Section 514. Report on use by Iran of funds made available through sanctions relief

Section 514 requires the Director of National Intelligence, in consultation with the Secretary of the Treasury, to submit to the appropriate congressional committees a report assessing the monetary value of any direct or indirect form of sanctions relief Iran has received since the Joint Plan of Action (JPGA) entered into effect, and how Iran has used funds made available through such sanctions relief. This report shall be submitted every 180 days while the JPOA is in effect, and not later than 1 year after an agreement relating to Iran's nuclear program takes effect, and annually thereafter while that agreement remains in effect.

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Section 601. Prohibition on use of funds for transfer or release of individual detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States

Section 601 states that no amounts authorized to be appropriated or otherwise made available to an element of the Intelligence Community may be used to transfer or release individuals detained at Guantanamo Bay to or within the United States, its territories, or possessions.

Section 602. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba

Section 602 states that no amounts authorized to be appropriated or otherwise made available to an element of the Intelligence Community may be used to construct or modify facilities in the United States, its territories, or possessions to house detainees transferred from Guantanamo Bay.

Section 603. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba

Section 603 states that no amounts authorized to be appropriated or otherwise made available to an element of the Intelligence Community may be used to transfer or release an individual detained at Guantanamo Bay to the custody or control of any country, or any entity within such country, as follows: Libya, Somalia, Syria, or Yemen.

TITLE VII—REPORTS AND OTHER MATTERS

SUBTITLE A—REPORTS

Section 701. Repeal of certain reporting requirements

Section 701 repeals certain reporting requirements.

Section 702. Reports on foreign fighters

Section 702 requires the Director of National Intelligence to submit a report every 60 days for the three years following the enactment of this Act to the congressional intelligence committees on foreign fighter flows to and from Syria and Iraq. Section 702 requires information on the total number of foreign fighters who have traveled to Syria or Iraq, the total number of United States persons who have traveled or attempted to travel to Syria or Iraq, the total number of foreign fighters in Terrorist Identities Datamart Environment, the total number of foreign fighters who have been processed with biometrics, any programmatic updates to the foreign fighter report, and a worldwide graphic that describes foreign fighter flows to and from Syria.

Section 703. Report on strategy, efforts, and resources to detect, deter, and degrade Islamic State revenue mechanisms

Section 703 requires the Director of National Intelligence to submit a report on the strategy, efforts, and resources of the Intelligence Community that are necessary to detect, deter, and degrade the revenue mechanisms of the Islamic State.

Section 704. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents

Section 704 requires the President to submit to the appropriated congressional committees a comprehensive report on the counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups associated groups, and adherents.

Section 705. Report on effects of data breach of Office of Personnel Management

Section 705 requires the President to transmit to the congressional intelligence communities a report on the data breach of the Office of Personnel Management. Section 705 requires information on the impact of the breach on Intelligence Community operations abroad, in addition to an assessment of how foreign persons, groups, or countries may use data collected by the breach and what Federal Government agencies use best practices to protect sensitive data.

Section 706. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community

Section 706 requires the Director of National Intelligence to submit to the congressional intelligence committees a report on the employment by the Intelligence Community of graduates of the Cyber Corps Scholarship Program. Section 706 requires information on the number of graduates hired by each element of the Intelligence Community, the recruitment process for each element of the Intelligence Community, and the Director recommendations for improving the hiring process.

Section 707. Report on use of certain business concerns

Section 707 requires the Director of National Intelligence to submit to the congressional intelligence committees a report of covered business concerns—including minority-owned, women-owned, small disadvantaged, service-enabled veteran-owned, and veteran-owned small businesses—among contractors that are awarded contracts by the Intelligence Community for goods, equipment, tools and services.

SUBTITLE B—OTHER MATTERS

Section 711. Use of homeland security grant funds in conjunction with Department of Energy national laboratories

Section 711 amends Section 2008(a) of the Homeland Security Act of 2002 to clarify that the Department of Energy's national laboratories may seek access to homeland security grant funds.

Section 712. Inclusion of certain minority-serving institutions in grant program to enhance recruiting of intelligence community workforce

Section 712 amends the National Security Act of 1947 to include certain minority-serving institutions in the intelligence officer training programs established under Section 1024 of the Act.

Mr. BURR. Madam President, I ask unanimous consent that the Joint Explanatory Statement for Division N—Cybersecurity Act of 2015 be printed in the RECORD.

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

JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE CYBERSECURITY ACT OF 2015

The following consists of the joint explanatory statement to accompany the Cybersecurity Act of 2015.

This joint explanatory statement reflects the status of negotiations and disposition of issues reached between the Senate Select Committee on Intelligence, the House Permanent Select Committee on Intelligence, the Senate Committee on Homeland Security and Governmental Affairs, and the House Committee on Homeland Security. The joint explanatory statement shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

The joint explanatory statement comprises an overview of the bill's background and objectives, and a section-by-section analysis of the legislative text.

PART I: BACKGROUND AND NEED FOR LEGISLATION

Cybersecurity threats continue to affect our nation's security and its economy, as losses to consumers, businesses, and the government from cyber attacks, penetrations, and disruptions total billions of dollars. This legislation is designed to create a voluntary cybersecurity information sharing process that will encourage public and private sector entities to share cyber threat information, without legal barriers and the threat of unfounded litigation—while protecting private information. This in turn should foster greater cooperation and collaboration in the face of growing cybersecurity threats to national and economic security.

This legislation also includes provisions to improve Federal network and information system security, provide assessments on the Federal cybersecurity workforce, and provide reporting and strategies on cybersecurity industry-related and criminal-related matters. The increased information sharing enabled by this bill is a critical step toward improving cybersecurity in America.

PART II: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT

The following is a section-by-section analysis and explanation of the Cybersecurity Act of 2015.

TITLE I—CYBERSECURITY INFORMATION SHARING

Section 101. Short title.

Section 101 states that Title I may be cited as the ''Cybersecurity Information Sharing Act of 2015.''

Section 102. Definitions.

Section 102 defines for purposes of this title key terms such as ''cybersecurity purpose,'' ''cybersecurity threat,'' ''cyber threat indicator,'' ''defensive measure,'' and ''monitor.'' The definition of ''cybersecurity purpose'' is meant to include a broad range of

activities taken to protect information and information systems from cybersecurity threats. The authorizations under this Act are tied to conduct undertaken for a ''cybersecurity purpose,'' which both clarifies their scope and ensures that the authorizations cover activities that can be performed in conjunction with one another. For instance, a private entity conducting monitoring activities to determine whether it should use an authorized ''defensive measure'' would be monitoring for a ''cybersecurity purpose.'' Significantly, the authorization for ''defensive measures'' does not include activities that are generally considered ''offensive'' in nature, such as unauthorized access of, or execution of computer code on, another entity's information systems, such as ''hacking back'' activities, or any actions that would substantially harm another private entity's information systems, such as violations of section 1030, of title 18, United States Code.

Section 103. Sharing of information by the Federal Government.

Section 103 requires the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General to jointly develop and issue procedures for the timely sharing of classified and unclassified cyber threat indicators and defensive measures (hereinafter referenced collectively in this joint explanatory statement as, ''cyber threat information'') with relevant entities.

These procedures must also ensure the Federal Government maintains: a real-time sharing capability; a process for notifying entities that have received cyber threat information in error; protections against unauthorized access; and procedures to review and remove, prior to sharing cyber threat information, any information not directly related to a cybersecurity threat known at the time of sharing to be personal information of a specific individual or that identifies a specific individual, or to implement a technical capability to do the same. These procedures must be developed in consultation with appropriate Federal entities, including the Small Business Administration and the National Laboratories.

Section 104. Authorizations for preventing, detecting, analyzing, and mitigating cybersecurity threats.

Section 104 authorizes private entities to monitor their information systems, operate defensive measures, and share and receive cyber threat information. Private entities must, prior to sharing cyber threat information, review and remove any information not directly related to a cybersecurity threat known at the time of sharing to be personal information of a specific individual or that identifies a specific individual, or to implement and utilize a technical capability to do the same.

Section 104 permits non-Federal entities to use cyber threat information for cybersecurity purposes, to monitor, or to operate defensive measures on their information systems or on those of another entity (upon written consent). Cyber threat information shared by an entity with a State, tribal, or local department or agency may be used for the purpose of preventing, investigating, or prosecuting any of the offenses described in Section 105, below. Cyber threat information is exempt from disclosure under any State, tribal, local, or freedom of information or similar law.

Section 104 further provides that two or more private entities are not in violation of antitrust laws for exchanging or providing cyber threat information, or for assisting with the prevention, investigation, or mitigation of a cybersecurity threat.

Section 105. Sharing of cyber threat indicators and defensive measures with the Federal Government.

Section 105 directs the Attorney General and Secretary of Homeland Security to jointly develop policies and procedures to govern how the Federal Government shares information about cyber threats, including via an automated real-time process that allows for information systems to exchange identified cyber threat information without manual efforts, subject to limited exceptions that must be agreed upon in advance. Section 105 also directs the Attorney General and Secretary of Homeland Security, in coordination with heads of appropriate Federal entities and in consultation with certain privacy officials and relevant private entities, to jointly issue and make publicly available final privacy and civil liberties guidelines for Federal entity-based cyber information sharing.

Section 105 directs the Secretary of Homeland Security, in coordination with heads of appropriate Federal entities, to develop, implement, and certify the capability and process through which the Federal Government receives cyber threat information shared by a non-Federal entity with the Federal Government. This section also provides the President with the authority to designate an appropriate Federal entity, other than the Department of Defense (including the National Security Agency), to develop and implement an additional capability and process following a certification and explanation to Congress, as described in this section. The capability and process at the Department of Homeland Security, or at any additional appropriate Federal entity designated by the President, does not prohibit otherwise lawful disclosures of information related to criminal activities, Federal investigations, or statutorily or contractually required disclosures. However, this section does not preclude the Department of Defense, including the National Security Agency from assisting in the development and implementation of a capability and process established consistent with this title. It also shall not be read to preclude any department or agency from requesting technical assistance or staffing a request for technical assistance.

Section 105 further provides that cyber threat information shared with the Federal Government does not waive any privilege or protection, may be deemed proprietary information by the originating entity, and is exempt from certain disclosure laws. Cyber threat information may be used by the Federal government for: cybersecurity purposes; identifying a cybersecurity threat or vulnerability; responding to, preventing, or mitigating a specific threat of death, a specific threat of serious bodily harm, or a specific threat of serious economic harm, including a terrorist act or a use of a weapon of mass destruction; responding to, investigating, prosecuting, preventing, or mitigating a serious threat to a minor; or preventing, investigating, disrupting, or prosecuting an offense arising out of certain cyber-related criminal activities.

Finally, Section 105 provides that cyber threat information shared with the Federal Government shall not be used by any Federal, State, tribal, or local government to regulate non-Federal entities' lawful activities.

Section 106. Protection from liability.

Section 106 provides liability protection for private entities that monitor, share, or receive cyber threat information in accordance with Title I, notwithstanding any other provision of Federal, State, local, or tribal law. Section 106 further clarifies that nothing in Title I creates a duty to share cyber threat information or a duty to warn or act based on receiving cyber threat information. At the same time, nothing in Title I broadens, narrows, or otherwise affects any existing duties that might be imposed by other law; Title I also does not limit any common law or statutory defenses.

Section 107. Oversight of Government activities.

Section 107 requires reports and recommendations on implementation, compliance, and privacy assessments by agency heads, Inspectors General, and the Comptroller General of the United States, to ensure that cyber threat information is properly received, handled, and shared by the Federal Government.

Section 108. Construction and preemption.

Section 108 contains Title I construction provisions regarding lawful disclosures; whistleblower protections; protection of sources and methods; relationship to other laws; prohibited conduct, such as anti-competitive activities; information sharing relationships; preservation of contractual rights and obligations; anti-tasking restrictions, including conditions on cyber threat information sharing; information use and retention; Federal preemption of State laws that restrict or regulate Title I activities, excluding those concerning the use of authorized law enforcement practices and procedures; regulatory authorities; the Secretary of Defense's authorities to conduct certain cyber operations; and Constitutional protections in criminal prosecutions.

Section 109. Report on cybersecurity threats.

Section 109 requires the Director of National Intelligence, with the heads of other appropriate Intelligence Community elements, to submit a report to the congressional intelligence committees on cybersecurity threats, including cyber attacks, theft, and data breaches.

Section 110. Exception to limitation on authority of Secretary of Deftnse to disseminate certain information.

Section 110 clarifies that, notwithstanding Section 393(c)(3) of title 10, United States Code, the Secretary of Defense may authorize the sharing of cyber threat indicators and defensive measures pursuant to the policies, procedures, and guidelines developed or issued under this title.

Section 111. Effective period.

Section 111 establishes Title I and the amendments therein are effective during the period beginning on the date of enactment of this Act and ending on September 30, 2025. The provisions of Title I will remain in effect however, for action authorized by Title I or information obtained pursuant to action authorized by Title I, prior to September 30, 2025.

TITLE II—NATIONAL CYBERSECURITY ADVANCEMENT

SUBTITLE A—NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER

Section 201. Short title.

Section 201 establishes that Title II, Subtitle A may be cited as the ''National Cybersecurity Protection Advancement Act of 2015''.

Section 202. Definitions.

Section 202 defines for purposes of Title II, Subtitle A, the terms ''appropriate congressional committees,'' ''cybersecurity risk,'' ''incident,'' ''cyber threat indicator,'' ''defensive measure,'' ''Department,'' and ''Secretary.''

Section 203. Information sharing structure and processes.

Section 203 enhances the functions of the Department of Homeland Security's National Cybersecurity and Communications

Integration Center, established in section 227 of the Homeland Security Act of 2002 (redesignated by this Act). It designates the Center as a Federal civilian interface for multi-directional and cross-sector information sharing related to cybersecurity risks, incidents, analysis and warnings for Federal and non-Federal entities, including the implementation of Title I of this Act. This section requires the Center to engage with international partners; conduct information sharing with Federal and non-Federal entities; participate in national exercises; and assess and evaluate consequence, vulnerability and threat information regarding cyber incidents to public safety communications. Additionally, this section requires the Center to collaborate with state and local governments on cybersecurity risks and incidents. The Center will comply with all policies, regulations, and laws that protect the privacy and civil liberties of United States persons, including by working with the Privacy Officer to ensure the Center follows the privacy policies and procedures established by title I of this Act.

Section 203 requires the Department of Homeland Security, in coordination with industry and other stakeholders, to develop an automated capability for the timely sharing of cyber threat indicators and defensive measures. It is critical for the Department to develop an automated system and supporting processes for the Center to disseminate cyber threat indicators and defensive measures in a timely manner.

This section permits the Center to enter into voluntary information sharing relationships with any consenting non-Federal entity for the sharing of cyber threat indicators, defensive measures, and information for cybersecurity purposes. This section is intended to provide the Department of Homeland Security additional options to enter into streamlined voluntary information sharing agreements. This section allows the Center to utilize standard and negotiated agreements as the types of agreements that non-Federal entities may enter into with the Center. However, it makes clear that agreements are not limited to just these types, and preexisting agreements between the Center and the non-Federal entity will be in compliance with this section.

Section 203 requires the Director of the Center to report directly to the Secretary for significant cybersecurity risks and incidents. This section requires the Secretary to submit to Congress a report on the range of efforts underway to bolster cybersecurity collaboration with international partners. Section 203 allows the Secretary to develop and adhere to Department policies and procedures for coordinating vulnerability disclosures.

Section 204. Information sharing and analysis organizations.

Section 204 amends Section 212 of the Homeland Security Act to clarify the functions of Information Sharing and Analysis Organizations (ISAOs) to include cybersecurity risk and incident information beyond that pertaining to critical infrastructure. ISAOs, including Information Sharing and Analysis Centers (ISAOs) have an important role to play in facilitating information sharing going forward and has clarified their functions as defined in the Homeland Security Act.

Section 205. National response framework.

Section 205 amends the Homeland Security Act of 2002 to require the Secretary of the Department of Homeland Security, with proper coordination, to regularly update the Cyber Incident Annex to the National Response Framework of the Department of Homeland Security.

Section 206. Report on reducing cybersecurity risks in DHS data centers.

Section 206 requires the Secretary of the Department of Homeland Security to submit a report to Congress not later than 1 year after the date of the enactment of this Act on the feasibility of using compartmentalization between systems to create conditions conducive to reduced cybersecurity risks in data centers.

Section 207. Assessment.

Section 207 requires the Comptroller General of the United States not later than 2 years after the date of enactment of this Act to submit a report on the implementation of Title II, including increases in the sharing of cyber threat indicators at the National Cybersecurity and Communications Integration Center and throughout the United States.

Section 208. Multiple simultaneous cyber incidents at critical infrastructure.

Section 208 requires the appropriate Department of Homeland Security Under Secretary to draft and submit to Congress not later than 1 year after the date of enactment of this Act a report on the feasibility of producing a risk-informed plan to address the risks of multiple simultaneous cyber incidents affecting critical infrastructure as well as cascade effects.

Section 209. Report on cybersecurity vulnerabilities of United States ports.

Section 209 requires the Secretary of Homeland Security not later than 180 days after the date of enactment of this Act to submit to Congress a report on the vulnerability of United States ports to cybersecurity incidents, as well as potential mitigations.

Section 210. Prohibition on new regulatory authority.

Section 210 clarifies that the Secretary of Homeland Security does not gain any additional regulatory authorities in this subtitle.

Section 211. Termination of reporting requirements.

Section 211 adds a 7-year sunset on the reporting requirements in Title II, Subtitle A.

SUBTITLE B—FEDERAL CYBERSECURITY ENHANCEMENT

Section 221. Short title.

Section 221 establishes that Title II, Subtitle B may be cited as the ''Federal Cybersecurity Enhancement Act of 2015''.

Section 222. Definitions.

Section 222 defines for purposes of Title II, Subtitle B, the terms ''agency,'' ''agency information system,'' ''appropriate congressional committees,'' ''cybersecurity risk,'' ''information system,'' ''Director,'' ''intelligence community,'' ''national security system,'' and ''Secretary.''

Section 223. Improved Federal network security.

Section 223 amends the Homeland Security Act of 2002 by amending Section 228, as redesignated, to require an intrusion assessment plan for Federal agencies and adding a Section 230 to authorize a federal intrusion detection and prevention capabilities'' for Federal agencies.

Section 230 of the Homeland Security Act of 2002, as added by Section 223(a) of the bill, authorizes the Secretary of Homeland Security to employ the Department's intrusion detection and intrusion prevention capabilities, operationally implemented under the ''EINSTEIN'' programs, to scan agencies' network traffic for malicious activity and block it. The Secretary and agencies with sensitive data are expected to confer regarding the sensitivity of, and statutory protections otherwise applicable to, information on agency information systems. The Secretary is expected to ensure that the policies and procedures developed under section 230 appropriately restrict and limit Department access, use, retention, and handling of such information to protect the privacy and confidentiality of such information, including ensuring that the Department protects such sensitive data from disclosure, and trains appropriate staff accordingly.

Section 223(b) mandates that agencies deploy and adopt those capabilities within one year for all network traffic traveling to or from each information system owned or operated by the agency, or two months after the capabilities are first made available to the agency, whichever is later. The subsection also requires that agencies adopt improvements added to the intrusion detection and prevention capabilities six months after they are made available. Improvements is intended to be read broadly to describe expansion of the capabilities, new systems, and added technologies, for example: non-signature based detection systems such as heuristic- and behavior-based detection, new countermeasures to block malicious traffic beyond e-mail filtering and Domain Name System (DNS)-sinkholing, and scanning techniques that allow scanning of encrypted traffic.

Section 224. Advanced internal defenses.

Section 224 directs the Secretary of Homeland Security to add advanced network security tools to the Continuous Diagnostics and Mitigation program; develop and implement a plan to ensure agency use of advanced network security tools; and, with the Director of the Office of Management and Budget, prioritize advanced security tools and update metrics used to measure security under the Federal Information Security Management Act of 2002.

Section 225. Federal cybersecurity requirements.

Section 225 adds a statutory requirement for the head of each agency not later than 1 year after the date of the enactment of this Act to implement several standards on their networks to include identification of sensitive and mission critical data, use of encryption, and multi-factor authentication.

Section 226. Assessment; reports.

Section 226 includes a requirement for a Government Accountability Office study to be conducted on the effectiveness of this approach and strategy. It also requires reports from the Department of Homeland Security, Federal Chief Information Officer, and the Office of Management and Budget. Required reporting includes an annual report from the Department of Homeland Security on the effectiveness and privacy controls of the intrusion detection and prevention capabilities; information on adoption of the intrusion detection and capabilities at agencies in the Office of Management and Budget's annual Federal Information Security Management Act report; an assessment by the Federal Chief Information Officer within two years of enactment as to continued value of the intrusion detection and prevention capabilities; and a Government Accountability report in three years on the effectiveness of Federal agencies' approach to securing agency information systems.

Section 227. Termination.

Section 227 creates a 7-year sunset for the authorization of the intrusion detection and prevention capabilities in Section 230 of the Homeland Security Act of 2002, as added by Section 223(a).

Section 228. Identification of information systems relating to national security.

Section 228 requires the Director of National Intelligence and the Director of the Office of Management, in coordination with

other agencies, not later than 180 days after the date of enactment of this Act to identify unclassified information systems that could reveal classified information, and submit a report assessing the risks associated with a breach of such systems and the costs and impact to designate such systems as national security systems.

Section 229. Direction to agencies.

Section 229 authorizes the Secretary of Homeland Security to issue an emergency directive to the head of an agency to take any lawful action with respect to the operation of an information system for the purpose of protecting such system from an information security threat. In situations in which the Secretary has determined there is an imminent threat to an agency, the Secretary may authorize the use of intrusion detection and prevention capabilities in accordance with established procedures, including notice to the affected agency.

TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

Section 301. Short title.

Section 301 establishes Title III may be cited as the ''Federal Cybersecurity Workforce Assessment Act of 2015''.

Section 302. Definitions.

Section 302 defines for purposes of Title III the terms ''appropriate congressional committees,'' ''Director,'' ''National Initiative for Cybersecurity Education,'' and ''work roles.''

Section 303. National cybersecurity workforce measurement initiative.

Section 303 requires the head of each Federal agency to identify all positions within the agency that require the performance of cybersecurity or other cyber-related functions, and report the percentage of personnel in such positions holding the appropriate certifications, the level of preparedness of personnel without certifications to take certification exams, and a strategy for mitigating any identified certification and training gaps.

Section 304. Identification of cyber-related work roles of critical need

Section 304 requires the head of each Federal agency to identify information technology, cybersecurity, or other cyber-related roles of critical need in the agency's workforce, and substantiate as such in a report to the Director of the Office of Personnel Management. Section 304 also requires the Director of the Office of Personnel Management to submit a subsequent report not later than 2 years after the date of the enactment of this Act, on critical needs for information technology, cybersecurity, or other cyber-related workforce across all Federal agencies, and the implementation of this section.

Section 305. Government Accountability Office status reports.

Section 305 requires the Comptroller General of the United States to analyze and monitor the implementation of sections 303 and 304 and not later than 3 years after the date of the enactment of this Act submit a report on the status of such implementation.

TITLE IV—OTHER CYBER MATTERS

Section 401. Study on mobile device security.

Section 401 requires the Secretary of Homeland Security not later than 1 year after the date of the enactment of this Act to conduct a study on threats relating to the security of the mobile devices used by the Federal Government, and submit a report detailing the findings and recommendations arising from such study.

Section 402. Department of State international cyberspace policy strategy.

Section 402 requires the Secretary of State not later than 90 days after the date of the enactment of this Act to produce a comprehensive strategy relating to United States international policy with regard to cyberspace, to include a review of actions taken by the Secretary of State in support of the President's International Strategy for Cyberspace and a description of threats to United States national security in cyberspace.

Section 403. Apprehension and prosecution of international cyber criminals.

Section 403 requires the Secretary of State, or a designee, to consult with countries in which international cyber criminals are physically present and extradition to the United States is unlikely, to determine what efforts the foreign country has taken to apprehend, prosecute, or otherwise prevent the carrying out of cybercrimes against United States persons or interests. Section 403 further requires an annual report that includes statistics and extradition status about such international cyber criminals.

Section 404. Enhancement of emergency services.

Section 404 requires the Secretary of Homeland Security not later than 90 days after the date of the enactment of this Act to establish a process by which a Statewide Interoperability Coordinator may report data on any cybersecurity risk or incident involving any information system or network used by emergency response providers within the state. Reported data will be analyzed and used in developing information and recommendations on security and resilience on measures for information systems and networks used by state emergency response providers.

Section 405. Improving cybersecurity in the health care industry.

Section 405 requires the Secretary of Health and Human Services to establish a task force and not later than 1 year after the date of enactment of the task force to submit a report on the Department of Health and Human Services and the health care industry's preparedness to respond to cybersecurity threats. In support of the report, the Secretary of Health and Human Services will convene health care industry stakeholders, cybersecurity experts, and other appropriate entities, to establish a task force for analyzing and disseminating information on industry-specific cybersecurity challenges and solutions.

Consistent with subsection (e), it is Congress's intention to allow Health and Human Services the flexibility to leverage and incorporate ongoing activities as of the day before the date of enactment of this act to accomplish the goals set forth for this task force.

Section 406. Federal computer security.

Section 406 requires the Inspector General of any agency operating a national security system, or a Federal computer system that provides access to personally identifiable information, not later than 240 days after the date of enactment of this Act to submit a report regarding the federal computer systems of such agency, to include information on the standards and processes for granting or denying specific requests to obtain and use information and related information processing services, and a description of the data security management practices used by the agency.

Section 407. Stopping the fraudulent sale of financial information of people of the United States.

Section 407 amends 18 U.S. Code §1029 by enabling the Federal Government to prosecute overseas criminals who profit from financial information that has been stolen from Americans.

Mr. HATCH. Madam President, the bill we are considering today contains a provision in section 305 providing for some tax relief for refiners whose costs will increase as a result of the repeal of the ban on oil exports. This provision permits refiners to modify the calculation of production activities income to lessen the impact of high transportation costs in bringing crude oil to their refineries. The provision permits adjusting such activities income for properly allocable transportation costs. Many times transportation costs are embedded within an invoice and not broken out as a separate line item, such as included in the delivered price of crude. These are clearly transportation costs intended to be taken into account for purposes of this section.

Mr. REID. Madam President, in Section 303 of the House amendment No. 1 to the Senate amendment to H.R. 2029, the text of the Consolidated Appropriations Act, 2016, the section 48 Investment Tax Credit, 26 U.S.C. section 48, is extended for 5 years, beginning on January 1, 2017, and phased down to 26 percent in 2020 and 22 percent in 2021. Section 303 inadvertently only extends the credit for solar energy technologies, rather than all of the technologies currently eligible to receive the credit.

The intention of the agreement that I reached with the majority leader was to extend the section 48 Investment Tax Credit for all of the eligible technologies for 5 years and to treat each technology eligible for a 30 percent credit the same with respect to a phase down in the years 2020 and 2021. The permanent 10 percent credit for eligible technologies under section 48 will remain in place.

The majority leader and I hope to address this early next year in an appropriate legislative vehicle.

Mr. DURBIN. Madam President, for several weeks, negotiations have been ongoing on a multitude of controversial provisions relating to the omnibus. While those debates were raging in different parts of the Capitol, work on the Defense appropriations bill continued quietly and efficiently.

I believe many Americans would be surprised to know about the exemplary level of bipartisanship that went into crafting this legislation, which provides the funding to take care of the women and men serving our country in uniform.

This bill provides for the pay and benefits of each member of the Armed Forces, equips them with the tools they need, and develops the next generation of technology to improve our national security.

Neither the chairman of the Defense Appropriations Subcommittee, Senator COCHRAN, nor I got everything we wanted out of this bill. Tough decisions had to be made.

Chairman COCHRAN supported a number of my suggestions for the bill, we worked together on others, and we disagreed on a few. The end result is a

good bill that meets the needs of our national security.

The Defense appropriations bill provides all the needed resources for ongoing military operations, including the funds requested by the President to carry out anti-ISIL operations in Syria and Iraq.

It adds $1.2 billion to the request to account for maintaining a larger presence in Afghanistan through 2016. And because the situation in Afghanistan, Syria, and Iraq is so fluid, it includes additional OCO reprogramming authority—a total of $4.5 billion—to respond to unexpected events.

We also maintain robust funding for intelligence collection on traditional and nontraditional threats to this country, so that our Nation can continue to be a step ahead of threats to Americans and our allies.

The DOD has a long history of scientific innovation for the purpose of keeping our troops safe and providing an edge over our adversaries. We also know that millions of Americans who have never served in uniform often benefit from these defense breakthroughs. This bill provides a total of $1.94 billion for DOD medical research programs, which is 5 percent real growth over last year's funding level.

The medical research funding in this bill is directed toward competition, whether it is the $667 million in core research funding, the $278 million in the Peer-Reviewed Medical Research Program, the $120 million for breast cancer research, or the variety of other research programs provided in the legislation.

I have heard criticism that medical research doesn't belong in a defense bill.

Defense medical research is relatively small—NIH research funding is 15 times larger—but DOD has made important breakthroughs that help servicemembers, their families, and all Americans.

As one example, Army researchers have developed E75, a vaccine that cuts in half the chance that breast cancer will return. Women around the country benefited from that breakthrough, including those in uniform and those in military families seeking care at DOD hospitals.

The bill also provides $2.3 billion for nonmedical basic research, a $220 million increase over the President's request. These funds help expand our knowledge of the universe in a variety of disciplines and may eventually lead to the next technology breakthrough that will enrich our lives.

The bill includes $487 million for U.S.-Israeli cooperative missile defense programs, fully funding the request from the Government of Israel.

We provide for a strong stand against Russian aggression in Europe. The European Reassurance Initiative, which increases U.S. troop presence and training in more than a dozen countries, is fully funded. An additional $250 million is provided for lethal and nonlethal aid to the Ukraine security services. The bill also includes $412 million to fully fund upgrades to the Army's Stryker fleet because of the threat from Russia.

However, the agreement takes a more cautious view of DOD's program to train the Syrian opposition. It is one of many programs for which the Department can request funds by reprogramming from the Counterterrorism Partnerships Fund. This process improves congressional oversight as well as places the onus on DOD to justify further expenses for the Syrian training program.

The bill includes a long list of increases to defense programs that were underfunded in the President's request. These programs are essential to maintaining the military advantage against our opponents and also support a strong and stable defense industrial base.

Some of the highlights include: $1 billion for an additional DDG–51 destroyer, 12 additional F–18 aircraft, 11 additional F–35 Joint Strike Fighters, $300 million for the Navy's UCLASS drone, sufficient funding to keep the A–10 operating for another year, and $1 billion for the National Guard and Reserve Equipment Account.

Finally, the bill includes a provision to guarantee competition for the launch of DOD satellites. I have studied the history of DOD's space launch programs, and it is a testament to how poor oversight leads to taxpayers being stuck with an expensive bill.

In the mid-2000s, United Launch Alliance gained a monopoly on satellite launches. Over a few short years, the cost of its rockets escalated by 65 percent. Just this year, SpaceX was certified to compete against ULA. These competitions have barely begun, and already we are seeing large savings in launch costs. But provisions in the Defense Authorization Act are threatening to create a new launch monopoly, this time with SpaceX in charge.

The issue is that ULA uses a Russian rocket engine, and a new American-made engine will not be ready to compete until 2022. During that time, DOD wants to compete 37 launches, but under Defense authorization bills, ULA is only allowed to win four of those contracts.

We all want to eliminate reliance on Russian engines. This bill adds $144 million to make a new U.S.-built rocket a reality as soon as possible.

I must remind Senators that NASA and NOAA are not restricted from using Russian engines for its satellites. Why should we agree to a double standard—a looming monopoly for national security space launches but full and open competition for scientific missions?

The provision in this bill simply guarantees that the Air Force for the next year will live under the same rules as NASA and NOAA, while a new American-made rocket is developed and will hopefully be ready in 2022.

This large and complex bill amounts to half of the discretionary budget of the United States. It is essential to our national security, and this bill improves on DOD's budget proposals in many ways.

Once again, I would like to thank my friend, Chairman COCHRAN, for his steady hand in moving this legislation forward in a constructive and bipartisan manner. The Defense Subcommittee has a long history of strong partnerships, and I am pleased that this tradition carries on today.

Mr. LEAHY. Madam President, hard-working Americans deserve more than living paycheck to paycheck, worrying about having to choose between paying an electric bill or putting healthy food on the table. This appropriations law ends a year of continuing budget uncertainty and extends tax credits for millions of hard-working families. We have kept out harmful riders that would have undermined everything from Wall Street reform to clean air and water laws. There are many steps forward in this bill for Vermonters and all Americans, but we need stronger steps. We need to carry this into the new year and strengthen it, to help lift the middle class and to protect the most vulnerable among us.

We need much more progress in creating well-paying jobs in rural areas like Vermont, not just in the Nation's urban centers. We need to do more to protect Social Security and Medicare and other programs in the safety net. We need to do more to make college affordable for students and families.

This bill will let Congress begin the new year with focusing on America's middle class, taking stronger steps to help working families. By standing together, Senate Democrats have made it possible to cancel the harmful sequester and to lift caps to make investments possible that will make a difference in communities across Vermont—from cleanup efforts on Lake Champlain, to ramping up our fight against opioid addiction, to equipping our police officers with life-saving bulletproof vests.

This omnibus spending bill is good news for my home State of Vermont, too. It includes important funds for the EPA's Lake Champlain Geographic Program, which will be critical as Vermont and the EPA take on ambitious new work and regulations to address water quality and phosphorus levels in Lake Champlain. As much as Vermonters and millions of visitors to our State enjoy Lake Champlain, we know that business as usual simply will not cut it. We need serious action, measurable work on the ground, and strong Federal resources in order to make real progress to clean up Lake Champlain. That is why I made supporting the EPA's geographic programs a top priority for fiscal year 2016. That this final bill maintains the strong Federal investments that were made last year reflects a real partnership among Federal, State, and local partners.

The omnibus makes essential investments to help States and local municipalities fight the scourge of opioid and heroin addiction, which continues to devastate too many communities. Vermont has been a national leader in calling attention to this problem and bringing together communities to find solutions. This spending package includes a number of programs that will continue to support those efforts. We know that it will require strong Federal support to join State and local efforts to address this heroin crisis. In particular, this omnibus package includes funding for the Anti-Heroin Task Force Program that began last year to provide support to State law enforcement efforts like those of the Vermont Drug Task Force in dismantling supply chains trafficking heroin into our States.

Because we know that enforcement alone cannot solve this problem, this bill also includes increased funding for grants to expand medication assisted treatment programs, and funding to distribute lifesaving naloxone to prevent overdoses. It offers continued support for drug court programs that prevent individuals suffering from addiction from needlessly entering our criminal justice system and instead helps set them on a path towards treatment and recovery. I am proud to support for funding these critical programs that provide a lifeline to communities struggling to eliminate this opioid crisis.

This omnibus bill will grow jobs in Vermont and across the country. When I walk down the street in Montpelier or talk to people at the grocery store in Waterbury, I hear too many stories from Vermonters who are working two, even three jobs to make ends meet. Congress needs to do more to spur job growth, and I believe this bill will make a measurable impact.

The heart and soul of Vermont's economy are our small businesses. In fact, over 90 percent of the employers in Vermont are small businesses, employing more than half of all Vermonters that work in the private sector. So naturally, the Small Business Administration, SBA, and the programs it supports are critically important to ensuring that Vermont businesses have access to the capital they need to expand. Year after year, we see all sectors of the Vermont economy utilizing SBA programs from manufacturing, to agriculture, clean energy, and even craft brewing. Vermont Precision Tools in Swanton, which manufactures high-quality burs for the medical device industry, is one such example. Pete's Greens, a certified organic vegetable farm that has been a leader in Vermont's agricultural renaissance, is another. This past year, the SBA had its highest level of lending in Vermont, backing more than $53 million in loans. This omnibus bill will ensure that Vermonters have access to just as much capital in 2016.

Another critical source of capital for Vermont's businesses has been made possible through the Treasury Department's Community Development Financial Institutions Fund, CDFI. Community Capital of Vermont is one of our State's organizations that have leveraged CDFI funds and the SBA's microloan program to help neighborhood businesses—such as Barrio Bakery in the Old North End of Burlington, Patchwork Farm Bakery in Hardwick, Liberty Chocolates in Montpelier, and Bent Hill Brewery in Randolph. This year we were able to increase funding for the CDFI program, while also increasing access to healthy food and expanding work in rural areas.

Vermont is a northern border State, and the connection we share with our Canadian neighbors is an important one for our cultural and economic identity. Senators from neighboring States know well that some communities have experienced unique economic challenges, and that is why we worked together to create the Northern Border Regional Commission, NBRC. I appreciate their support and joining with me to increase the NBRC budget to $7.5 million for the coming year. In the short time the commission has existed, it has helped companies like Superior Technical Ceramics in St. Albans develop a plan to increase their exports; the Vermont Sustainable Jobs Fund is helping grow Vermont's wood products sector; an industrial park in Franklin County has received funds for improvements to entice Canadian companies to expand in the United States; and—a jewel of the Northeast Kingdom—Willoughby Lake, will have increased amenities resulting in more travel and tourism.

As a result of the Bipartisan Budget Act Congress approved in October, critical funding was restored to the HOME program, which helps States and communities preserve existing and produce new units of affordable housing. The Senate-passed Transportation, Housing and Urban Development bill decimated the HOME program, providing a paltry $66 million. Because of the Bipartisan Budget Act, in fiscal year 2016, the HOME program will receive $950 million—an increase of $50 million over 2015 funding—which will help every State, including Vermont, address critical housing needs.

The National Institutes of Health, the Nation's leading medical research hub, will receive a $2 billion increase in funding, which will benefit research institutions like the University of Vermont.

The bill continues to support community health centers that will be funded at just over $5 billion next year. In Vermont alone, 11 federally qualified community health centers with 56 delivery sites provided care over the past 2 years to nearly 200,000 patients. These health centers employ over 900 people.

The omnibus reauthorizes for 3 years the Land and Water Conservation Fund, and provides needed funding to support it. Early next year, I hope Congress will redouble its efforts to ensure that this critical conservation program—which supports projects in every State, in every corner of our country—receives permanent authorization and full funding—all at no expense to the taxpayer.

Important, too, is that this omnibus rejects efforts by industry giants to block Vermont's Act 120, which requires the labeling of genetically engineered foods. Vermonters support their law, because they believe—as do I—that consumers have the right to know what is in the food they are eating. An omnibus spending bill is no place to make national policy that undermines carefully crafted laws at the state level.

As ranking member of the Department of State and Foreign Operations Appropriations Subcommittee, I want to thank Chairman LINDSEY GRAHAM, Chairwoman KAY GRANGER, and Ranking Member NITA LOWEY for the way they worked with me and my staff to reach agreement on the State and foreign operations title of this omnibus bill. Their expertise was invaluable in producing a bill that provides funding for important diplomatic, development, security, and humanitarian priorities of the United States and that reflect our Nation's values.

Division K of the omnibus, for the Department of State and foreign operations, provides a total of $52.7 billion in discretionary budget authority. This funding helps protect U.S. personnel, including our diplomats, working overseas; funds programs to combat trafficking in persons, wildlife poaching, and drug smuggling; provides historic levels of funding to combat HIV/AIDS, tuberculosis, malaria, and other diseases that threaten hundreds of millions of people around the world; supports key allies in countering ISIL and other terrorist organizations; provides funds to promote renewable energy and protect the environment; and funds relief programs for refugees and other victims of conflict and natural disasters. These are just a few examples. Division K also includes important provisions to ensure transparency, combat corruption, and prevent assistance to and encourage accountability for those who would misuse U.S. assistance by violating human rights or engaging in corruption or other financial crimes.

I am particularly pleased that the bill includes increased funding for agent orange remediation and health and disability programs in Vietnam; the Leahy War Victims Fund to assist innocent victims of war, clear unexploded bombs in Southeast Asia and other parts of the world; and educational and cultural exchange programs including the amount requested for the Fulbright exchange program. In addition, authority is provided to help threatened scholars around the world find academic institutions where they can continue their work in safety.

The bill also supports programs that directly benefit Vermonters, including the amount requested for the Peace

Corps and funding above the amount requested for the Great Lakes Fishery Commission to support additional sea lamprey control in the Great Lakes and the Lake Champlain Basin.

I am disappointed that a provision I authored, which was included in the Senate bill, to enable the U.S. to provide technical assistance to support investigations, apprehensions, and prosecutions of those who commit genocide and other crimes against humanity, was not included. There are also some things that I wish were not in this bill, including a provision carried from last year that would weaken limits on carbon emissions from projects financed by the Export-Import Bank and Overseas Private Investment Corporation. No bill is perfect, and we will undoubtedly revisit these and other issues next year.

I have heard from many Vermonters concerned that controversial policy provisions were to be included in this final spending bill. While I am grateful this final bill does not include many of the poison pill policy riders included in the House and Senate passed bills—measures that would have eroded health care services, repealed Dodd-Frank, and threatened key environmental protections, among other issues—I am concerned that it includes a giveaway to Big Oil by lifting the decades-long ban on crude oil exports. While I understand that, in exchange for lifting the ban, the omnibus is free of several proposed policy riders that would undermine Clean Air Act and Clean Water Act regulations and extends several environmental and renewable energy tax measures, I share the concerns of many environmentalists that lifting this ban will result in increased oil development and we could see higher gasoline prices in New England.

I am disappointed that the omnibus includes two policy riders that will further wear away transparency and accountability in our campaign finance system. These provisions will only promote the spending of dark money in Federal elections and further erode the trust of the American people in their political system.

I am also disappointed that the omnibus is being used to jam cyber security information sharing legislation through Congress. This is not the way to pass major legislation, particularly one that threatens to significantly harm Americans' privacy rights. This new version of the cyber security information sharing bill—which was negotiated behind closed doors by leaders of the Senate and House Intelligence Committees—rolls back a number of significant consumer and privacy protections that were included in the Senate-passed bill and over which the Judiciary Committee has primary jurisdiction, including language that could affect the scope of liability protections and that would expand Federal preemption of State FOIA and transparency laws. These changes are dangerous and unnecessary. Congress should have been given an opportunity to study, debate, and vote on a bill of this magnitude under regular order—not choose between this bill and a government shutdown. I hope that, when the Senate returns next year, we can consider legislation to mitigate the potential harm of this legislation.

Of course, with this omnibus spending bill, the Senate will consider the Protecting Americans from Tax Hikes, PATH, Act. Last year, in the closing days of Congress, I opposed a 1-year, retroactive extension of expiring tax credits, not because I do not support those credits, but because our small businesses, middle-class families, and entrepreneurs need more certainty. The PATH Act provides that in some instances through 2016 and in other instances with permanency.

I am pleased that the PATH Act extends permanently the earned income tax credit, EITC, and the child tax credit, CTC. These credits have helped Vermont families recover from the recession. Vermont was one of the first States in the nation to supplement federal EITC dollars. In 2013, low-income families in Vermont received an estimated $2,400 in State and Federal tax credits that year. For the many families who qualify for these programs, these credits provide a significant increase in take-home pay. This not only has the potential to lift families out of poverty, it also motivates many to return to the workforce. While I would have preferred that these extensions be paired with an indexing proposal, extending permanency to them is welcomed news for millions of American families.

The PATH Act also supports small businesses by encouraging hiring, promoting investment in low-income areas, promoting domestic renewable energy development, and encouraging research and development. I am grateful that the bill includes a permanently extension of the charitable deduction for contributions of food inventory. I have long championed this deduction. It helps organizations like the Vermont Food Bank and encourages donors to support food shelfs across the country.

Finally, I am deeply disappointed that, despite bipartisan, bicameral agreement, needed reforms to the EB–5 regional center program were not included in this final bill. On Tuesday evening, just hours before the bill became public, congressional leaders inexplicably decided to extend the EB–5 program without any reform. The program was given a free pass despite broad, bipartisan agreement that it is in urgent need of an overhaul. Time and again, concerns have been raised about the regional center program's susceptibility to fraud, its lack of oversight and transparency, and the rampant abuse of its incentives to invest in underserved communities—undermining a core premise of the program. Homeland Security Secretary Johnson, the Government Accountability Office, and the Department of Homeland Security Office of Inspector General have all raised concerns.

While the program's flaws are obvious to anyone paying attention, the necessary fixes are as well. I have long worked to improve the regional center program, and my EB–5 amendment to the Senate's comprehensive immigration reform bill in the last Congress was unanimously approved in the Judiciary Committee. This Congress, I authored far-reaching reforms with Chairman GRASSLEY and House Judiciary Chairman GOODLATTE and Ranking Member CONYERS. We had the support of by far the largest trade association representing the EB–5 industry, as well as the civil rights community. We pushed hard to include our reforms in the omnibus, but some congressional leaders inexcusably rejected these vital reforms.

We have a comprehensive, bipartisan reform bill that the chairmen and ranking members of both the House and Senate Judiciary Committees support. These reforms would address the many troubles that plague this program, including increasing oversight and transparency, protecting investors, and promoting investment and job growth in underserved communities as Congress always intended. We cannot again squander this opportunity. We should act on our bill when we return in January to ensure integrity and to demand ongoing oversight of the program.

Mr. SESSIONS. Madam President, the bill before us today represents a colossal addition to our Nation's debt, which currently stands at $18.4 trillion. Earlier this year, the Budget Committee worked hard to develop a budget plan that would balance in the next 10 years by saving money, cutting costs, and examining inefficient programs and provisions. It was not easy to find the cuts necessary to achieve the goals laid out in that proposal. But the tax extenders bill costs are a large step away from getting our Nation back on a sound fiscal footing and accomplishing the objectives laid out in the budget plan.

When the Joint Committee on Taxation, JCT, scored the bill, they found that in just the next year, it will add $157 billion to the debt, and that cost will swell to $622 billion over the next 10 years. The government will have to borrow this money; we do not have it to spend. The Committee for a Responsible Federal Budget, CRFB, headed by Maya MacGuiness, took an independent look at these tax provisions. According to the CRFB, the United States will have to pay an additional $130 billion in interest charges over the next 10 years on the money borrowed to finance this legislation. Maya's organization makes one more important point that many here in Congress have not sufficiently considered. The $622 billion advertised cost will balloon even further to $2 trillion over the next

two decades. Certainly, many of the provisions in this package are good, but President Obama and Congress need to recognize there are limits.

The bill also extends costly tax credits that are scored rightly by the Congressional Budget Office as support payments, not tax deductions; and allows tax credits, earned income tax credits, for illegal aliens favored by President Obama's Executive amnesty and the additional income tax credit, which allows billions to go to illegal aliens. These provisions are unwise and need serious reform before extending.

There are indeed some good provisions in this bill. Businesses across the nation will benefit by the research and development and section 179 bonus depreciation tax credits being made permanent. Many businesses in my State rely on the credits and making them permanent provides consistency for better planning. But the $611 billion cost in new expenditures and lost revenues is huge. This Congress has to know that a $2 trillion addition to the debt over the next 20 years is simply too much. This is a step away not towards fiscal responsibility.

It is these kinds of rationalizations that can cause a country to go broke. For perspective, Congress struggled mightily to find $77 billion above the gas tax to pay for the 5-year highway bill. This tax package is so huge it will make the highway bill costs look insignificant.

Colleagues, we cannot be in denial about how much this bill costs. We all have a strong desire for tax cuts and tax reform. I have supported such bills many times in the past, but this bill has little reform and great cost. I am disappointed that I cannot support this bill.

Mr. KAINE. Madam President, I want to speak today about the Omnibus appropriations and tax bill. First, I want to applaud my colleagues who have worked tirelessly towards this deal for over a year now. Our leadership and the leaders of our Appropriations, Finance, and Budget Committees have been setting the stage for this action and I want to thank them.

This bill, H.R. 2029, the Consolidated Appropriations Act, 2016, addresses many priorities that I have been fighting for since joining the Senate in 2013. It comes on the heels of the Bipartisan Budget Act we passed in October of this year, which addressed for 2 years the arbitrary budget caps set by sequestration and implements the first year of that agreement.

First enacted as part of the Bipartisan Budget Control Act of 2011, these arbitrary budget caps have been hurting our national defense and domestic priorities since sequestration went into effect in 2013 by arbitrarily forcing critical agencies such as the Department of Defense to set strategy and policy based on artificial caps. As a former mayor and Governor I have a lot of experience with budgets and decisionmaking. I understand using budgets gimmicks to set policy is the opposite of what we should be doing. It is a strategy that is unsustainable and must be addressed if we are to properly manage our finances.

In 2013, on the heels of the devastating government shutdown, Congress passed the Bipartisan Budget Act of 2013 to reduce uncertainty, adjust the budget caps to reflect current needs, and put the idea of another government shutdown behind us. That deal was a bipartisan compromise, heralded by Members from both sides of the aisle. We learned from that exercise that both parties can come together to give budget certainty to families and businesses.

This year, we faced the prospect of another harmful episode of sequestration whereby Congress's priority setting was once again to be determined by the budget law passed in 2011. Once again, lawmakers came together, and we passed the Bipartisan Budget Act of 2015, another 2-year bill which set appropriate spending targets and gave appropriators time to write full appropriations bills for the remainder of this fiscal year, thereby avoiding the risk of shutdowns or fiscal cliffs at the end of the year.

Because of all that activity, we find ourselves here today with this bill. Within this bill there is a lot of good: strong funding for Defense Department priorities like shipbuilding and the Ohio-class replacement; strong funding for educational programs like Head Start, Preschool Development Grants, and Teacher Quality Partnership Grants; strong funding for State Department embassy security training programs; strong funding for military construction projects around Virginia; strong commitments for the environment such as the American Battlefield Protection Act, Chesapeake Bay Program, and the Army Corps programs in Norfolk; strong funding for the National Park Service and for NASA's programs at Wallops Island; and strong funding for Plan Central America.

This bill also includes critically important programs on the revenue side. Three critical low- and middle-income tax programs—the child tax credit, earned income tax credit, and American opportunity tax credit—have been made permanent in this bill, so has the research and development tax credit, along with an expansion in this credit for startups championed by Senator COONS that I have cosponsored. Also made permanent are tax programs for teachers, for conservation, and for military families. We have made other programs last for another 5 years. And others will be extended for 2 years, a step forward for these programs we have been extending for only 1 year at a time.

This package also contains energy policy that will advance our national goal of generating energy cleaner tomorrow than today, while ensuring that our short-term need for fossil fuels is met by American supplies and developed by American workers. The deal lifts the 40-year old ban on export of U.S. crude oil, which will create American jobs. The deal extends wind and solar tax incentives for 5 years.

The deal also hikes funding for the Land and Water Conservation Fund by 50 percent this year, which will support open space preservation efforts around the country and in Virginia at Rappahannock River Valley National Wildlife Refuge, George Washington and Thomas Jefferson National Forests, the Captain John Smith Chesapeake National Historical Trail, and elsewhere. Finally, it includes assistance for U.S. oil refineries, while stopping virtually all policy riders seeking to undermine critical air and water pollution laws.

This bill is by no means perfect. In particular, while I agree with many of the tax provisions included in this bill, a must-pass government funding bill is not the place to have the important tax policy debates facing this country. By passing this bill with so many tax provisions with little debate, we put off a broader agreement on comprehensive tax reform. I do agree with many aspects of this tax deal. But by taking this action now, we leave other critical tax policy decisions on the table with no debate on how we as a body should prioritize these issues.

And I am struck by the irony that all year long we debated how to provide sequester relief of about $100 billion for our national security and for education and health and research funding that will improve our economy. Those policies needed offsets. But this tax package will increase the deficit by nearly $700 billion, and there has not been discussion of offsetting this cost. That seems to me to be a bad precedent and an unfair distinction. In an era dominated by conversations about our national debt and deficits, we should do better to seek ways address these changes in a fiscally responsible way.

In the end, I choose to support this bill. The good in this legislation and the need for our Federal agencies to be able to plan and set the priorities of this country makes support the right decision. And the bipartisan character of the agreement will hopefully encourage more such cooperation.

Ms. COLLINS. Madam President, the cyber security bill included in the omnibus is a first step towards improving our Nation's dangerously inadequate defenses against cyber attacks. I know that the chairman and vice chairman of the Senate Intelligence Committee worked hard to ensure that a cyber security bill passed this year.

Unfortunately, however, the American people and economy will remain vulnerable to a catastrophic cyber attack against our critical infrastructure even after this bill becomes law.

Critical infrastructure refers to entities that are vital to the safety, health, and economic well-being of the American people, such as the major utilities that run the Nation's electric grid, the

national air transportation system that moves passengers and cargo safely from one location to another, and the elements of the financial sector that ensure the $14 trillion in payments made every day are securely routed through the banking system.

The Senate-passed cyber bill included an important provision I authored with the support of Senators MIKULSKI, COATS, REED, WARNER, HEINRICH, KING, HIRONO, and WYDEN that would have required the Department of Homeland Security, in conjunction with the appropriate Federal agencies, to undertake an assessment of the fewer than 65 critical infrastructure entities at greatest risk of causing catastrophic harm if they were the targets of a successful cyber attack.

By ''catastrophic harm,'' the Department of Homeland Security means a single cyber attack that would likely result in 2,500 deaths, $50 billion in economic damage, or a severe degradation of our national security. In other words, if one of these entities upon which we depend each day were attacked, the results would be devastating.

Following the assessment, the provision then required a report to Congress describing the steps that could be taken to lessen the vulnerability of these entities and to decrease the risk of catastrophic harm resulting from such a cyber attack against our critical infrastructure.

Inexplicably, this provision, which was supported by a majority of the members of the Senate Intelligence Committee, was eliminated in the negotiations between the leaders of the House and Senate Intelligence Committees.

I am told that this important provision was dropped because of opposition from certain industry groups that claimed that the current investment and regulatory structure is sufficient to protect our critical infrastructure; yet our provision explicitly included existing regulators in the assessment process and required no new mandates. Compromise language that would have made this even clearer was also rejected.

Our provision appropriately distinguished between the vast majority of businesses, such as a retail store or a chain of small ice cream shops, and the fewer than 65 critical infrastructure entities that could debilitate the U.S. economy or our way of life if attacked; yet the final version of the cyber bill treats these very different entities in exactly the same way.

I ask unanimous consent that a November 30, 2015, letter sent from a majority of the Senators on the Senate Intelligence Committee to the chairmen and vice chairmen of the House and Senate Intelligence Committees that corrects the RECORD on what this provision does and why it is necessary be printed in the RECORD following my remarks.

These fewer than 65 entities warrant our special attention because there is ample evidence, both classified and unclassified, that demonstrates the threat facing critical infrastructure and the deficiencies in the cyber security capability to defend them.

The Director of National Intelligence, Jim Clapper, has testified that the greatest threat facing our country is in cyber space. He has stated before the Armed Services Committee that the number one cyber challenge that concerns him the most is an attack on our Nation's critical infrastructure.

His assessment is backed up by several intrusions into the industrial controls of critical infrastructure. Since 2009, the Wall Street Journal has published reports regarding efforts by foreign adversaries, such as China, Russia, and Iran, to leave behind software on American critical infrastructure and to disrupt U.S. banks through cyber intrusions.

Multiple natural gas pipeline companies were the target of a sophisticated cyber intrusion campaign beginning in December 2011, and Saudi Arabia's oil company, Aramco, was subject to a destructive cyber attack in 2012.

When I asked Admiral Rogers, the Director of the National Security Agency with responsibility for cyber space, how prepared our country was for a cyber attack against our critical infrastructure in a hearing this summer, he replied that we are at a ''5 or 6.''

Last month, the Deputy Director of the NSA, Richard Ledgett, was asked during a CNN interview if foreign actors already have the capability of shutting down key U.S. infrastructure, such as the financial sector, energy, transportation, and air traffic control. His response? ''Absolutely.''

When it comes to cyber security, ignorance is not bliss. The least we should do is to ask DHS and the appropriate Federal agencies to describe what more could be done to prevent a catastrophic cyber attack on critical infrastructure that could cause thousands of deaths and/or a devastating blow to our economy or national defense.

Congress has missed an opportunity to improve our Nation's cyber preparedness by refusing to even ask DHS or the appropriate Federal agencies to understand and identify what more could be done to prevent a catastrophic cyber attack on the fewer than 65 critical infrastructure entities.

A cyber attack on our critical infrastructure is not a matter of ''if,'' but a matter of ''when.'' We are at September 10 levels in terms of cyber preparedness—a sentiment expressed by former Secretary of Defense Leon Panetta in 2012 and in the 9/11 Commission's 10th anniversary report released last year.

We cannot afford to wait for a ''cyber 9/11'' before protecting our critical infrastructure. By rejecting this provision, this Congress has elected to take just such a risk.

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

U.S. SENATE,
Washington, DC, November 30, 2015.

Hon. RICHARD BURR,
Chairman, Senate Select Committee on Intelligence, Washington DC.
Hon. MICHAEL T. MCCAUL,
House Committee on Homeland Security, Washington, DC.
Hon. DEVIN NUNES,
House Permanent Select Committee on Intelligence, Washington, DC.
Hon. DIANNE FEINSTEIN
Vice Chairman, Senate Select Committee on Intelligence, Washington, DC.
Hon. BENNIE G. THOMPSON,
House Committee on Homeland Security, Washington, DC.
Hon. ADAM B. SCHIFF,
House Permanent Select Committee on Intelligence, Washington, DC.

DEAR CHAIRMAN BURR, VICE CHAIRMAN FEINSTEIN, CHAIRMAN MCCAUL, RANKING MEMBER THOMPSON, CHAIRMAN NUNES, AND RANKING MEMBER SCHIFF: We strongly support the enactment of a voluntary cybersecurity information sharing bill, which will promote better communication between the private sector and the federal government on cyber threats and vulnerabilities. For 99 percent of businesses, the voluntary information sharing framework established in law should be sufficient to avoid catastrophic harm.

It would be a mistake, however, to treat the country's most critical infrastructure, upon which our people and our economy depend, the same way as a retail business, such as a chain of small ice cream shops. That is why Section 407 of S. 754, the Cybersecurity Information Sharing Act (CISA) appropriately distinguishes between the vast majority of businesses and those entities already designated by the federal government as critical infrastructure at greatest risk. Unless Section 407 of S. 754, the Cybersecurity Information Sharing Act (CISA) is retained in the final cybersecurity bill, these very different entities will be treated exactly the same way under this legislation.

Critical infrastructure refers to entities that are vital to the safety, health, and economic wellbeing of the American people, such as the major utilities that run the nation's electrical grid. Section 407, however, only applies to the fewer than 65 entities that have already been designated by the Department of Homeland Security (DHS) as the critical infrastructure entities where a cyber attack would likely result in catastrophic harm. By catastrophic harm, DHS means a single cyber attack that would likely result in 2,500 deaths, $50 billion in economic damage, or a severe degradation of our national security.

Given these devastating consequences, we urge you to retain Section 407 of CISA. Ample evidence, both classified and unclassified, testifies to the threat facing critical infrastructure and the deficiencies in the cybersecurity capability to defend them. Since 2009, the Wall Street Journal has published reports regarding efforts by foreign adversaries, such as China, Russia, and Iran, to leave behind software on American critical infrastructure or to disrupt U.S. banks through cyber intrusions. Multiple natural gas pipeline companies were the target of a sophisticated cyber intrusion campaign beginning in December 2011, and Saudi Arabia's oil company, Aramco, was subject to a destructive cyber attack in 2012.

Admiral Mike Rogers, the Director of the National Security Agency, has said publicly

that ''We have . . . observed intrusions into industrial control systems . . . what concerns us is that . . . capability can be used by nation-states, groups or individuals to take down the capability of the control systems.''

At a recent Senate Armed Services Committee hearing on cybersecurity, the Director of National Intelligence was asked what one cyber challenge concerned him the most. He testified that it was a large-scale cyber attack against the United States' infrastructure. At a subsequent open hearing of the Senate Select Committee on Intelligence, Senator Collins asked Admiral Mike Rogers how prepared our country was for such an attack against our critical infrastructure. His answer, on a scale of 1–10, was that we are at a ''5 or 6''. That is a failing grade that we cannot ignore.

Section 407 has been mischaracterized in correspondence we have received, so we would also like to clarify some key facts about it. First, Section 407 is not counter to the overall voluntary nature of CISA, and it does not impose new incident reporting requirements on the fewer than 65 covered entities. Of course, many critical infrastructure entities, such as those in the electrical sector, are already subject to mandatory incident reporting to their federal regulators.

Section 407 simply requires DHS to undertake an assessment of the critical infrastructure that it has identified where a single catastrophic cyber attack could cause deaths and devastation and then report to Congress what actions could be taken to lessen their vulnerability and to decrease the risk of catastrophic harm resulting from such an attack.

Despite claims to the contrary, Section 407 is also consistent with existing government authority, regulations, and programs. The text of the provision clearly states that the report and strategy required by DHS must be produced ''in conjunction with the appropriate agency head . . .'' Appropriate agency head means the head of the existing sector-specific agency for such an entity or the existing federal regulator for that entity.

Section 407 will also likely reduce, rather than increase, the existing liability risk for the critical infrastructure entities that have already been identified as being at greatest risk of cyber attack. Liability risk is incurred when an entity actually fails to mitigate cyber vulnerabilities that they should have known about and addressed. Rather than increasing this risk, Section 407 seeks to share the burden of defending critical infrastructure against the most sophisticated cyber attacks by requiring the Secretary of Homeland Security to conduct an assessment of the cybersecurity of only the fewer than 65 entities. Following this assessment, Section 407 would require the Secretary to develop a strategy to mitigate the risk of catastrophic effects. The least we should do is to ask DHS and the appropriate federal agencies to describe what more could be done to prevent a catastrophic cyber attack on critical infrastructure that could cause thousands of deaths and/or a devastating blow to our economy or national defense.

Finally, we urge you to review the list of entities that are, in fact, covered by Section 407. Ironically, many of the trade associations who oppose this provision do not represent a single entity that would be covered by this amendment because none of their members has been designated as critical infrastructure at greatest risk. The list of entities and the classified intelligence regarding the threats to critical infrastructure have been provided to your respective committees.

If you have any questions, please do not hesitate to contact us.

Sincerely,

SUSAN M. COLLINS.
DANIEL COATS.
MARTIN HEINRICH.
MAZIE K. HIRONO.
BARBARA A. MIKULSKI.
MARK R. WARNER.
ANGUS S. KING, JR.
JACK REED.

Ms. COLLINS. Madam President, I rise today to speak on the fiscal year 2016 Omnibus appropriations bill. I want to highlight the Transportation and Housing and Urban Development division of the bill, which is critically important to meeting the housing needs of low-income, disabled, and older Americans, to shelter the homeless, and to boost our economy and create jobs through much needed infrastructure investments in our roads, bridges, railroads, transit systems, and airports.

Let me begin by thanking Chairman COCHRAN and Vice Chairwoman MIKULSKI for their leadership in advancing these appropriations bills.

I also want to acknowledge Senator JACK REED, the ranking member of the subcommittee, who worked closely with me in our negotiations with the House.

I would be remiss if I did not also acknowledge the tireless efforts staff have put into this bill throughout the entire process. My staff: Heideh Shahmoradi, Ken Altman, Jason Woolwine, Rajat Mathur, Lydia Collins, and Gus Maples have made enormous contributions.

I also want to thank Dabney Hegg, Rachel Milberg, Christina Monroe, and Jordan Stone on Senator REED's staff.

This bill represents priorities from Members on both sides of the aisle in both Chambers. Through considerable negotiation and compromise, we have crafted a bipartisan bill that targets limited resources to meet our most essential transportation and housing needs while ensuring effective oversight of these important programs.

The bill makes important investments, supporting millions of jobs and economic development. It invests in our Nation's transportation infrastructure by continuing to provide $500 million for the TIGER Program. This highly competitive program creates jobs and supports economic growth in every one of our home States.

The bill provides increased funding for our Nation's highway, transit, and safety programs, consistent with the recently enacted highway authorization bill, the FAST Act. State DOTs are also provided with the flexibility to repurpose approximately $2 billion in old, unused congressionally directed spending and direct it toward infrastructure projects that are of higher priority today within the same geographic location of the original designation.

Turning to air travel, the aviation investments will continue to modernize our nation's air traffic system and help to keep rural communities connected to the transportation network. It will ease future congestion and help reduce delays for travelers in U.S. airspace. The bill provides funding for FAA programs at 99.97 percent of the budget request to ensure FAA's operations and safety workforce are fully funded, which includes 14,500 air traffic controllers and more than 25,000 engineers, maintenance technicians, safety inspectors, and operational support personnel.

In addition to aviation safety, the bill provides $50 million in rail safety grants in response to the devastating rail accidents in recent years. These grants will support infrastructure improvements and safety technology, including positive train control.

There are also several provisions to enhance truck safety on our Nation's highways. For example, the bill requires the Department of Transportation to publish a proposed rule on speed governors, which limits the speed at which these trucks can operate. The Department continues to delay this rulemaking, which was initially petitioned by the industry itself. It is time to get this important safety rule completed and implemented.

The bill also protects critical housing programs by preserving existing rental assistance for vulnerable families and individuals, including our seniors, and strengthens the Federal response to the problem of youth homelessness. Sufficient funding is provided to keep pace with the rising cost of housing vulnerable families, ensuring that more than 4.7 million individuals and families currently receiving assistance will not have to worry about losing their housing. Without this assistance, many of these families might otherwise become homeless.

Youth homelessness is especially troubling and warrants more attention. Reflecting this concern, our bill provides $42.5 million to expand efforts to reduce youth homelessness. These efforts build on our success in reducing veterans homelessness, which has been reduced by 36 percent since 2010. This bill continues that effort by providing an additional 8,000 vouchers for our homeless veterans despite the administration's failure to request funding for this critically important program.

To support local development, we provide $3 billion for the Community Development Block Grants Program. This is an extremely popular program with the States and communities because it allows them to tailor the Federal funds to support local economic and job creation projects.

I appreciate the opportunity to speak about this legislation, and I urge my colleagues to support final passage of the omnibus.

SECTION 702 IN DIVISION O

Mr. BROWN. Madam President, today I wish to discuss section 702 in division O of the Omnibus appropriations bill. It is a provision that would prohibit the Treasury Department

from selling, transferring or otherwise disposing of the senior preferred shares of Fannie Mae and Freddie Mac for 2 years.

In 2008, Treasury Secretary Hank Paulson and Federal Housing Finance Agency Director James Lockhart placed Fannie Mae and Freddie Mac into conservatorship and created an agreement that gave the Treasury Department senior preferred shares in both entities. Since that time, the GSEs helped stabilize the housing market by ensuring that families had access to 30-year fixed-rate mortgages at reasonable rates and lenders had access to a functioning secondary market. While the government was initially forced to inject $188 billion into shoring up these two agencies, it has since collected $241 billion. Taxpayers have thus earned $53 billion during the conservatorship.

Mr. SCHUMER. Madam President, will the Senator yield for a question? I am concerned that someone could read the provision as limiting a future administration's authority to end the conservatorship after the 2-year prohibition absent congressional action. Does the provision prohibit a future administration from taking any action after January 1, 2018, if it is in the best interest of the housing market, taxpayers or the broader economy?

Mr. BROWN. I will say to my colleague from New York that it does not. That is not the effect of the language. Any number of decisions could be made after that date, when a new Congress and a new President will be in place. Nor does this provision have any effect on the court cases and settlements currently underway challenging the validity of the third amendment. As the Senator from Tennessee said yesterday, ''this legislation does not prejudice'' any of those cases.

Mr. REID. I associate myself with the comments of the Senator from Ohio, Mr. BROWN. If it turns out to be in the best interest of borrowers, the economy or to protect taxpayers, the next administration could elect to end the conservatorship on January 2, 2018. This is the view of the Treasury Department as well. I would like to submit a letter written to me on this issue that states that the provision binds the Treasury only until January 1, 2018, and has no effect after that.

The agreement for this language to be included in the omnibus was that the prohibition would sunset after 2 years and not create a perpetual conservatorship. As then-Secretary Paulson described, conservatorship was meant to be a ''time out'' not an indefinite state of being.

Madam President, I ask unanimous consent that the Treasury letter be printed in the RECORD at the conclusion of the remarks by Senator BROWN.

Mr. BROWN. Madam President, I thank the Majority Leader. The FHFA and Treasury Department could have placed the GSEs into receivership if the intent was to liquidate them. The purpose of a conservatorship is to preserve and conserve the assets of the entities in conservatorship until they are in a safe and solvent condition as determined by their regulator.

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

DEPARTMENT OF THE TREASURY,
Washington, DC, December 17, 2015.

Hon. HARRY REID,
Democratic Leader, U.S. Senate,
Washington, DC.

DEAR MR. LEADER: In response to your request for our view, the Treasury Department interprets the language of Section 702 of Division O of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2016, to mean that subsection (b) imposes a prohibition that is binding until January 1, 2018. It would not be binding after that date.

Sincerely,

ANNE WALL,
Assistant Secretary for Legislative Affairs.

TITLE IX

Mr. WHITEHOUSE. Madam President, I am joined by Senator THUNE, the chair of the Commerce, Science, and Transportation Committee, to discuss title IX—National Oceans and Coastal Security, of Division O of the Consolidated Appropriations Act, 2016. The legislation on which this title was based, the National Oceans and Coastal Security Act, S. 2025, is a bill I introduced earlier this year, which was referred to the Senate Commerce Committee. I appreciate the assistance Senator THUNE and his committee staff have provided on this legislation.

The National Oceans and Coastal Security Act establishes a fund to support research, conservation, and restoration projects on our coasts and in our oceans and Great Lakes. The National Fish and Wildlife Foundation and National Oceanic and Atmospheric Administration—two organizations with significant expertise in ocean, coastal, and Great Lakes issues, as well as managing grants—will coordinate the grant programs supported by the fund.

I thank Senator THUNE for joining me today to help clarify this important legislation.

As you know, our coastal communities and marine economies depend upon healthy oceans and Great Lakes. The projects supported by this fund will provide the science and on-the-ground action that will help ensure a healthy environment and vibrant economy for generations to come.

Any money appropriated or otherwise made available to the fund will be used to ''support programs and activities intended to better understand and utilize ocean and coastal resources and coastal infrastructure, including baseline scientific research, ocean observing, and other programs and activities.''

Funds may not be used for litigation or advocacy, or the creation of national marine monuments, marine protected areas, marine spatial plans, or a National Ocean Policy. It is the intent of the authors that no grants be provided through this fund for the creation or federal implementation of any of these programs or policies. With specific regard to the National Ocean Policy, its creation has already occurred by Executive order, and its implementation is the responsibility of the National Ocean Council. It is the expectation of the authors that no funds would be used to support the activities of the National Ocean Council.

Mr. THUNE. Thank you, Senator WHITEHOUSE, for inviting me to join you today to discuss the National Oceans and Coastal Security Act. I know the creation of an ocean fund has been a longstanding priority of yours.

I share Senator WHITEHOUSE's understanding of the eligible uses for money granted from the fund. It is also worth noting that the National Fish and Wildlife Foundation, a congressionally chartered nonprofit organization, is explicitly prohibited in its authorizing legislation from providing grants that support litigation or advocacy.

Mr. WHITEHOUSE. Thank you for making that important point. I would like to further highlight that the legislation authorizes two grant programs. The first would direct funding to coastal States, Indian tribes, and U.S. territories. The other would create a national competitive grant program open to States, local governments, and Indian tribes, as well as associations, nongovernmental organizations, public-private partnerships, and academic institutions to support oceans and coastal research and restoration efforts.

Mr. THUNE. Thank you for that clarification.

CLOTURE MOTION

Mr. MCCONNELL. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendments to the Senate amendment to H.R. 2029, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Thom Tillis, Bob Corker, Richard Burr, Lisa Murkowski, Roger F. Wicker, John Hoeven, Roy Blunt, James M. Inhofe, Orrin G. Hatch, Mark Kirk, Thad Cochran, Kelly Ayotte, Susan M. Collins, Daniel Coats.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

There is 2 minutes of debate on this motion.

Who yields time?

Mr. MCCONNELL. I yield back the time on this side.

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

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, 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 amendments to the Senate amendment to H.R. 2029, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Thom Tillis, Bob Corker, Richard Burr, Lisa Murkowski, Roger F. Wicker, John Hoeven, Roy Blunt, James M. Inhofe, Orrin G. Hatch, Mark Kirk, Thad Cochran, Kelly Ayotte, Susan M. Collins, Daniel Coats.

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

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendments to the Senate amendment to H.R. 2029 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The yeas and nays resulted—yeas 72, nays 26, as follows:

[Rollcall Vote No. 336 Leg.]

YEAS—72

Alexander	Franken	Merkley
Ayotte	Gardner	Mikulski
Baldwin	Gillibrand	Murkowski
Barrasso	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Hatch	Nelson
Blunt	Heinrich	Perdue
Booker	Heitkamp	Peters
Brown	Heller	Portman
Burr	Hirono	Reed
Cantwell	Hoeven	Reid
Capito	Inhofe	Roberts
Cardin	Isakson	Rounds
Carper	Johnson	Schatz
Casey	Kaine	Schumer
Coats	King	Shaheen
Cochran	Kirk	Stabenow
Collins	Klobuchar	Tillis
Coons	Lankford	Udall
Corker	Leahy	Warner
Cornyn	Markey	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Feinstein	Menendez	Wyden

NAYS—26

Boozman	Flake	Scott
Cassidy	Lee	Sessions
Cotton	Manchin	Shelby
Crapo	McCain	Sullivan
Cruz	Moran	Tester
Daines	Paul	Thune
Enzi	Risch	Toomey
Ernst	Sanders	Vitter
Fischer	Sasse	

NOT VOTING—2

Boxer Rubio

The PRESIDING OFFICER. On this vote, the yeas are 72, the nays are 26.

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

Cloture having been invoked, under the previous order, all postcloture time is yielded back.

The majority leader.

Mr. MCCONNELL. Madam President, I am going to ask everybody to take their seats. I am going to ask everyone to sit in their seat.

I ask unanimous consent for the next votes to be 10 minutes, which I think would be widely applauded, if anybody is listening.

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

MOTION TO TABLE

Mr. MCCONNELL. I move to table the first House amendment to the Senate amendment to H.R. 2029 and ask for the yeas and nays.

Is there a sufficient second?

There is a sufficient second.

Under the previous order, there is 2 minutes of debate equally divided.

Who yields time?

Mr. MCCONNELL. I yield back.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I urge a ''no'' vote on the motion to table. This is the time to avoid a shutdown or a slow time. It is time to pass the omnibus, protect America, help the middle class, and meet our constitutional responsibilities.

Vote no on the motion to table, and let's get on with the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The result was announced—yeas 31, nays 67, as follows:

[Rollcall Vote No. 337 Leg.]

YEAS—31

Boozman	Gardner	Sanders
Burr	Grassley	Sasse
Cassidy	Heller	Scott
Cotton	Lankford	Sessions
Crapo	Lee	Shelby
Cruz	Manchin	Sullivan
Daines	McCain	Thune
Enzi	Moran	Toomey
Ernst	Paul	Vitter
Fischer	Portman	
Flake	Risch	

NAYS—67

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Barrasso	Hatch	Perdue
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Blunt	Hirono	Reid
Booker	Hoeven	Roberts
Brown	Inhofe	Rounds
Cantwell	Isakson	Schatz
Capito	Johnson	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Kirk	Tester
Coats	Klobuchar	Tillis
Cochran	Leahy	Udall
Collins	Markey	Warner
Coons	McCaskill	Warren
Corker	McConnell	Whitehouse
Cornyn	Menendez	Wicker
Donnelly	Merkley	Wyden
Durbin	Mikulski	
Feinstein	Murkowski	

NOT VOTING—2

Boxer Rubio

The motion was rejected.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I raise a point of order that the pending motion to concur violates section 311(a)(2)(B) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the House message to accompany H.R. 2029, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There are 2 minutes of debate on the motion.

The Senator from West Virginia.

Mr. MANCHIN. Madam President, all I am asking for in raising this point of order—the tax extender legislation will reduce revenues below the fiscal year 2016 budget agreement and would violate section 311. All I am asking for is to separate the votes. If you are proud and you want to vote for the extender, please do so. Voting no on this separates it, so you will have a vote on the extenders and a vote on the omnibus bill. Go home and explain it. There are good things in both. But give us a chance—basically, those who don't agree—and do not take the cowardly way out by putting them all into one. That is all we are doing.

If Tom Brokaw writes his new book after ''The Greatest Generation,'' we are going to be the worst generation by saddling this debt on our children and grandchildren. What we are doing here is something unconscionable—2,200 pages all wrapped into one.

All I am asking for is a ''no'' vote so we can separate it, go home, and explain it. I think we owe that to the people.

We are at 16 percent now. We can't go much lower, but we are trying, I know

that. So I appreciate that very much. I encourage a ''no'' vote on this. We will separate the two, vote them up or down, go home and explain them, and be proud of what we are doing in the Senate.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, colleagues, this bipartisan package is the biggest tax cut for working families and the biggest anti-poverty plan Congress has moved forward in decades, and it is the biggest bipartisan tax agreement in 15 years.

All together, 50 million Americans are going to benefit from the child tax credit and the expanded earned-income tax credit because they are made permanent. And on a permanent basis, students will be able to count on the American opportunity tax credit to cover up to $10,000 of a 4-year college education. That is a lot of money they won't have to borrow.

This also includes a permanent tax break for research and development, which for the first time will be available on a widespread basis to help small businesses and startups pay wages—a booster shot for the innovation economy in America. There will be permanent small business expensing that is going to help our employers invest and grow.

To just wrap up, it will include permanent small business expensing to help many employers invest and grow and create new highways and high-skilled jobs for our people. I believe, finally, this clears the deck for us to move to comprehensive bipartisan tax reform because it provides the breathing room Congress needs to throw the broken Tax Code into the trash can and get bipartisan tax reform.

So I urge my colleagues to waive the budget point of order, give millions of families across this country the predictability and certainty they need on their taxes, and put this Congress on a path toward achieving bipartisan comprehensive tax reform in the days ahead.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The yeas and nays resulted—yeas 73, nays 25, as follows:

[Rollcall Vote No. 338 Leg.]

YEAS—73

Alexander	Barrasso	Blunt
Ayotte	Bennet	Booker
Baldwin	Blumenthal	Boozman
Brown	Heinrich	Perdue
Cantwell	Heitkamp	Peters
Capito	Heller	Reed
Cardin	Hirono	Reid
Casey	Hoeven	Roberts
Coats	Inhofe	Rounds
Cochran	Isakson	Schatz
Collins	Johnson	Schumer
Coons	Kaine	Scott
Corker	Kirk	Shaheen
Cornyn	Klobuchar	Stabenow
Cotton	Leahy	Sullivan
Donnelly	Markey	Thune
Durbin	McCain	Tillis
Ernst	McConnell	Toomey
Feinstein	Merkley	Udall
Franken	Mikulski	Vitter
Gardner	Moran	Whitehouse
Gillibrand	Murkowski	Wicker
Graham	Murphy	Wyden
Grassley	Murray	
Hatch	Nelson	

NAYS—25

Burr	King	Sanders
Carper	Lankford	Sasse
Cassidy	Lee	Sessions
Crapo	Manchin	Shelby
Cruz	McCaskill	Tester
Daines	Menendez	Warner
Enzi	Paul	Warren
Fischer	Portman	
Flake	Risch	

NOT VOTING—2

Boxer	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 73, the nays are 25.

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

MOTION TO CONCUR

The PRESIDING OFFICER. The question now occurs on the motion to concur.

There is 2 minutes for debate equally divided.

The majority's time is yielded back.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, this is a bill that protects America. It rebuilds it and invests in the future. I think it is a great bill, as a result of bipartisan effort.

Let's vote for it, and may the force be with us.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to concur.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''No.''

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The result was announced—yeas 65, nays 33, as follows:

[Rollcall Vote No. 339 Leg.]

YEAS—65

Alexander	Feinstein	Mikulski
Ayotte	Franken	Murkowski
Baldwin	Gardner	Murphy
Barrasso	Gillibrand	Murray
Bennet	Graham	Nelson
Blumenthal	Hatch	Perdue
Blunt	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Heller	Reid
Cantwell	Hirono	Roberts
Capito	Hoeven	Rounds
Cardin	Inhofe	Schatz
Carper	Isakson	Schumer
Casey	Johnson	Shaheen
Coats	Kaine	Stabenow
Cochran	King	Tillis
Collins	Kirk	Udall
Coons	Klobuchar	Warner
Corker	Lankford	Warren
Cornyn	Leahy	Whitehouse
Donnelly	McConnell	Wicker
Durbin	Menendez	

NAYS—33

Boozman	Grassley	Sanders
Burr	Lee	Sasse
Cassidy	Manchin	Scott
Cotton	Markey	Sessions
Crapo	McCain	Shelby
Cruz	McCaskill	Sullivan
Daines	Merkley	Tester
Enzi	Moran	Thune
Ernst	Paul	Toomey
Fischer	Portman	Vitter
Flake	Risch	Wyden

NOT VOTING—2

Boxer	Rubio

The motion was agreed to.

MORNING BUSINESS

The PRESIDING OFFICER. The majority leader.

PATIENT ACCESS AND MEDICARE PROTECTION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. 2425.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2425) to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on this measure.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2425) was passed, as follows:

S. 2425

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 ''Patient Access and Medicare Protection Act''.

SEC. 2. NON-APPLICATION OF MEDICARE FEE SCHEDULE ADJUSTMENTS FOR WHEELCHAIR ACCESSORIES AND SEAT AND BACK CUSHIONS WHEN FURNISHED IN CONNECTION WITH COMPLEX REHABILITATIVE POWER WHEELCHAIRS.

(a) NON-APPLICATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to January 1, 2017, use information on the payment determined under the competitive acquisition programs under section 1847 of the Social Security Act (42 U.S.C. 1395w–3)) to adjust the payment amount that would otherwise be recognized under section 1834(a)(1)(B)(ii) of such Act (42 U.S.C. 1395m(a)(1)(B)(ii)) for wheelchair accessories (including seating systems) and seat and back cushions when furnished in connection with Group 3 complex rehabilitative power wheelchairs.

(2) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement this subsection by program instruction or otherwise.

(b) GAO STUDY AND REPORT.—

(1) STUDY.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study on wheelchair accessories (including seating systems) and seat and back cushions furnished in connection with Group 3 complex rehabilitative power wheelchairs. Such study shall include an analysis of the following with respect to such wheelchair accessories and seat and back cushions in each of the groups described in clauses (i) through (iii) of subparagraph (B):

(i) The item descriptions and associated HCPCS codes for such wheelchair accessories and seat and back cushions.

(ii) A breakdown of utilization and expenditures for such wheelchair accessories and seat and back cushions under title XVIII of the Social Security Act.

(iii) A comparison of the payment amount under the competitive acquisition program under section 1847 of such Act (42 U.S.C. 1395w–3) with the payment amount that would otherwise be recognized under section 1834 of such Act (42 U.S.C. 1395m), including beneficiary cost sharing, for such wheelchair accessories and seat and back cushions.

(iv) The aggregate distribution of such wheelchair accessories and seat and back cushions furnished under such title XVIII within each of the groups described in subparagraph (B).

(v) Other areas determined appropriate by the Comptroller General.

(B) GROUPS DESCRIBED.—The following groups are described in this subparagraph:

(i) Wheelchair accessories and seat and back cushions furnished predominantly with Group 3 complex rehabilitative power wheelchairs.

(ii) Wheelchair accessories and seat and back cushions furnished predominantly with power wheelchairs that are not described in clause (i).

(iii) Other wheelchair accessories and seat and back cushions furnished with either power wheelchairs described in clause (i) or (ii).

(2) REPORT.—Not later than June 1, 2016, the Comptroller General of the United States shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative as the Comptroller General determines to be appropriate.

SEC. 3. TRANSITIONAL PAYMENT RULES FOR CERTAIN RADIATION THERAPY SERVICES UNDER THE MEDICARE PHYSICIAN FEE SCHEDULE.

(a) IN GENERAL.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(11) SPECIAL RULE FOR CERTAIN RADIATION THERAPY SERVICES.—The code definitions, the work relative value units under subsection (c)(2)(C)(i), and the direct inputs for the practice expense relative value units under subsection (c)(2)(C)(ii) for radiation treatment delivery and related imaging services (identified in 2016 by HCPCS G-codes G6001 through G6015) for the fee schedule established under this subsection for services furnished in 2017 and 2018 shall be the same as such definitions, units, and inputs for such services for the fee schedule established for services furnished in 2016.''; and

(2) in subsection (c)(2)(K), by adding at the end the following new clause:

''(iv) TREATMENT OF CERTAIN RADIATION THERAPY SERVICES.—Radiation treatment delivery and related imaging services identified under subsection (b)(11) shall not be considered as potentially misvalued services for purposes of this subparagraph and subparagraph (O) for 2017 and 2018.''.

(b) REPORT TO CONGRESS ON ALTERNATIVE PAYMENT MODEL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the development of an episodic alternative payment model for payment under the Medicare program under title XVIII of the Social Security Act for radiation therapy services furnished in nonfacility settings.

SEC. 4. ENSURING FLEXIBILITY IN APPLYING HARDSHIP EXCEPTION FOR MEANINGFUL USE FOR 2015 EHR REPORTING PERIOD FOR 2017 PAYMENT ADJUSTMENTS.

(a) ELIGIBLE PROFESSIONALS.—Section 1848(a)(7)(B) of the Social Security Act (42 U.S.C. 1395w–4(a)(7)(B)) is amended, in the first sentence, by inserting ''(and, with respect to the payment adjustment under subparagraph (A) for 2017, for categories of eligible professionals, as established by the Secretary and posted on the Internet website of the Centers for Medicare & Medicaid Services prior to December 15, 2015, an application for which must be submitted to the Secretary by not later than March 15, 2016)'' after ''case-by-case basis''.

(b) ELIGIBLE HOSPITALS.—Section 1886(b)(3)(B)(ix) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(B)(ix)) is amended—

(1) in the first sentence of subclause (I), by striking ''(n)(6)(A)'' and inserting ''(n)(6)''; and

(2) in subclause (II), in the first sentence, by inserting ''(and, with respect to the application of subclause (I) for fiscal year 2017, for categories of subsection (d) hospitals, as established by the Secretary and posted on the Internet website of the Centers for Medicare & Medicaid Services prior to December 15, 2015, an application for which must be submitted to the Secretary by not later than April 1, 2016)'' after ''case-by-case basis''.

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall implement the provisions of, and the amendments made by, subsections (a) and (b) by program instruction, such as through information on the Internet website of the Centers for Medicare & Medicaid Services.

SEC. 5. MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$5,000,000'' and inserting ''$0''.

SEC. 6. STRENGTHENING MEDICAID PROGRAM INTEGRITY THROUGH FLEXIBILITY.

Section 1936 of the Social Security Act (42 U.S.C. 1396u–6) is amended—

(1) in subsection (a), by inserting '', or otherwise,'' after ''entities''; and

(2) in subsection (e)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''(including the costs of equipment, salaries and benefits, and travel and training)'' after ''Program under this section''; and

(B) in paragraph (3), by striking ''by 100'' and inserting ''by 100, or such number as determined necessary by the Secretary to carry out the Program,''.

SEC. 7. ESTABLISHING MEDICARE ADMINISTRATIVE CONTRACTOR ERROR REDUCTION INCENTIVES.

(a) IN GENERAL.—Section 1874A(b)(1)(D) of the Social Security Act (42 U.S.C. 1395kk–1(b)(1)(D)) is amended—

(1) by striking ''QUALITY.—The Secretary'' and inserting ''QUALITY.—

''(i) IN GENERAL.—Subject to clauses (ii) and (iii), the Secretary''; and

(2) by inserting after clause (i), as added by paragraph (1), the following new clauses:

''(ii) IMPROPER PAYMENT RATE REDUCTION INCENTIVES.—The Secretary shall provide incentives for medicare administrative contractors to reduce the improper payment error rates in their jurisdictions.

''(iii) INCENTIVES.—The incentives provided for under clause (ii)—

''(I) may include a sliding scale of award fee payments and additional incentives to medicare administrative contractors that either reduce the improper payment rates in their jurisdictions to certain thresholds, as determined by the Secretary, or accomplish tasks, as determined by the Secretary, that further improve payment accuracy; and

''(II) may include substantial reductions in award fee payments under cost-plus-award-fee contracts, for medicare administrative contractors that reach an upper end improper payment rate threshold or other threshold as determined by the Secretary, or fail to accomplish tasks, as determined by the Secretary, that further improve payment accuracy.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to contracts entered into or renewed on or after the date that is 3 years after the date of enactment of this Act.

(2) APPLICATION TO EXISTING CONTRACTS.—In the case of contracts in existence on or after the date of the enactment of this Act and that are not subject to the effective date under paragraph (1), the Secretary of Health and Human Services shall, when appropriate and practicable, seek to apply the incentives provided for in the amendments made by subsection (a) through contract modifications.

SEC. 8. STRENGTHENING PENALTIES FOR THE ILLEGAL DISTRIBUTION OF A MEDICARE, MEDICAID, OR CHIP BENEFICIARY IDENTIFICATION OR BILLING PRIVILEGES.

Section 1128B(b) of the Social Security Act (42 U.S.C. 1320a–7b(b)) is amended by adding at the end the following:

''(4) Whoever without lawful authority knowingly and willfully purchases, sells or distributes, or arranges for the purchase, sale, or distribution of a beneficiary identification number or unique health identifier for a health care provider under title XVIII, title XIX, or title XXI shall be imprisoned for not more than 10 years or fined not more than $500,000 ($1,000,000 in the case of a corporation), or both.''.

SEC. 9. IMPROVING THE SHARING OF DATA BETWEEN THE FEDERAL GOVERNMENT AND STATE MEDICAID PROGRAMS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall establish a plan to encourage and facilitate the participation of States in the Medicare-Medicaid Data Match Program (commonly referred to as the ''Medi-Medi Program'') under section 1893(g) of the Social Security Act (42 U.S.C. 1395ddd(g)).

(b) PROGRAM REVISIONS TO IMPROVE MEDI-MEDI DATA MATCH PROGRAM PARTICIPATION BY STATES.—Section 1893(g)(1)(A) of the Social Security Act (42 U.S.C. 1395ddd(g)(1)(A)) is amended—

(1) in the matter preceding clause (i), by inserting ''or otherwise'' after ''eligible entities'';

(2) in clause (i)—

(A) by inserting ''to review claims data'' after ''algorithms''; and

(B) by striking ''service, time, or patient'' and inserting ''provider, service, time, or patient'';

(3) in clause (ii)—

(A) by inserting ''to investigate and recover amounts with respect to suspect claims'' after ''appropriate actions''; and

(B) by striking ''; and'' and inserting a semicolon;

(4) in clause (iii), by striking the period and inserting'' ; and''; and

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

''(iv) furthering the Secretary's design, development, installation, or enhancement of an automated data system architecture—

''(I) to collect, integrate, and assess data for purposes of program integrity, program oversight, and administration, including the Medi-Medi Program; and

''(II) that improves the coordination of requests for data from States.''.

(c) PROVIDING STATES WITH DATA ON IMPROPER PAYMENTS MADE FOR ITEMS OR SERVICES PROVIDED TO DUAL ELIGIBLE INDIVIDUALS.—

(1) IN GENERAL.—The Secretary shall develop and implement a plan that allows each State agency responsible for administering a State plan for medical assistance under title XIX of the Social Security Act access to relevant data on improper or fraudulent payments made under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for health care items or services provided to dual eligible individuals.

(2) DUAL ELIGIBLE INDIVIDUAL DEFINED.—In this section, the term ''dual eligible individual'' means an individual who is entitled to, or enrolled for, benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.), or enrolled for benefits under part B of title XVIII of such Act (42 U.S.C. 1395j et seq.), and is eligible for medical assistance under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or under a waiver of such plan.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

MICROBEAD-FREE WATERS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1321, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1321) to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads.

There being no objection, the Senate proceeded to consider the bill.

Mrs. GILLIBRAND. Mr. President, across the country, many State and local governments, including counties in New York, have moved to ban products that contain plastic microbeads.

Because of their leadership and because of the advocacy from scientists and others who have shown us the damage that microbeads can do, Congress came together to unanimously ban plastic microbeads from rinse-off cosmetic products.

This is a great bill, and it shows that we can pass smart environmental legislation here in Washington.

Plastic microbeads are the tiny pieces of plastic that we often see in toothpaste, hand lotion, or various other personal care products.

When we brush our teeth and wash our face, most of us don't consider these acts to be harmful in any way.

But plastic microbeads are smaller than 5 millimeters in size, which means they are too small to be captured by the filtration systems in our water treatment centers.

So these plastic microbeads end up leaching into our lakes, our rivers, our streams, our bays, and even our drinking water supplies.

It might be surprising that a piece of plastic so small can cause such outsized damage.

But we have heard from a wide range of constituents and business groups that all recognize the damage, and all recommended that Congress act to remove plastic microbeads from the marketplace.

We have heard it from the fishing industry, from the tourism industry, from the culinary industry. Even the cosmetics industry is supportive of this ban. Many cosmetics companies have already voluntarily stopped using microbeads themselves.

When tiny plastic microbeads get into the water, they attract pollutants that are already in the water, and they concentrate these pollutants to potentially dangerous levels.

Fish don't know what microbeads are, so they eat them and end up ingesting all of the pollutants stuck on the microbeads.

This disrupts the food chain, it contaminates huge portions of the wildlife population, and it hurts our commercial and recreational fishing industries, because they can't sell—and we can't eat—fish that are filled with toxic plastic.

Many of our counties, cities, and States took the lead on this issue, and they should be commended for that. But local action isn't enough to solve a nationwide problem like this—not when so many communities in different States are connected by the same bodies of water—because no one is immune when our waterways are contaminated.

Congress had a responsibility to act—to stop the flow of microbeads into our waterways.

And today we are doing our job in passing this Federal ban on these products.

The Microbead-Free Waters Act of 2015 will prohibit the manufacture of rinse-off cosmetic products containing plastic microbeads starting in 2017 and will ensure that they are off retail shelves by 2018.

And while this bill preempts States from regulating rinse-off products containing plastic microbeads differently from the Federal ban, individual States will still have the ability to restrict microbeads in other types of products.

Additionally, the preemption language in this bill restricts their manufacture and distribution in interstate commerce and should not prevent States or local governments from regulating how microbeads are disposed of under laws such as the Clean Water Act.

States can also co-enforce the Federal ban by enacting identical laws.

This is a great bipartisan bill. And it is a smart step forward, as we look for new ways to protect our environment.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1321) was ordered to a third reading, was read the third time, and passed.

ELECTRIFY AFRICA ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 291, S. 2152.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2152) to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments.

(Omit the parts in boldface brackets and insert the parts printed in italic.)

S. 2152

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 ''Electrify Africa Act of 2015''.

SEC. 2. PURPOSE.

The purpose of this Act is to encourage the efforts of countries in sub-Saharan Africa to improve access to affordable and reliable electricity in Africa in order to unlock the potential for *inclusive* economic growth, job creation, food security, improved health, education, and environmental outcomes, and poverty reduction.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to partner, consult, and coordinate with the governments of sub-Saharan African countries, international financial institutions, and African regional economic communities, cooperatives, and the private sector, in a concerted effort to—

(1) promote first-time access to power and power services for at least 50,000,000 people in sub-Saharan Africa by 2020 in both urban and rural areas;

(2) encourage the installation of at least 20,000 additional megawatts of electrical power in sub-Saharan Africa by 2020 using a broad mix of energy options to help reduce poverty, promote sustainable development, and drive *inclusive* economic growth;

(3) promote *non-discriminatory* reliable, affordable, and sustainable power in urban areas (including small urban areas) to promote economic growth and job creation;

(4) promote policies to facilitate public-private partnerships to provide *non-discriminatory reliable, sustainable, and affordable* electrical service to rural and underserved populations;

(5) encourage the necessary in-country reforms, including facilitating public-private partnerships specifically to support electricity access projects to make such expansion of power access possible;

(6) promote reforms of power production, delivery, and pricing, as well as regulatory reforms and transparency, to support long-term, market-based power generation and distribution;

(7) promote policies to displace kerosene lighting with other technologies; and

(8) promote an all-of-the-above energy development strategy for sub-Saharan Africa that includes the use of oil, natural gas, coal, hydroelectric, wind, solar, and geothermal power, and other sources of energy.

SEC. 4. DEVELOPMENT OF COMPREHENSIVE, MULTIYEAR STRATEGY.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive, integrated, multiyear strategy to encourage the efforts of countries in sub-Saharan Africa to implement national power strategies and develop an appropriate mix of power solutions to provide access to sufficient reliable, affordable, and sustainable power in order to reduce poverty and drive economic growth and job creation consistent with the policy stated in section 3.

(2) FLEXIBILITY AND RESPONSIVENESS.—The President shall ensure that the strategy required under paragraph (1) maintains sufficient flexibility for and remains responsive to *concerns and interests of affected local communities and* technological innovation in the power sector.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that contains the strategy required under subsection (a) and includes a discussion of the following elements:

(1) The objectives of the strategy and the criteria for determining the success of the strategy.

(2) A general description of efforts in sub-Saharan Africa to—

(A) increase power production;

(B) strengthen electrical transmission and distribution infrastructure;

(C) provide for regulatory reform and transparent and accountable governance and oversight;

(D) improve the reliability of power;

(E) maintain the affordability of power;

(F) maximize the financial sustainability of the power sector; and

(G) improve [access to power] *non-discriminatory access to power that is done in consultation with affected communities*.

(3) A description of plans to support efforts of countries in sub-Saharan Africa to increase access to power in urban and rural areas, including a description of plans designed to address commercial, industrial, and residential needs.

(4) A description of plans to support efforts to reduce waste and corruption, *ensure local community consultation,* and improve existing power generation through the use of a broad power mix, including fossil fuel and renewable energy, distributed generation models, energy efficiency, and other technological innovations, as appropriate.

(5) An analysis of existing mechanisms for ensuring, and recommendations to promote—

(A) commercial cost recovery;

(B) commercialization of electric service through distribution service providers, including cooperatives, to consumers;

(C) improvements in revenue cycle management, power pricing, and fees assessed for service contracts and connections;

(D) reductions in technical losses and commercial losses; and

(E) *non-discriminatory* access to power, including recommendations on the creation of new service provider models that mobilize community participation in the provision of power services.

(6) A description of the reforms being undertaken or planned by countries in sub-Saharan Africa to ensure the long-term economic viability of power projects and to increase access to power, including—

(A) reforms designed to allow third parties to connect power generation to the grid;

(B) policies to ensure there is a viable and independent utility regulator;

(C) strategies to ensure utilities become or remain creditworthy;

(D) regulations that permit the participation of independent power producers and private-public partnerships;

(E) policies that encourage private sector and cooperative investment in power generation;

(F) policies that ensure compensation for power provided to the electrical grid by on-site producers;

(G) policies to unbundle power services;

(H) regulations to eliminate conflicts of interest in the utility sector;

(I) efforts to develop standardized power purchase agreements and other contracts to streamline project development; [and]

(J) efforts to negotiate and monitor compliance with power purchase agreements and other contracts entered into with the private [sector.] *sector; and*

(K) policies that promote local community consultation with respect to the development of power generation and transmission projects.

(7) A description of plans to ensure meaningful local consultation, as appropriate, in the planning, long-term maintenance, and management of investments designed to increase access to power in sub-Saharan Africa.

(8) A description of the mechanisms to be established for—

(A) selection of partner countries for focused engagement on the power sector;

(B) monitoring and evaluating increased access to, and reliability and affordability of, power in sub-Saharan Africa;

(C) maximizing the financial sustainability of power generation, transmission, and distribution in sub-Saharan Africa;

(D) establishing metrics to demonstrate progress on meeting goals relating to access to power, power generation, and distribution in sub-Saharan Africa; and

(E) terminating unsuccessful programs.

(9) A description of how the President intends to promote trade in electrical equipment with countries in sub-Saharan Africa, including a description of how the government of each country receiving assistance pursuant to the strategy—

(A) plans to lower or eliminate import tariffs or other taxes for energy and other power production and distribution technologies destined for sub-Saharan Africa, including equipment used to provide energy access, including solar lanterns, solar home systems, and micro and mini grids; and

(B) plans to protect the intellectual property of companies designing and manufacturing products that can be used to provide energy access in sub-Saharan Africa.

(10) A description of how the President intends to encourage the growth of distributed renewable energy markets in sub-Saharan Africa, including off-grid lighting and power, that includes—

(A) an analysis of the state of distributed renewable energy in sub-Saharan Africa;

(B) a description of market barriers to the deployment of distributed renewable energy technologies both on- and off-grid in sub-Saharan Africa;

(C) an analysis of the efficacy of efforts by the Overseas Private Investment Corporation and the United States Agency for International Development to facilitate the financing of the importation, distribution, sale, leasing, or marketing of distributed renewable energy technologies; and

(D) a description of how bolstering distributed renewable energy can enhance the overall effort to increase power access in sub-Saharan Africa.

(11) A description of plans to ensure that small and medium enterprises based in sub-Saharan Africa can fairly compete for energy development and energy access opportunities associated with this Act.

(c) INTERAGENCY WORKING GROUP.—

(1) IN GENERAL.—The President may, as appropriate, establish an Interagency Working Group to coordinate the activities of relevant United States Government departments and agencies involved in carrying out the strategy required under this section.

(2) FUNCTIONS.—The Interagency Working Group may, among other things—

(A) seek to coordinate the activities of the United States Government departments and agencies involved in implementing the strategy required under this section;

(B) ensure efficient and effective coordination between participating departments and agencies; and

(C) facilitate information sharing, and coordinate partnerships between the United States Government, the private sector, and other development partners to achieve the goals of the strategy.

SEC. 5. PRIORITIZATION OF EFFORTS AND ASSISTANCE FOR POWER PROJECTS IN SUB-SAHARAN AFRICA BY KEY UNITED STATES INSTITUTIONS.

(a) IN GENERAL.—In pursuing the policy goals described in section 3, the Administrator of the United States Agency for International Development, the Director of the

Trade and Development Agency, the Overseas Private Investment Corporation, and the Chief Executive Officer and Board of Directors of the Millennium Challenge Corporation should, as appropriate, prioritize and expedite institutional efforts and assistance to facilitate the involvement of such institutions in power projects and markets, both on- and off-grid, in sub-Saharan Africa and partner with other investors and local institutions in sub-Saharan Africa, including private sector actors, to specifically increase access to reliable, affordable, and sustainable power in sub-Saharan Africa, including through—

(1) maximizing the number of people with new access to power and power services;

(2) improving and expanding the generation, transmission and distribution of power;

(3) providing reliable power to people and businesses in urban and rural communities;

(4) addressing the energy needs of *marginalized* people living in areas where there is little or no access to a power grid and developing plans to systematically increase coverage in rural areas;

(5) reducing transmission and distribution losses and improving end-use efficiency and demand-side management;

(6) reducing energy-related impediments to business productivity and investment; and

(7) building the capacity of countries in sub-Saharan Africa to monitor and appropriately and transparently regulate the power sector and encourage private investment in power production and distribution.

(b) EFFECTIVENESS MEASUREMENT.—In prioritizing and expediting institutional efforts and assistance pursuant to this section, as appropriate, such institutions shall use clear, accountable, and metric-based targets to measure the effectiveness of such guarantees and assistance in achieving the goals described in section 3.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize modifying or limiting the portfolio of the institutions covered by subsection (a) in other developing regions.

SEC. 6. LEVERAGING INTERNATIONAL SUPPORT.

In implementing the strategy described in section 4, the President should direct the United States representatives to appropriate international bodies to use the influence of the United States, consistent with the broad development goals of the United States, to advocate that each such body—

(1) commit to significantly increase efforts to promote investment in well-designed power sector and electrification projects in sub-Saharan Africa that increase energy access, in partnership with the private sector and consistent with the host countries' absorptive capacity;

(2) address energy needs of individuals and communities where access to an electricity grid is impractical or cost-prohibitive;

(3) enhance coordination with the private sector in sub-Saharan Africa to increase access to electricity;

(4) provide technical assistance to the regulatory authorities of sub-Saharan African governments to remove unnecessary barriers to investment in otherwise commercially viable projects; and

(5) utilize clear, accountable, and metric-based targets to measure the effectiveness of such projects.

SEC. 7. PROGRESS REPORT.

(a) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on progress made toward achieving the strategy described in section 4 that includes the following:

(1) A report on United States programs supporting implementation of policy and legislative changes leading to increased power generation and access in sub-Saharan Africa, including a description of the number, type, and status of policy, regulatory, and legislative changes initiated or implemented as a result of programs funded or supported by the United States in countries in sub-Saharan Africa to support increased power generation and access after the date of the enactment of this Act.

(2) A description of power projects receiving United States Government support and how such projects, including off-grid efforts, are intended to achieve the strategy described in section 4.

(3) For each project described in paragraph (2)—

(A) a description of how the project fits into, or encourages modifications of, the national energy plan of the country in which the project will be carried out, including encouraging regulatory reform in that county;

(B) an estimate of the total cost of the project to the consumer, the country in which the project will be carried out, and other investors;

(C) the amount of financing provided or guaranteed by the United States Government for the project;

(D) an estimate of United States Government resources for the project, itemized by funding source, including from the Overseas Private Investment Corporation, the United States Agency for International Development, the Department of the Treasury, and other appropriate United States Government departments and agencies;

(E) an estimate of the number *and regional locations* of individuals, communities, businesses, schools, and health facilities that have gained power connections as a result of the project, with a description of how the reliability, affordability, and sustainability of power has been improved as of the date of the report;

(F) an assessment of the increase in the number of people and businesses with access to power, and in the operating electrical power capacity in megawatts as a result of the project between the date of the enactment of this Act and the date of the report;

(G) a description of efforts to gain meaningful local consultation for projects associated with this Act and any significant estimated noneconomic effects of the efforts carried out pursuant to this Act; and

(H) a description of the participation by small and medium enterprises based in sub-Saharan Africa on projects associated with this Act.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendments be agreed to; the Corker amendment at the desk be agreed to; the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were agreed to.

The amendment (No. 2939) was agreed to, as follows:

(Purpose: To improve the bill)

On page 3, line 21, strike ''technologies; and'' and insert ''technologies;''.

On page 4, line 2, strike ''energy.'' and insert the following: ''energy; and

(9) promote and increase the use of private financing and seek ways to remove barriers to private financing and assistance for projects, including through charitable organizations.

On page 10, between lines 17 and 18, insert the following:

(12) A description of how United States investments to increase access to energy in sub-Saharan Africa may reduce the need for foreign aid and development assistance in the future.

(13) A description of policies or regulations, both domestically and internationally, that create barriers to private financing of the projects undertaken in this Act.

(14) A description of the specific national security benefits to the United States that will be derived from increased energy access in sub-Saharan Africa.

On page 13, between lines 8 and 9, insert the following:

(c) PROMOTION OF USE OF PRIVATE FINANCING AND ASSISTANCE.—In carrying out policies under this section, such institutions shall promote the use of private financing and assistance and seek ways to remove barriers to private financing for projects and programs under this Act, including through charitable organizations.

On page 13, line 9, strike ''(c)'' and insert ''(d)''.

The bill (S. 2152), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2152

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 ''Electrify Africa Act of 2015''.

SEC. 2. PURPOSE.

The purpose of this Act is to encourage the efforts of countries in sub-Saharan Africa to improve access to affordable and reliable electricity in Africa in order to unlock the potential for inclusive economic growth, job creation, food security, improved health, education, and environmental outcomes, and poverty reduction.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to partner, consult, and coordinate with the governments of sub-Saharan African countries, international financial institutions, and African regional economic communities, cooperatives, and the private sector, in a concerted effort to—

(1) promote first-time access to power and power services for at least 50,000,000 people in sub-Saharan Africa by 2020 in both urban and rural areas;

(2) encourage the installation of at least 20,000 additional megawatts of electrical power in sub-Saharan Africa by 2020 using a broad mix of energy options to help reduce poverty, promote sustainable development, and drive inclusive economic growth;

(3) promote non-discriminatory reliable, affordable, and sustainable power in urban areas (including small urban areas) to promote economic growth and job creation;

(4) promote policies to facilitate public-private partnerships to provide non-discriminatory reliable, sustainable, and affordable electrical service to rural and underserved populations;

(5) encourage the necessary in-country reforms, including facilitating public-private partnerships specifically to support electricity access projects to make such expansion of power access possible;

(6) promote reforms of power production, delivery, and pricing, as well as regulatory reforms and transparency, to support long-term, market-based power generation and distribution;

(7) promote policies to displace kerosene lighting with other technologies;

(8) promote an all-of-the-above energy development strategy for sub-Saharan Africa that includes the use of oil, natural gas, coal, hydroelectric, wind, solar, and geothermal power, and other sources of energy; and

(9) promote and increase the use of private financing and seek ways to remove barriers to private financing and assistance for projects, including through charitable organizations.

SEC. 4. DEVELOPMENT OF COMPREHENSIVE, MULTIYEAR STRATEGY.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive, integrated, multiyear strategy to encourage the efforts of countries in sub-Saharan Africa to implement national power strategies and develop an appropriate mix of power solutions to provide access to sufficient reliable, affordable, and sustainable power in order to reduce poverty and drive economic growth and job creation consistent with the policy stated in section 3.

(2) FLEXIBILITY AND RESPONSIVENESS.—The President shall ensure that the strategy required under paragraph (1) maintains sufficient flexibility for and remains responsive to concerns and interests of affected local communities and technological innovation in the power sector.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that contains the strategy required under subsection (a) and includes a discussion of the following elements:

(1) The objectives of the strategy and the criteria for determining the success of the strategy.

(2) A general description of efforts in sub-Saharan Africa to—

(A) increase power production;

(B) strengthen electrical transmission and distribution infrastructure;

(C) provide for regulatory reform and transparent and accountable governance and oversight;

(D) improve the reliability of power;

(E) maintain the affordability of power;

(F) maximize the financial sustainability of the power sector; and

(G) improve non-discriminatory access to power that is done in consultation with affected communities.

(3) A description of plans to support efforts of countries in sub-Saharan Africa to increase access to power in urban and rural areas, including a description of plans designed to address commercial, industrial, and residential needs.

(4) A description of plans to support efforts to reduce waste and corruption, ensure local community consultation, and improve existing power generation through the use of a broad power mix, including fossil fuel and renewable energy, distributed generation models, energy efficiency, and other technological innovations, as appropriate.

(5) An analysis of existing mechanisms for ensuring, and recommendations to promote—

(A) commercial cost recovery;

(B) commercialization of electric service through distribution service providers, including cooperatives, to consumers;

(C) improvements in revenue cycle management, power pricing, and fees assessed for service contracts and connections;

(D) reductions in technical losses and commercial losses; and

(E) non-discriminatory access to power, including recommendations on the creation of new service provider models that mobilize community participation in the provision of power services.

(6) A description of the reforms being undertaken or planned by countries in sub-Saharan Africa to ensure the long-term economic viability of power projects and to increase access to power, including—

(A) reforms designed to allow third parties to connect power generation to the grid;

(B) policies to ensure there is a viable and independent utility regulator;

(C) strategies to ensure utilities become or remain creditworthy;

(D) regulations that permit the participation of independent power producers and private-public partnerships;

(E) policies that encourage private sector and cooperative investment in power generation;

(F) policies that ensure compensation for power provided to the electrical grid by on-site producers;

(G) policies to unbundle power services;

(H) regulations to eliminate conflicts of interest in the utility sector;

(I) efforts to develop standardized power purchase agreements and other contracts to streamline project development;

(J) efforts to negotiate and monitor compliance with power purchase agreements and other contracts entered into with the private sector; and

(K) policies that promote local community consultation with respect to the development of power generation and transmission projects.

(7) A description of plans to ensure meaningful local consultation, as appropriate, in the planning, long-term maintenance, and management of investments designed to increase access to power in sub-Saharan Africa.

(8) A description of the mechanisms to be established for—

(A) selection of partner countries for focused engagement on the power sector;

(B) monitoring and evaluating increased access to, and reliability and affordability of, power in sub-Saharan Africa;

(C) maximizing the financial sustainability of power generation, transmission, and distribution in sub-Saharan Africa;

(D) establishing metrics to demonstrate progress on meeting goals relating to access to power, power generation, and distribution in sub-Saharan Africa; and

(E) terminating unsuccessful programs.

(9) A description of how the President intends to promote trade in electrical equipment with countries in sub-Saharan Africa, including a description of how the government of each country receiving assistance pursuant to the strategy—

(A) plans to lower or eliminate import tariffs or other taxes for energy and other power production and distribution technologies destined for sub-Saharan Africa, including equipment used to provide energy access, including solar lanterns, solar home systems, and micro and mini grids; and

(B) plans to protect the intellectual property of companies designing and manufacturing products that can be used to provide energy access in sub-Saharan Africa.

(10) A description of how the President intends to encourage the growth of distributed renewable energy markets in sub-Saharan Africa, including off-grid lighting and power, that includes—

(A) an analysis of the state of distributed renewable energy in sub-Saharan Africa;

(B) a description of market barriers to the deployment of distributed renewable energy technologies both on- and off-grid in sub-Saharan Africa;

(C) an analysis of the efficacy of efforts by the Overseas Private Investment Corporation and the United States Agency for International Development to facilitate the financing of the importation, distribution, sale, leasing, or marketing of distributed renewable energy technologies; and

(D) a description of how bolstering distributed renewable energy can enhance the overall effort to increase power access in sub-Saharan Africa.

(11) A description of plans to ensure that small and medium enterprises based in sub-Saharan Africa can fairly compete for energy development and energy access opportunities associated with this Act.

(12) A description of how United States investments to increase access to energy in sub-Saharan Africa may reduce the need for foreign aid and development assistance in the future.

(13) A description of policies or regulations, both domestically and internationally, that create barriers to private financing of the projects undertaken in this Act.

(14) A description of the specific national security benefits to the United States that will be derived from increased energy access in sub-Saharan Africa.

(c) INTERAGENCY WORKING GROUP.—

(1) IN GENERAL.—The President may, as appropriate, establish an Interagency Working Group to coordinate the activities of relevant United States Government departments and agencies involved in carrying out the strategy required under this section.

(2) FUNCTIONS.—The Interagency Working Group may, among other things—

(A) seek to coordinate the activities of the United States Government departments and agencies involved in implementing the strategy required under this section;

(B) ensure efficient and effective coordination between participating departments and agencies; and

(C) facilitate information sharing, and coordinate partnerships between the United States Government, the private sector, and other development partners to achieve the goals of the strategy.

SEC. 5. PRIORITIZATION OF EFFORTS AND ASSISTANCE FOR POWER PROJECTS IN SUB-SAHARAN AFRICA BY KEY UNITED STATES INSTITUTIONS.

(a) IN GENERAL.—In pursuing the policy goals described in section 3, the Administrator of the United States Agency for International Development, the Director of the Trade and Development Agency, the Overseas Private Investment Corporation, and the Chief Executive Officer and Board of Directors of the Millennium Challenge Corporation should, as appropriate, prioritize and expedite institutional efforts and assistance to facilitate the involvement of such institutions in power projects and markets, both on- and off-grid, in sub-Saharan Africa and partner with other investors and local institutions in sub-Saharan Africa, including private sector actors, to specifically increase access to reliable, affordable, and sustainable power in sub-Saharan Africa, including through—

(1) maximizing the number of people with new access to power and power services;

(2) improving and expanding the generation, transmission and distribution of power;

(3) providing reliable power to people and businesses in urban and rural communities;

(4) addressing the energy needs of marginalized people living in areas where there is little or no access to a power grid and developing plans to systematically increase coverage in rural areas;

(5) reducing transmission and distribution losses and improving end-use efficiency and demand-side management;

(6) reducing energy-related impediments to business productivity and investment; and

(7) building the capacity of countries in sub-Saharan Africa to monitor and appropriately and transparently regulate the power sector and encourage private investment in power production and distribution.

(b) EFFECTIVENESS MEASUREMENT.—In prioritizing and expediting institutional efforts and assistance pursuant to this section, as appropriate, such institutions shall use clear, accountable, and metric-based targets to measure the effectiveness of such guarantees and assistance in achieving the goals described in section 3.

(c) PROMOTION OF USE OF PRIVATE FINANCING AND ASSISTANCE.—In carrying out policies under this section, such institutions shall promote the use of private financing and assistance and seek ways to remove barriers to private financing for projects and programs under this Act, including through charitable organizations.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize modifying or limiting the portfolio of the institutions covered by subsection (a) in other developing regions.

SEC. 6. LEVERAGING INTERNATIONAL SUPPORT.

In implementing the strategy described in section 4, the President should direct the United States representatives to appropriate international bodies to use the influence of the United States, consistent with the broad development goals of the United States, to advocate that each such body—

(1) commit to significantly increase efforts to promote investment in well-designed power sector and electrification projects in sub-Saharan Africa that increase energy access, in partnership with the private sector and consistent with the host countries' absorptive capacity;

(2) address energy needs of individuals and communities where access to an electricity grid is impractical or cost-prohibitive;

(3) enhance coordination with the private sector in sub-Saharan Africa to increase access to electricity;

(4) provide technical assistance to the regulatory authorities of sub-Saharan African governments to remove unnecessary barriers to investment in otherwise commercially viable projects; and

(5) utilize clear, accountable, and metric-based targets to measure the effectiveness of such projects.

SEC. 7. PROGRESS REPORT.

(a) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on progress made toward achieving the strategy described in section 4 that includes the following:

(1) A report on United States programs supporting implementation of policy and legislative changes leading to increased power generation and access in sub-Saharan Africa, including a description of the number, type, and status of policy, regulatory, and legislative changes initiated or implemented as a result of programs funded or supported by the United States in countries in sub-Saharan Africa to support increased power generation and access after the date of the enactment of this Act.

(2) A description of power projects receiving United States Government support and how such projects, including off-grid efforts, are intended to achieve the strategy described in section 4.

(3) For each project described in paragraph (2)—

(A) a description of how the project fits into, or encourages modifications of, the national energy plan of the country in which the project will be carried out, including encouraging regulatory reform in that county;

(B) an estimate of the total cost of the project to the consumer, the country in which the project will be carried out, and other investors;

(C) the amount of financing provided or guaranteed by the United States Government for the project;

(D) an estimate of United States Government resources for the project, itemized by funding source, including from the Overseas Private Investment Corporation, the United States Agency for International Development, the Department of the Treasury, and other appropriate United States Government departments and agencies;

(E) an estimate of the number and regional locations of individuals, communities, businesses, schools, and health facilities that have gained power connections as a result of the project, with a description of how the reliability, affordability, and sustainability of power has been improved as of the date of the report;

(F) an assessment of the increase in the number of people and businesses with access to power, and in the operating electrical power capacity in megawatts as a result of the project between the date of the enactment of this Act and the date of the report;

(G) a description of efforts to gain meaningful local consultation for projects associated with this Act and any significant estimated noneconomic effects of the efforts carried out pursuant to this Act; and

(H) a description of the participation by small and medium enterprises based in sub-Saharan Africa on projects associated with this Act.

CONGRATULATING TOWSON UNIVERSITY ON THE 150TH ANNIVERSARY OF THE FOUNDING OF THE UNIVERSITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 338, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 338) congratulating Towson University on the 150th anniversary of the founding of the university.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table without no intervening action or debate.

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

The resolution (S. Res. 338) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

CONGRATULATING THE UNIVERSITY OF IOWA COLLEGE OF LAW FOR 150 YEARS OF OUTSTANDING SERVICE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 339, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 339) congratulating the University of Iowa College of Law for 150 years of outstanding service to the State of Iowa, the United States, and the world.

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank my colleagues for their commendation of the 150th anniversary of the University of Iowa College of Law. This makes it the first law school west of the Mississippi to reach that milestone.

In the past 150 years, the college of law has served the people of Iowa, the Nation, and the world, and I am pleased, along with my colleague Senator ERNST, that the resolution congratulates the college of law on its accomplishments.

I have been honored to attend some of the events celebrating Iowa Law this past year, and the law school should be proud of its vast history of achievement. It is the oldest law school west of the Mississippi River, and it has produced generations of attorneys who have been dedicated to improving and enhancing the practice of law in Iowa and throughout the Nation. Currently, Iowa Law has over 10,000 living alumnae who practice in Iowa and around the world.

Iowa was the first State to admit a woman to the practice of law. Iowa Law followed this tradition when in 1873 it graduated what is believed to be the first female law student in the United States, Mary Hickey. Iowa Law's second female law student, Mary Haddock, was the first woman admitted to the practice of law before the district and circuit courts of the United States.

Iowa Law was one of the first law schools to grant a degree to an African-American student when Alexander Clark, Jr., graduated in 1879—decades before other law schools allowed the enrollment of non-White students. Iowa Law has always been at the forefront of the legal field, particularly when it comes to diversity.

Iowa Law has consistently ranked as one of the top 10 public law schools in the country and is currently ranked the 22nd best law school in the Nation.

Throughout the years, Iowa Law has maintained its commitment to the legal community and encourages students to participate in a variety of programs that better Iowa. For example, Iowa Law recently partnered with the Iowa State Bar Association to start a program that trains and recruits law students to work in rural and smalltown practices, providing better access to legal services in these communities. Iowa Law offers several clinic programs that focus on helping the

citizens of Iowa and has several programs to encourage students to provide pro bono legal services.

For the past 150 years, Iowa Law has produced lawyers who embody the motto of the State of Iowa, which is ''Our liberties we prize and our rights we will maintain.''

I congratulate the Iowa College of Law on its many achievements, and I am grateful for its continued dedication and commitment to the State of Iowa.

I yield the floor.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 339) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

WORDS OF THANKS

Mr. MCCONNELL. Before we adjourn, Mr. President, I want to say a few words of thanks.

I would like to thank the members of the Secretary of the Senate's office, which houses everyone from the parliamentarians, to members of the disbursing office, to the clerks, historians, curators, librarians, and many other offices and individuals who keep the history and dignity of this institution alive.

I would like to thank the Sergeant At Arms's office and the many hundreds of individuals who do everything from keeping us safe to setting up rooms for meetings.

I also thank the Office of the Architect of the Capitol, which works daily to preserve this complex, which is more than just a collection of buildings, it is a living part of our Nation's history.

I thank the Capitol Police, who are prepared to put their lives on the line every day to protect everyone who works in and visits the Capitol. We are grateful for everything they do.

There are so many others to thank, from the committees and their staffs, to the doorkeepers, to the legal counsel's office and the pages. I know I am going to forget many individuals who deserve our thanks. Please know we are thankful for your service and your dedication.

I ask unanimous consent that a list of the young people who serve in the Chamber as Senate pages be printed in the RECORD.

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

REPUBLICAN PAGES

Emma Rose James, Anna Linda Byrd, Anna Carmack, Herbert Coleman Martinson, Elaina Joy Urban, Ben M. Courtney, Hannah Elizabeth Michaud, Tatum Buss, John Patrick Tamas, Ally Grayson Driver, Grace McElroy, Jackson Scott Blackwell, Cameron Joseph Knecht, Brett David Brannon, Jr., Haley M. Carbajal, and Easton Ewy.

DEMOCRATIC PAGES

Jaclyn Cline, Amina Lampkin, Marshall Rawlins, Olivia Rich, Megan Stewart, Marc Tarshis, Thomas Wiesler, C.J. Fowler, Ignacio Mata, Bryce Stack, Blaine Stephens, Colin Gray-Hoehn, Marah Bell, and Aarshi Kibria.

Mr. MCCONNELL. On the Member side, allow me to thank my leadership team. Their counsel is invaluable, and their dedication is without equal.

Here on the floor, Laura Dove and her Republican Cloakroom staff have a tough job making things function every single day. Gary Myrick has a tough job on the Democratic side as well. They deserve recognition from both sides of the aisle for what they do.

I particularly would like to thank my chief of staff, Sharon Soderstrom, for her remarkable work ethic and her obvious talent. She has an impressive team behind her. There are so many I can name, but then we would be here all day, so let me say something they already know. I am certainly thankful for what Sharon and her whole team do every single day.

I know the Democratic leader feels the same way about his chief, Drew Willison, and the members of his staff.

Let me acknowledge his kind words yesterday as well. We both have difficult jobs, and, in my view, the Senators can have strong political disagreements without personal animosity always accompanying it. I think many of the 99 other Members of this body agree with that sentiment. We can disagree, as we often say, without being disagreeable. That is how this institution is supposed to function, after all.

I thank Senators for their service to this institution. We signed up for a rather challenging job. We often have different ideas about what serving our constituents means, but, as we have proved so often this year, we can still come together to accomplish important things for our country on education, transportation, and so many issues, just as we saw again a few minutes ago with passage of a significant cyber security measure, long-overdue improvements to the Visa Waiver Program, tax relief for families and small businesses, and other important matters.

I thanked the chairman of the Finance Committee the other day for his impressive work on the tax side of that legislation. Senator HATCH has been an invaluable ally working those issues.

Passage of the visa waiver reform and cyber security legislation are both notable accomplishments for our country, and neither would have been possible without the continued hard work of the chairman of the Homeland Security and Governmental Affairs Committee, RON JOHNSON. I would like to express sincere gratitude to the chairman of the Intelligence Committee, RICHARD BURR, for his work on cyber security too.

I know there are many others to thank—the chairman of the Appropriations Committee and the leadership and members of all the committees who worked many long hours recently in particular.

I apologize to those I haven't been able to mention, but I want to thank them and to say simply this: I wish you a merry Christmas and a happy new year, and happy holidays to everyone. See you in 2016. Rest up because we still have a lot of work to do for the American people.

The PRESIDING OFFICER. The Senator from Utah.

OMNIBUS LEGISLATION

Mr. HATCH. Mr. President, now that the votes have concluded and we have successfully passed our legislation granting tax relief to millions of Americans, I want to take a few minutes to express my gratitude.

This has been a very long and sometimes difficult process, but it has at almost every step been bipartisan and cooperative. I also think the results speak for themselves. This legislation, the PATH Act, will help families and job creators and grow our economy. This legislation will allow businesses and run-of-the-mill taxpayers to more effectively plan for their future. This legislation will pave the way for comprehensive tax reform, and this legislation will relieve the pressure we face every year on tax extenders and end the cliff-or-crisis mentality that surrounds much of our tax policy. It is, quite simply, a win for good government—the last of many we have enjoyed in what has been a very productive year here in the Senate.

I am pleased to have had the opportunity to work on this important bill and am even more pleased to see it finally passed through both the House and the Senate. I want to thank my colleagues on both sides of the aisle who worked to make this possible, who set aside partisanship and allowed both parties to realize their top priorities in this legislation without seeing it as a loss to their side.

Here in the Senate, I, of course, want to thank Senator WYDEN, who has been an effective and valuable partner in all of our efforts on the Finance Committee this year.

I really need to thank all of the members of the Finance Committee and their staffs who worked extraordinarily hard on the tax extenders issue throughout this entire year.

I also thank our distinguished majority leader, who recognized the opportunity to get another big accomplishment through the Senate this year and pushed to help us get the substance of the bill in place, and he worked tirelessly to get it across the goal line.

Thanks also to our majority whip for leading another successful effort to secure the vote and shore up support within our conference.

I also thank our distinguished minority leader as well. Although he and I are friends, we are quite often in disagreement on issues before the Senate. But in this effort, we were able to find a lot of common ground, and he worked hard to get us where we needed to be and was extremely effective in leading his conference.

Over on the other side of the Capitol, I need to thank the chairman of the Ways and Means Committee, KEVIN BRADY. Chairman BRADY is pretty new to his position, but he worked as a seasoned veteran in putting this bill together. He is, quite simply, an exceptional and excellent legislator.

I thank Speaker RYAN for his work on this as well. He and I have worked well together over the past year and enjoyed a lot of victories. This is one of the biggest and most consequential, and I think he would agree.

I also need to pay tribute to our staffs who put in so much time and effort to get this endeavor off the ground and to see it through to the finish. On both sides of the aisle, there have been a lot of late nights, early mornings, and neglected families during these final weeks. I really can't thank them enough.

On my Finance Committee staff, I need to thank our tax team, led as always by the indefatigable Mark Prater, my chief tax counsel and deputy staff director. We all know and love Mark here in the Senate, and this bill, like every major tax bill over the last quarter century, has his fingerprints all over it. I need to thank my tax counsel, Jim Lyons, for spearheading yet another tax extenders effort, along with the rest of the Republican tax team: Preston Rutledge, Jeff Wrase, Tony Coughlan, Eric Oman, Christopher Hanna, Nick Wyatt, and Sam Beaver.

I also need to thank Jay Khosla, my policy director and chief health counsel for his work on the health care issues we address in this bill and for his overall leadership in this process. Also on the health side, I want to thank Katie Simeon, one of the best health staffers on Capitol Hill. I also want to express particular thanks to Chris Campbell—he is my incomparable staff director—for shepherding another high-profile effort and major success for the Senate Finance Committee.

I want to thank other members of my senior team, including Julia Lawless, Aaron Fobes, and Bryan Hickman for their work in the press and communications outreach and, of course, in building coalitions. I really do have the best committee staff in Congress, a statement I make without reservation. But with all due respect to my colleagues and their staffs, I have to make that statement.

On Ranking Member WYDEN's staff, I need to thank his tax team, particularly Todd Metcalf, who led the efforts for the other side and was a key liaison with the White House on these issues. Thanks also to the rest of the Democratic tax team: Tiffany Smith, Ryan Abraham, Chris Arneson, Robert Andres, Kara Getz, Adam Carasso, and Todd Wooten. I also want to than Ranking Member WYDEN's health team.

From Majority Leader MCCONNELL's office, I want to thank Sharon Soderstrom, Hazen Marshall, Brendan Dunn, Scott Raab, Don Stewart, and Antonia Ferrier for all they did to help put this bill together, to negotiate the package, and to shore up enough votes to get it done. Thanks also to Monica Popp and Jane Lee from the majority whip's office. From Minority Leader REID's office, I want to thank Drew Willison, Ellen Doneski, and Kate Leone.

Over on the House side, I want to thank Chairman BRADY's tax team, led by George Callas, and Dave Stewart for their work on this legislation. From Speaker RYAN's staff, I want to thank Austin Smythe and Dave Hoppe.

Of course, no tax effort is ever completed without the vital assistance offered by the staff at the Joint Committee on Taxation. I want to thank JCT's chief of staff, Tom Barthold, and all of his great staff for the long hours they put in to make this sure this bill was put together right.

Finally, I want to acknowledge the help we got from the Senate legislative counsel's office, particularly from Mark McGunagle, Vince Gaiani, Allison Otto, and Jim Fransen. Thanks to all of them as well.

As you can see, it took a lot of people to put this bill together and get it passed. I am sure I have not mentioned everyone who played a role. Once again, I am very pleased to have been a part of this huge effort that we have been in a rush to get to this point at the end of the year. I think we all have a chance to reflect on the implications of what we have been able to do. We will all recognize the truly historic nature of this very important piece of tax legislation.

PUERTO RICO

Mr. HATCH. Now, Mr. President, before the Senate adjourns for the year, I want to speak once again on Puerto Rico's financial and economic challenges. Yesterday, we heard frustration from a number of my friends on the other side of the aisle about the fact that the end-of-the-year legislative vehicles did not include any changes in bankruptcy law to make Puerto Rico eligible for chapter 9 and to allow those to protections to be retroactively applied to its debts.

Sadly, we also heard a number of misrepresentations, false claims, and statements that effectively impugn Republican motives as we are working to address the Puerto Rican challenges. Boiling it all down, some of my friends on the other side of the aisle argued that Republicans are somehow holding up retroactive chapter 9 eligibility for Puerto Rico in order to protect interests of ''hedge funds''—of all things. To back that claim, loose numbers, apparently drawn from some kind of random number generator were put forward, claiming that hedge funds hold maybe anywhere between 15 to perhaps 50 percent of Puerto Rico's outstanding debt of over $73 billion.

Conveniently, they did not go into great lengths to define the term ''hedge funds,'' making it pretty easy to throw numbers around without a clear link to any real discernable facts. Nonetheless, even if so-called hedge funds held 50 percent of Puerto Rico's debt, the remaining 50 percent is held by others, including millions of retirees and near-retirees spread across our country and in Puerto Rico itself. That includes mom-and-pop investors in Florida, the State of Washington, Connecticut, Illinois, Utah, and every other State, and in Puerto Rico itself.

Of course, those complicating facts do not seem to matter to some of my friends who claim that anyone not in favor of immediately chapter 9 eligibility for Puerto Rico must be a shill for hedge funds. That is total bull.

They should tell that to the retiree who, once bankruptcy proceedings result in reduced payments on bonds issued with the understanding and expectation that current law would apply to debt being issued, would wake up to the news that their nest egg had suddenly taken a hit. Of course, those middle-class investors, the millions that aren't wealthy venture capitalists, would likely not be aware that their modest portfolio took that hit because some Senators have lumped them into some vaguely defined category of rich fat cats who don't deserve the protections of the law.

If we are going to have the debate about these issues, we are going to need to specify exactly what we are talking about, not only with regard to who will actually be impacted by the proposed bankruptcy change, but also about what the change would actually do. Yesterday, many of my friends on the other side suggested here on the floor that Republicans are simply denying tools to Puerto Rico that are currently available to municipalities in all 50 States. However, that is a misrepresentation. My colleagues are not simply demanding that Puerto Rico be given access to chapter 9 restructuring authority for fresh debt offerings. They want that authority, plus an additional allowance for Puerto Rico to retroactively apply chapter 9 to debts already issued. That is for debts issued under current conditions that explicitly do not allow for application of chapter 9, which lenders took into account when formulating the terms of their contracts with Puerto Rico.

Our friends want to change the rules after that fact—or those facts. That is not, in the words of one of my colleagues, ''the very same tools that are available to municipalities in all 50 States.'' That is a post-hoc change to lending conditions which carry far more serious rule-of-law implications

than my friends want to acknowledge. No matter, they say; those pesky rule-of-law concerns are almost irrelevant.

Lenders, according to my colleagues, knew perfectly well that rules of the lending transaction can be changed by the Federal Government after the fact. Lenders, they say, know that the Federal Government can step in and expropriate wealth and change conditions of an agreement after expectations have been formed and the conditions of the transactions have been agreed upon.

Well, the Federal Government can do many things, I suppose. But that does not ensure that what it does is good policy, nor does it mean that anyone entering into any contract should build into the terms and expectation that Congress, simply because it can, will step in and change the rules midstream. Yet my friends on the other side have casually and even flippantly suggested that all of Puerto Rico's creditors knew, or at least should have known, that the laws governing their debt transactions are subject to change at any time.

In any event, who cares? After all, according to my friends, we are only talking about a bunch of rich hedge fund managers.

I think every Senator here representing every State in the Union should care. If it is what the majority wants, we can go ahead and cast aside expectations on credits already issued. But we should then, at the very least, be willing to consider that such actions will alter expectations of creditors moving forward.

That could easily mean higher costs of borrowing to every municipality in every State of the Union, and in every territory. These are not itty-bitty things. That would include Puerto Rico, Utah, Florida, the State of Washington, New Jersey, Connecticut, Illinois, and all of the rest. Even with all of these obvious yet unaddressed considerations, my friends yesterday decried that chapter 9 authority was not being granted to Puerto Rico this week.

Yet in discussions I have had with Democrats in Congress and with administration officials, chapter 9 is not even what they really want, nor is it applicable. What they really want and what they have made clear to me is something far broader, which would not only give municipalities in Puerto Rico access to chapter 9, but also a brand new bankruptcy authority created out of whole cloth, which encompasses all of Puerto Rico's $73 billion or more of debt and includes pension obligations of well over $40 billion.

These are serious problems. You cannot flippantly think they are solved just by passing a law. That is not chapter 9, by the way; it is all new bankruptcy authority. That new authority, which is not what Democratic Senators talked about on the floor yesterday, also includes ''general obligation'' debt of Puerto Rico, which enjoys special protection under Puerto Rico's own constitution, which is apparently of little consequence to my friends' agenda.

The question I have is, If we are going to get in the business of ignoring rule-of-law issues and creating fresh new bankruptcy law and provisions for a U.S. territory—which does not have that, neither do the other territories—why would not heavily indebted States start to believe that we should do exactly the same for them? More importantly, why would creditors not start to believe that as well?

These moral hazard problems do not seem to be an issue for my friends, which, in my view, is both disappointing and reflective of some fundamental misunderstandings of the working of expectations in credit markets. Let's be clear: I share the frustration of my dear friends on the other side of the aisle when it comes to Puerto Rico but probably for different reasons. I have been working to find ways to address Puerto Rico's challenges throughout the year, not just in the past couple of weeks. We have been working to do so in a bipartisan way. I have come to the floor and committed on the record to working in good faith with my colleagues toward finding a solution. I am working and will continue to do so.

Today, I am somewhat frustrated. Since August of this year, many others and I have been asking for audit financial statements from the Government of Puerto Rico. Despite assurances that we would receive them, we have not. We have been repeatedly told, and were reminded yesterday, that there is or will be a humanitarian crisis in Puerto Rico because of indebtedness and a health system in crisis.

Yet, despite my numerous inquiries, I have heard little from health officials in the administration. What I have heard is that the Department of Health and Human Services seems to be gathering data, analyzing the facts, and may be ready to make some administrative changes in a year or two—maybe. In the face of what we are told is a humanitarian crisis, you would think that health officials would have at least had an urgent meeting or two with relevant committees of jurisdiction here in Congress. Unfortunately, to my knowledge—and I am that relevant chairman here in the Senate—there has been no such outreach.

Similarly, you would think that those in Congress and the administration who are putting forward proposals to grant more health funding for Puerto Rico would acknowledge the costs of their proposals, particularly given the numerous inquiries I have made in that regard. You would also think they would let us know upfront whether they want to offset any of those costs, and if they do, how they plan to do so.

I have asked, but I have gotten no response. I have also asked administration officials how much is needed for health system relief and what they have in mind when they say it should be provided in a ''fiscally responsible'' way. I have not gotten an answer.

I worry that parties, including the Government of Puerto Rico, have not made sufficient efforts to arrive at a negotiated debt restructuring with creditors, despite encouragement from me and others to get to work. Throughout the year, I have offered to work with anyone who wants to help the people of Puerto Rico to find a solution. I have worked productively and will continue to do so with administration officials.

I have had constructive meetings with many Puerto Ricans, including the current Governor and others. I have had gracious visits and offers of productive collaboration from interested House Members, including Representatives VELÁZQUEZ, SERRANO, GUTIÉRREZ, and PIERLUISI. I want that to continue. Many of us are intent on persevering and continuing to arrive at solutions.

Even with incomplete information on Puerto Rico's finances and the reluctance of administration health officials to engage, I have joined with Senators MURKOWSKI and GRASSLEY to put forward tools, funding, and tax relief to help to begin to address what we know about Puerto Rico's challenges.

Our bill provides tax relief to workers, tools—but no mandates—to help put pensions on a sustainable path, and oversight and assistance in budgeting, transparent accounting, planning, and attainment of fiscal sustainability. All told, our bill puts forward more than $7 billion of relief without costing Federal personal taxpayers a dime. Let me repeat that—more than $7 billion of relief.

In the interest of bipartisanship, the bill was put forward without provocation of sensitivities of my friends on the other side of the aisle concerning things such as labor laws, shipping laws, and the like. Nonetheless, the bill was not included in the end-of-year legislative vehicles that we voted on today, just as the Democrats' super chapter 9 proposal was not included.

Yet if you listened to some of my colleagues on the other side of the aisle yesterday, you probably walked away with the notion that my Republican colleagues and I are simply shilling for a bunch of hedge fund speculators. You probably thought we were holding up a simple and fair application of tools that everyone else has to adjust and restructure debt that will not cost the Federal Government anything. You were probably also surprised to learn that Republicans don't even realize that Puerto Ricans are American citizens. I am not making that up. One of my colleagues actually said that. We all know those claims were—to be more blunt than I typically like to be—a bunch of baloney.

Speaking for myself, I can only say that if I am shilling for anyone on this issue, it is for the people of Puerto Rico and not for speculators, hedge funds, unions or standing in political

polls. I am not preventing access to tools everyone else has because that is not even what my colleagues are asking for. Not only do I realize that Puerto Ricans are American citizens, I believe the people of Puerto Rico are valuable and cherished fellow Americans, not political pawns.

In closing, while others may wish to engage in political dart-throwing exercises, I am not interested, and I believe it is a disservice to the people of Puerto Rico, who deserve our continued efforts. I intend to continue working with anyone who wants to work with me to arrive at tools, support, and assistance that will help the people of Puerto Rico—not particular politicians or interest groups here or on the island. My goal, and the goal of anyone who wants to keep working with me or join me anew, is simple: help the people of Puerto Rico and help get Puerto Rico on a path to fiscal sustainability, economic growth and stability, and greater efficiency in government.

We can do it. I am dedicated to doing it, and we have given them the benefits so they can carry this over until the end of February, maybe into March, while we try to work on what it really should be, a very good resolution of these problems. In the meantime, I hope Puerto Rico will get us their financials—their audited financials. That would be of great help to us. We have given some time here now because it was impossible to put together a major bill on this matter and have everybody support it. So we have given time, we think we can get this done, and I intend to get it done one way or another the best we possibly can so Puerto Rico isn't just helped, it will be helped to go into the future, and Puerto Ricans who have had to leave that territory for jobs will want to return and be members of the citizenry of Puerto Rico again.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

THANKING SENATOR HATCH

Mr. CARDIN. Mr. President, while Senator HATCH is still on the floor, I thank and congratulate him on his work with regard to the tax provisions we just voted on. I am a proud member of the Senate Finance Committee. Senator WYDEN and Senator HATCH, working together in the best tradition of the Senate, were able to bring out an incredibly important bill that will add predictability to our Tax Code and to provide, I think, the right incentives for growth.

I thank the Senator for the work, and I am proud to serve on the Finance Committee.

Mr. HATCH. If the Senator will yield for a comment.

Mr. CARDIN. I am pleased to yield to my friend.

Mr. HATCH. I thank the Senator. He is one of the really good people in this body. I am so grateful he is on the Senate Finance Committee. We have a lot of good people in this body, but the Senator from Maryland is one of my favorite people. He works hard, he is very articulate, he is very intelligent, and although he is too liberal for me, he works hand-in-glove with the rest of us on the committee to make things work. Frankly, if I were from Maryland, I would probably be as liberal as he is. All I can say is that he is a great man to work with, he is a great man in the Senate, and I happen to care a great deal for him.

Mr. CARDIN. Once again, I thank my friend from Utah. We share a lot of the same objectives for a strong nation and moving our country forward. I think that is reflected in the bill we just voted on, the Omnibus appropriations bill.

150TH ANNIVERSARY OF TOWSON UNIVERSITY

Mr. CARDIN. Mr. President, before I talk about the Omnibus appropriations, I note that just a few minutes ago the Senate approved the resolution for the 150th anniversary of Towson University. I must admit I have a direct interest in Towson. My mother graduated from Towson University. My wife Myrna graduated from Towson University, and Myrna today is the chair of the board of visitors of Towson University.

It is a great institution. It started as the primary institution for educating our teachers and now has expanded to be one of the great universities in our State, attracting students from the entire university in a variety of programs.

We are very proud of its 150-year history and we know it has a very bright future.

OMNIBUS LEGISLATION

Mr. CARDIN. Mr. President, I wish to talk for a few minutes about the Omnibus appropriations bill and tax bills that we just passed. I am very proud to have supported it. We have finally passed a budget for this year, giving predictability to our agencies and providing predictability for those who depend upon the government as a partner or for services.

The alternative would have been another continuing resolution, which freezes in last year's priorities at last year's level. Now we have elevated appropriations with this year's priorities. The other alternative could have been sequestration, which is mindless, across-the-board cuts, saying that every priority in government is the same—when it is not.

We have avoided the worst consequence, that is, a government shutdown that we have seen happen in the past. So we should be very pleased the political system has worked and we have been able to pass a full-year appropriations bill with current priorities at a reasonable level.

I am also pleased we were able to pass the tax legislation Chairman HATCH talked about. The alternative to that would have been another short-term extension of the expiring tax provisions. We saw last year that we did that with 2 weeks remaining in the year, and it expired on December 31, 2 weeks later. Now we have given—many of the permanent provisions give long-term predictability, and we have even approved the tax provisions to make them more efficient. That is good news.

Then we have acted on many important issues from dealing with the extension of benefits to the first responders, to the attack on our country on September 11, to the extension of reform of the IMF—International Monetary Fund—to authorizing some very important programs, including the Land and Water Conservation Fund, a 3-year authorization that provides $450 million in this year, $144 million above current appropriations. That is all good news, and we list many more important accomplishments in this important legislation.

I must tell you there are some disappointments. One of the major disappointments is that we didn't follow regular order. It would have been much better to pass each of the appropriations bills, to have the tax bill considered as an independent bill, and have these other issues—and to have done it in an orderly way rather than looking at it December 18. So I would hope that in the future we will return to regular order, where we have, I think, a better chance of improving legislation with participation from all Members.

Secondly, I was very disappointed that included in this legislation was the lifting of the ban on oil exports, energy exports. The reason I am so upset about that is I think that should have been a separate issue. It should have been taken up in consideration with the energy policies of America, our environmental policies of America, our environmental policies, the economic impact, and the security impact. We should have had a chance to debate that issue as a separate issue. It is far too important to our energy security and our energy policy in this country.

Another concern I have—and let me point this out—I supported the package. I supported the tax provisions. The tax provisions will be scored as losing $680 billion over the next 10 years. I think that is somewhat misleading. I am going to be perfectly blunt about it. If you take out existing policy—this is the current policy in our Tax Code—that actually costs us about 10 percent of that $680 billion, but that is still a substantial amount of money. I think it would have been far better to deal with these issues in a long-term budget agreement that dealt with the revenue needs of our country, dealt with our discretionary spending targets moving forward, as well as mandatory spending. That is what we should do rather than taking this up in piecemeal and now making it a little more difficult

because the revenue projections are going to be less than they were before.

On the Omnibus Appropriations Act, on the Democratic side, I thank my colleague from Maryland, Senator MIKULSKI. What a great job she did on our side; THAD COCHRAN on the Republican side. Senator MIKULSKI is my seat mate. She is my colleague from Maryland. We are so proud that we have given you one of the great leaders in the Senate, and that was demonstrated on the Omnibus appropriations bill that we voted on just a little while ago.

From my State of Maryland, we are particularly pleased that so many of the military installations and Federal agencies that are in our State will get the resources—the predictable resources—to carry out their very important mission. We are proud of the role Maryland plays in our national defense with military installations such as from Fort Meade to Fort Detrick, from Aberdeen Proving Ground to Patuxent River, Andrews to Indian Head, Walter Reed naval. We have major facilities located in our State and now they will have a predictable budget to carry out their critically important mission of national defense.

On the civilian side, we have many important agencies located in our State that now will have the resources they need in order to carry out their mission. I could mention so many, but if I might, the Census Bureau will get a $282 million increase in their budget to start planning for the next census. NIH will get a $2 billion increase. That is the largest increase they have received since 2003. The work they do is lifesaving. The appropriations bill will save lives in the United States and around the world and will create jobs because, as we know, the basic research done at NIH is so critically important to our economic growth.

I am pleased that in Woodlawn, in Baltimore, the Social Security Administration will get $150 million for badly needed renovations of their facilities. That is important for them to carry out their critical role of providing the administration of the Social Security Act for our seniors, for our disabled, and for those who depend upon the Social Security Administration.

There are so many areas I could talk about. The victims of domestic violence will receive the resources they need to carry out our commitment of the law we passed. There are certain challenges we have in our community. The heroin epidemic is affecting every State in our country, and this appropriations act will provide resources to deal with that. I am particularly pleased that in dealing with drug issues, the high-intensity drug-trafficking area, the Baltimore-Washington corridor will receive the resources they need in order to deal with the challenges.

Our Nation's infrastructure benefits from this legislation. I am particularly pleased that Metro in the Washington area will receive the next installment of the $150 million that is a part of the $1.5 billion commitment, legislation I authored with the help of our regional colleagues. That commitment will stand firm.

We know the Washington metropolitan transit system is the Nation's transit system, and so many of our Federal workers depend upon it in order to be able to get to work. Amtrak, $1.4 billion, is critically important to the entire country. We are particularly dependent upon Amtrak in the Northeast. The Baltimore Harbor will receive significant support. Those are jobs maintaining our harbor. Poplar Island, which is one of the environmentally friendly dredge sites, will get $26.5 million.

I have spoken on the floor many times to talk about the Chesapeake Bay and the Federal partnership with the Chesapeake Bay. I was in the State legislature when we started their program, and $73 million is going to be directly appropriated as the Federal portion for the Chesapeake Bay Program. There are additional funds, such as $2.2 million, for the Captain John Smith Chesapeake National Historic Trail.

There is $1.97 million for Chesapeake Bay oyster recovery, $2 million for the Chesapeake Bay Gateways and Watertrails Network. So there are resources here that carry out the Federal Government's commitment. Every President in recent times has acknowledged that the Chesapeake Bay is a national treasure, the largest estuary in our hemisphere, and these funds will help live up to the commitment.

I am particularly pleased that under agriculture, the Regional Conservation Partnership Program that we started last year under the leadership of Senator STABENOW is funded. The Chesapeake Bay region will receive funds under that program to help in our efforts for preserving the Chesapeake Bay.

In the western part of my State, the Appalachian Regional Commission is critically important for economic growth. They receive an additional $56 million of funds. To me, that is extremely important for the development in the rural part of my State in western Maryland.

During the passage of the Affordable Care Act, I authored and was pleased to see that we established a National Institute on Minority Health and Health Disparities at NIH. It acknowledged the fact that we have not done historically everything we need to do to deal with the disparities in our health care system. This year we are appropriating an additional $9 million to the Institute. I think that continues our commitment to make sure that we deal with all Americans' health needs.

Last year, I brought before the Congress a request that we do something to deal with the Holocaust survivors who are still alive and in the United States. They are at a very delicate age and very fearful of being institutionalized. This budget provides $2.5 million to deal with that vulnerable population.

I have been a strong supporter of—and at one time I chaired—the Maryland Legal Services Corporation. I have been urging us to try to stop falling behind in our commitment for the Legal Services Corporation. More and more people are being denied access to our legal system because of the failure of Congress to appropriate adequate funds. I am very pleased that in this budget an extra $10 million is appropriated to the Legal Services Corporation.

I think my colleagues are aware of the challenges we have had in Baltimore. I am very pleased that the Obama administration, through its agencies, has made resources available to Baltimore and other urban centers to deal with opportunity for all communities and to restore the confidence between law enforcement and community. This budget moves forward on those commitments—from body cameras for police to helping law enforcement deal with ending racial profiling, to the Byrne grant funds—and over $476 million is available. And community and youth opportunities are in this budget as well. The Byrne grant was one-half billion dollars. As to community youth opportunities, this is a budget that will help us deal with the problems in our urban centers.

I have taken the floor on several occasions to talk about our Federal workforce and how our Federal workforce has made incredible sacrifices during these tough budget years. Although they didn't cause the deficit, they have been called upon over and over to contribute by being denied pay raises, by being asked to pay more for their pension, by being asked to carry on more responsibilities with less personnel.

This budget is a reprieve from the past budgets. There is no punitive action against our Federal workforce, and I am pleased for that. It provides a modest pay adjustment of 1.3 percent. It provides protection on the data breach that occurred under the cyber attack that affected our Federal workforce—protection for 10 years with a $5 million protection. That is within this budget act as well. And we give them more resources and more personnel to support and carry out their mission.

On the national security front, I have already talked about the support for our military installations. I am particularly pleased that the FBI will receive a $390 million downpayment on a consolidated facility. The FBI today is located in 30 different facilities, and their main headquarters, the Hoover Building, is not adequate to meet the challenges they have today. All of us have expressed our concern about homeland security, about homegrown radicalization of our population. The FBI needs the facilities in order to keep the homeland safe and keep us safe. This is a $390 million downpayment on a fully consolidated facility for the FBI.

A few weeks ago I wrote a letter with 27 of our colleagues to our leadership, urging them that this Omnibus appropriations bill should not be the place for so-called policy riders. I heard Senator MIKULSKI talk about it during her comments. We were concerned that we were trying to legislate on an appropriation bill without the authorizing committees doing the work they are supposed to do. I am very pleased that most of these riders were excluded. So we are not going to be talking about potentially damaging provisions that could have been included in here—from restricting Planned Parenthood to affecting the clean water of this Nation, to affecting the ability of America to respond to the challenges of climate change, to dealing with protection of our workforce through labor laws, to public safety with restrictions that could have been put on gun safety legislation, to dealing with our refugees. All those areas and many more were subject to policy riders that could have been included in this omnibus budget but were not.

On the tax front, I have already thanked Senator WYDEN and Senator HATCH. I am very pleased that we were able to do some very important things in the tax provisions. We got renewable fuels for wind and solar extended and improved, particularly for solar. I think this will make a huge difference. But let me just quote from the Bloomberg New Energy Finance, or BNEF, report.

> In the short term, the deal will speed up the shift from fossil fuels more than the global climate deal struck this month in Paris, and more than [the] Clean Power Plan that regulates coal plants. . . . This is exactly the sort of bridge the industry needed. The costs of installing wind and solar power have dropped precipitously. . . . By the time the new tax credit expires, solar and wind will be the cheapest forms of new electricity in many States across the U.S.

So these are significant. Am I satisfied? No. I would like to see them stronger, particularly wind. I thought wind could have been stronger. But I think we have made significant progress in dealing with renewables, which is what we have to do from the point of energy security, as well as our environment and as well as our economy. Having a more diversified energy portfolio and being more energy secure will help our environment, will help our economy, and will help our national security.

On the tax side, I was very pleased that we were able to make permanent several of the tax provisions that are critically important to families in the United States. We were able to make the child tax credit permanent, the earned-income tax credit permanent, and the American opportunity tax credit for higher education costs permanent.

Transit parity. Transit parity is where those—particularly Federal workers—who use the transit system to come to work don't bring their cars. We subsidize greatly the parking lots and the ability of people to bring cars to work. When they take transit, they are helping us, and we have now made permanent the full limit on deductibility of the transit benefits. So that is a major step forward. I am very pleased that we were able to make that permanent. I thank Senator SCHUMER who took the lead on that, and I was proud to work with him on that.

The low-income housing tax credit improvements that allow it to be more effective in its use were made permanent. Conservation needs were made permanent, and the S corporation improvements, which help small businesses, were made permanent. There is a lot here that we don't have to worry about this next December or two Decembers from now or even five Decembers from now, saying: Gee, are they going to expire?

Now, we do have some success from 5-year reauthorizations. That does give us predictability and allows us to move forward. The new markets tax credits are extended for 5 years. The new market tax credits have been critically important for development in my State of Maryland. I could take you to East Baltimore where you see redevelopment occurring. The new markets tax credits are responsible for that. I could take you to Maryland, close to here, in Prince George's County and Montgomery County, and to the work they are doing there. So these are very important tools that help create jobs, and we now have more predictability.

Then we have the 2-year extenders, including the energy efficiency that I led the effort on.

So the bottom line is we now have much greater predictability.

Let me comment just very briefly as the ranking member on the Senate Foreign Relations Committee. I am certainly pleased, when we look at the budget that has been brought forward and passed now, for our foreign development assistance. I am pleased that we have the support for Israel included in this package and the economic aid for Ukraine.

As to refugee assistance, one of the great humanitarian crises of our time, funds are in here for the United States to work with our international partners to provide for refugee assistance.

There are many anti-corruption initiatives. There is $2.5 billion in this budget for good governance and to advance human rights globally—a high priority of the Senate Foreign Relations Committee, working with Senator CORKER. The two of us are working very closely together to make it clear that we won't tolerate corruption and that we will continue to work as countries develop good governance and respect for human rights.

As I said earlier, on the overall plan there are a couple issues in this budget that I am very disappointed about. One is the Visa Waiver Program, the discriminatory provisions against dual citizens. I don't think it has anything to do with safety. I don't think we are safer because we are going to make dual citizens go through a separate process. And it will cause, I think, actions by our allies that will be counterproductive to Americans and could have some unintended consequences. That shouldn't have been in this legislation.

I also think the restrictions on the closing of Guantanamo Bay are misguided. Guantanamo Bay should have been closed a long time ago, and I regret that those restrictions are continuing in place.

The bottom line is that I am very proud that we passed the omnibus bill. I supported it enthusiastically. I think it represents a compromise of the political balance of our Nation. We have resolved many policy challenges. We provided predictability to our agencies and predictability to policies that help private investment and our economy grow. It advances a cleaner environment, security of our homeland, education and welfare of our citizens, Americans' ability to compete globally.

It deserves our support, and I am glad to see that it was passed. Shortly, it will be signed by the President and will be the law of this land.

I note there are other colleagues here. So let me just very briefly ask to speak on a different issue.

NOMINATIONS

Mr. CARDIN. Mr. President, earlier today I took the floor. Senator CRUZ was here, and he raised an objection to a unanimous consent request that I had not yet made. I am not going to make that unanimous consent request, but I am going to mention, as the ranking member of the Senate Foreign Relations Committee—and our Presiding Officer is one of the distinguished members of the committee—that there are 14 nominations that have been approved by the Senate Foreign Relations Committee, some a long time ago, by unanimous vote. These are not controversial nominations. Each of the individuals is well qualified for the position. The Senate Foreign Relations Committee, under the leadership of Senator CORKER, reported these nominations out in a very timely way. Each of those in their own position is critically important to our national security. Having a confirmed ambassador in a country is critically important to our national security. Having the No. 4 person at the State Department confirmed is critically important in negotiating security issues.

It is our responsibility to take these nominees up and to act on them and to confirm them so that we can have confirmed positions.

I will just mention a few. As I said, I had given notice that I would ask unanimous consent, and Senator CRUZ indicated that he would object and actually came to the floor to object. But we have to get this done. The reason we are not voting has nothing to do

with these individuals—nothing, not one thing. These are qualified people. They are being held up for reasons unrelated to their important responsibilities to our country.

Thomas Shannon, a career person, to the position of Under Secretary of State for Political Affairs. This is the point person who negotiates globally.

Brian Egan to the position of State Department Legal Adviser. We all have questions on a lot of the legal issues on foreign policy, and yet we won't confirm a career person who has given his career to public service.

David Robinson to the positions of Assistant Secretary of State for Conflict and Stabilization Operations and Coordinator for Reconstruction and Stabilization. This is a person who we need to deal with a lot of the human rights issues.

John Estrada to the post of U.S. Ambassador to Trinidad and Tobago. Drug trafficking—we need a confirmed ambassador. For months and months and months they have been on the calendar and no action.

Azita Raji to be Ambassador to Sweden and Samuel Heins to be Ambassador to Norway, our Scandinavian friends.

I was at the State Department this week for the holiday reception with the heads of missions that are stationed in Washington. Ambassadors from other countries came up to me and said: Will we get a confirmed ambassador? It is affecting America's security and reputation, and we need to have confirmed ambassadors. Norway has gone 2 years without a confirmed ambassador. We have a person who is eminently qualified. There is no objection to Samuel Heins being confirmed. Yet we can't get a vet on the floor of the Senate because an individual Senator is objecting. That is wrong. We have a responsibility to act.

David McKean to be Ambassador of Luxembourg, Cassandra Butts to be Ambassador to the Bahamas—that is eight of the total number who are being held that I mentioned. As I said, I intended to make the unanimous consent requests. Senator CRUZ has already come to the floor to object. I regret that.

I urge my colleagues to work out their problems, but do it in a timely way and don't hold America hostage, because that is what you are doing by not confirming these appointments. You are not holding the Obama administration hostage; you are holding America hostage. Who is hurt by not having a confirmed ambassador in Norway? There are Americans who get hurt who depend upon our relationship with Norway. There is a diaspora in the United States that is affected by not having a confirmed ambassador to Norway or to Sweden or to the other countries that we have not been able to get a confirmed ambassador.

I urge my colleagues who have problems to enjoy the holiday, get some rest, and come back here ready to vote because I think that is what we were elected to do. I urge my colleagues to allow us, when we come back in January, to have votes on these very qualified people who are serving our country and are prepared to serve our country in a more significant way.

Mr. President, I wish all my colleagues a very happy holiday season.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

TRIBUTE TO RAY PFEIFER

Mrs. GILLIBRAND. Mr. President, I want to speak for a moment about a great man and a wonderful friend of mine. His name is Ray Pfeifer, and he is an incredible leader and an inspiration to many, myself included.

Ray was a New York City firefighter for 27 years and 220 days, by his count. He called it the best job in the world, and he said he was proud to put on the uniform. But Ray had to retire last September—years before he wanted to—because he has cancer. His cancer has spread throughout his body—to his ribs, his leg, and now to his brain.

We know that cancer can strike randomly, sometimes with nothing to blame, but there is nothing random about Ray Pfeifer's cancer. Ray now has cancer because he was a first responder at Ground Zero, because he was one of thousands who rushed to help after we were attacked on 9/11. He served in Engine 40, Ladder 35, in the 9th Battalion, and most of the members of his battalion were killed on 9/11. Ray spent months on the pile searching for his friends. He wouldn't leave. He spent months digging for bodies in the rubble. He spent months there, breathing in horrible, toxic air that hung over Ground Zero like a deadly mist.

Many Members of the Senate would actually recognize Ray because he has been down here so many times—dozens of times—working the Halls of Congress, asking Senators to do the right thing and support the 9/11 bill. He was a strong, smiling man in uniform, traveling in his wheelchair from office to office, with contagious optimism and unmatched grace. Ray Pfeifer has never wavered. He has never been deterred. He has never even given up his efforts to pass the 9/11 health program. But you must know, Ray was never doing this for himself; he was doing it so other first responders didn't have to.

Ray wanted to be here today to see this bill passed because he had worked so long and so hard, but last week Ray had to go back to the hospital because his cancer had spread to his brain. Ray is physically in New York right now, but Ray's indomitable spirit is with us in the Capitol. His strength is with us. His unmistakable grace is with us.

Ray, I know you are listening. We never ever could have gotten this done without you. You did it. But I must tell you, Ray, this speech isn't for you; this speech is for your wife Caryn and your son Terrance and your daughter Taylor.

Terrance was actually sworn in as a New York City firefighter earlier this year, just like his dad. This speech is for them because they shared you with all of us. This speech is for all the responders who fought for all these years so that our 9/11 heroes could have the health care for the rest of their lives.

The city of New York and the United States of America owe Ray and his family a debt of gratitude that can never truly be paid. Ray is the embodiment of everything we strive to be as Americans: selfless, kind, brave, optimistic, someone who fights for what is right and never gives in.

Ray, I know you are a fighter, and I know you will get through this. You have the prayers of more people than you know, and may God bless you and your family. I look forward to celebrating this hard-fought victory in person with you soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY ACT

Mr. UDALL. Mr. President, last night was a historic moment in the Senate. After years and years of negotiations and collaboration, after working with stakeholders across the country, we made tremendous progress toward historic, bipartisan environmental reform. The Frank R. Lautenberg Chemical Safety for the 21st Century Act passed the Senate on a unanimous voice vote, with 60 bipartisan cosponsors and with overwhelming support. This is a great milestone.

First, I want to thank Senator VITTER. Senator VITTER and I introduced this legislation for one basic reason: to fix our Nation's broken chemical safety law. I remember that over 2 years ago we had a very quiet dinner, and we walked away from that dinner saying: We are going to form a team, and we are going to get this done. It was after Frank Lautenberg had passed away, and Senator VITTER is a man of his word. We stuck to it, and we are making significant historic progress. I thank him for that.

There were times when the bill was stalled from even getting introduced, and Senators like TOM CARPER stepped in and helped us get back on track. I thank Senator CARPER for that. His early leadership as an original cosponsor of this bill got us off on the much needed right foot. Other moderates joined in, and we had some momentum building up.

This has been a long road to get here today. I thank Chairman INHOFE for his calm, steady leadership, and Senator MERKLEY, Senator BOOKER, Senator WHITEHOUSE, Senator MARKEY, Senator COONS, Senator DURBIN, and many others. They all helped move this forward and all helped make this a better bill.

I also thank Bonnie Lautenberg. Senator Lautenberg fought hard for TSCA

reform. I was proud to take up that fight, and I am grateful to Bonnie, who has helped us every step of the way. She has been an incredible advocate in terms of interacting with Senators and their staff to push the crucial message forward on TSCA reform, and it was the message her husband Frank Lautenberg would repeat every day when I saw him in committee. He said: Are we doing the right thing for our children and our grandchildren? He really believed TSCA reform would save more lives than anything he had ever done in his life. He had a very rich life and lived to be almost 90 years old.

I wish to also recognize the great advocates for reform. A lot of this was grassroots people standing up and saying that we haven't done what we need to do for the American people, for our families, and for our children on chemical safety. There are too many to mention all of them, but the Bipartisan Policy Center stood up and helped out; the Environmental Defense Fund—Fred Krupp, their leader, played a crucial role; the National Wildlife Federation; March of Dimes; North America's Building Trades Unions; the International Association of Machinists and Aerospace Workers; Moms Clean Air Force; the Physicians Committee for Responsible Medicine; the Humane Society, and so many others. All of these groups taken together represent over 30 million Americans. They all support the Lautenberg act. They pushed Congress to act, and they kept pushing until we did that.

Many thousands of Americans have worked for chemical safety reform over the last four decades.

Thank you for not giving up.

They understand that we need a national solution to our broken chemical safety law.

The Toxic Substances Control Act was enacted in 1976—nearly 40 years ago. It was supposed to protect American families, but it doesn't. Over four decades, the EPA has been able to restrict just five chemicals and it has prevented only four chemicals from going to market. That is out of tens of thousands of chemicals.

Everyday Americans go to the grocery store or the hardware store, and they believe the chemicals in the products they buy have been tested and are safe, but that is not true because TSCA is broken. This is about health and safety. This is about our children and grandchildren. This is about people like Dominique Browning, who works with Moms Clean Air Force and worries about her kids and the toys and products they use every day. She herself survived kidney cancer. When she asked her doctor what caused her kidney cancer, he said: ''It's one of those environmental ones. Who knows? We're full of chemicals.'' That was her doctor talking to her when she got kidney cancer. This is about people like Lisa Huguenin. Lisa is a Ph.D. scientist and has done work on chemical exposure at Princeton and Rutgers and at the State and Federal levels. She is a mother first. Her 13-year-old son Harrison was born with autism and autoimmune deficiencies. Five years ago, Lisa testified before Senator Lautenberg's subcommittee on the need for reform. She is eager to see TSCA reform signed into law.

That is why we are here—to fix this broken system. Now we are close to the finish line for the first time in almost 40 years.

In 2009 the Obama administration laid out six essential principles for TSCA reform. The bill we passed last night meets all six of those principles, and I will go through each one individually.

Principle No. 1, chemicals should be reviewed against safety standards that are based on sound science and reflect risk-based criteria protective of human health and the environment.

Our bill requires the EPA to assess chemicals based only on the health and safety information, not on the cost. That was a significant change we made, and many of the Senators I talked about earlier helped us to get that done.

Principle No. 2, manufacturers should provide EPA with the necessary information to conclude that new and existing chemicals are safe and do not endanger public health or the environment.

Our bill gives EPA new authorities to develop testing data and requires a finding of safety before new chemicals—as many as 1,500 a year—enter the market. The finding on safety needs to be done not like it is done today but before they enter the marketplace.

Principle No. 3, risk management decisions should take into account sensitive subpopulations, cost, availability of substitutes, and other relevant considerations.

Our bill specifically requires the protection of vulnerable populations and lists examples of vulnerable populations, such as infants, the elderly, pregnant women, workers, and others.

Principle No. 4, manufacturers and EPA should assess and act on priority chemicals, both existing and new, in a timely manner.

Our bill requires the EPA to systematically review all the chemicals in commerce, prioritizing the chemicals of most concern first, and it sets aggressive, judicially enforceable deadlines for EPA decisions.

Principle No. 5, green chemistry should be encouraged and provisions assuring transparency and public access to information should be strengthened.

Our bill includes a section on sustainable chemistry and also makes more information about chemicals available by limiting industry's ability to claim information as confidential, and it gives States and health professionals access to confidential information to protect the public.

Principle No. 6, EPA should be given a sustained source of funding for implementation.

Our bill gives EPA sustained sources of funding and ensures that the EPA's priorities are not overwhelmed by private interests to ensure that the program we implement is a risk-based system. Additionally, the bill allows EPA to develop cost-effective final regulations but without the high procedural hurdles in the underlying statute, strikes an appropriate balance between Federal and State action, gives States the right to coenforce Federal standards. This will give a State's attorney general the ability to move when the Federal Government may not be moving, and it leaves State civil actions alone and gives no special advantage to either side in litigation.

We are on the verge of historic reform, decades in the making and decades overdue. TSCA is the last of the environmental laws from the 1960s and 1970s left to be updated. Some days you might not think we could pass a major environmental law in Congress, but we have proven that wrong and we have a very strong bill.

Our bill finally gives the EPA the authority it needs to set clear guidance for the EPA to evaluate new and existing chemicals and to protect the American people. That is why support for this bill was so strong and continued to build—from environmental, conservation, good government, industry, and health and labor groups.

We will be working to reconcile the bill with the House legislation. This is historic reform. The old TSCA will be obsolete. We will have a cop on the beat and will finally be able to protect our kids from toxic chemicals.

I wish to again thank Senator VITTER. I am proud to work with him on this bill. We may have disagreed many times on other issues, and the negotiations were sometimes difficult, but we stayed at the table, listened to all sides, and looked for solutions instead of roadblocks, and I thank Senator VITTER for that.

I also want to again thank the many colleagues who worked with us to ensure that we have the best possible bill. At every step of the way, we had Senators from both sides of the aisle step forward, make suggestions, join the bill, cosponsor, and helped to move us forward.

It wouldn't be right to finish this afternoon without mentioning the staff. The staff in the Senate do an incredible job in terms of getting focused on the issues, learning about them in depth, working with each other, and many times moving roadblocks out of the way.

We had a number of staff members who worked on this legislation. Dimitri Karakitsos worked for Senator VITTER when Senator VITTER was chairman and he now works for Chairman INHOFE. Dimitri has been amazing in terms of his staff ability and his understanding. We really appreciate all of his help.

I wish to also thank Chairman INHOFE's staff director, Ryan Jackson;

Zak Baig, with Senator VITTER; Colin Peppard, with Senator CARPER; Adrian Deveny, with Senator MERKLEY; Emily Enderle, with Senator WHITEHOUSE; Adam Zipkin, with Senator CORY BOOKER; Michal Freedhoff, with Senator MARKEY; Jasmine Hunt, with Senator DURBIN; and Lisa Hummon-Jones, with Senator COONS.

I have mentioned the great work that Jonathan Black, a member of my staff, has done, but we have also had incredible work by my legislative director, Andrew Wallace, and all of my staff at various points. This legislation has been a heavy burden, and my staff worked hard to get this legislation completed. I truly appreciate the hard work they have done, including my chief of staff and everybody in the office.

We also had the opportunity to consult with and ask for help from the Senate legislative counsel. They worked to turn around text quickly at crucial points, and that makes all the difference in the world—to have text, get it looked at, get the changes made, and get back to the individuals who are involved.

Michelle Johnson-Weider played a key role, as did Deanna Edwards. I am sure there were others over there who also helped us out. This is not a definitive list. There were also many others.

I wish to conclude by thanking, again, our bipartisan partners. Senator VITTER and I have been working on this for years. We took it up after Senator Lautenberg passed away. Senator VITTER was on the committee as the ranking member and the chairman—and back and forth—and then Senator INHOFE took over.

I remember when we had a meeting with Senator INHOFE, and he took a real interest in this legislation. He has incredible calm, steady judgment in terms of pulling together what needs to happen to get a bill done in this sometimes hyperpartisan atmosphere. As chairman, he was always willing to listen to the people on the committee, off the committee, and pull people together to help them find common ground on this bill.

With that, we look forward to working with our House colleagues. Many of us served in the House. We served with House Members FRED UPTON, FRANK PALLONE, JOHN SHIMKUS, and Representative TONKO. These are some of the key people who will be working on this in the House, and we look forward to working with them and their staff and each other to reconcile these bills.

The House has some very good ideas in its bill. We have been a little more expansive and covered more areas, and I hope they will work with us on that. We look forward to working with them and putting the two bills together and then getting this passed early next year.

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

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

OMNIBUS LEGISLATION

Mr. SULLIVAN. Mr. President, I want to say just a few words this afternoon on the vote that was taken on the Senate floor this morning. I will certainly admit that this was a difficult vote for me. This 2,200-page, $1.8 trillion spending and tax reform bill certainly does contain provisions that I have advocated for and will continue to press for to benefit different Alaskan groups, small businesses, the energy sector, and others. However, voting in favor of such a massive and consequential piece of legislation without having the opportunity to fully understand or fully vet both its positive and negative implications for Alaska and our Nation or to offer amendments is something I could not do in good conscience.

Leader MCCONNELL, majority whip Senator CORNYN, and so many other leaders in the Senate have worked hard in terms of this process over the past year. You heard a number of Senators come to the floor to talk about what clearly has been a very productive Senate under their leadership, and I want to commend them for their leadership. I appreciate their leadership. I know that in terms of the budget they tried to get this body to the right place, meaning we actually passed a budget for the first time in many years. We passed 12 appropriations bills—again, for appropriations, the first time in many years—but as the bills came to the Senate floor, they were halted, unfortunately, blocked, filibustered. I remember debating not once, not twice, but three times when the other side filibustered the Defense appropriations bill. This Senator still does not understand what was behind all of that, still is not 100 percent sure why the appropriations and funding process was halted in this body. Then we saw the smash-up the last week when everything came together at the end of the year.

I am not sure what the motivation was to do this, but I do know this: The way in which we fund our Federal Government—in this case, 72 hours to read a 2,200-page, $1.8 trillion, ''take it or leave it'' bill, negotiated by just a few Members of Congress and the White House—is a broken process, and it is not worthy of our great Nation, nor the people we represent. I also believe it is a principal reason why we have seen an explosion of trillions of dollars in debt that imperils our Nation's fiscal stability and certainly imperils our children's future.

Back home in Alaska, we are currently debating through a transparent, open, and contentious process how to best address our State's significant fiscal challenges. We have big fiscal challenges just like this government does. In my view, the Federal Government should be doing the same. The bill we voted on today and the process that produced it demonstrates that we are not.

Going forward, I certainly want to continue to work with my colleagues on both sides of the aisle and the leadership on both sides of the aisle to continue to work to improve this process because the people we represent deserve much better than what just transpired.

Obviously there has been a lot of talk about the omnibus bill in the last couple days on the floor, but I just wanted to say a few words. Sometimes it takes a reminder from home, a reminder from what is going on back home to ground us and to remind us of what is really important in our lives, like family and friends and life itself.

SEARCH FOR CASEY GRAHAM

Mr. SULLIVAN. Mr. President, I would like to talk briefly about an effort that is going on in Alaska right now to try to recover one of our own, Casey Graham—an Alaskan Native, a patriot, 24 years old, the son of Steven and Lucy Graham.

He is 24 years old, the son of Steven and Lucy Graham and brother of Cheryl, Michelle, Megan, and Pauline. He is a veteran who served in the Marines and was deployed to serve his country in Afghanistan. He is a young man in the prime of his life.

Casey has been described as smart, hard-working, extremely intelligent, and a shining light for his community, his State, and his country. He lived in Anchorage but was from McGrath, AK. That is about 200 miles from Anchorage on the Upper Kuskokwim River.

About a week ago he was visiting family when he decided to do what most Alaskans do in the winter—go out on a snow machine ride. It is thought that he was on the ice on the river and hit open water. His snow machine and his helmet have been found, but not Casey.

As I speak, the community of McGrath is banding together for the recovery effort. It is a small town—only about 350 people live there—but it is a town with a huge heart. The community has dropped everything. Every day, dozens—as many as 50 Alaskans have gone out to where they think Casey was on the ice to bring him home. Remember, in Alaska it is cold right now. From December 10 when the search began until now, temperatures have ranged from about 22 degrees below zero to a high of about 16 above zero. There is a heated tent on the ice where volunteers go to warm up and eat lunch before they go back out searching. They eat moose stew mostly and, of course, a lot of salmon. The community is emptying their freezers and making sure all the volunteers are fed.

In the true spirit of Alaska, in the true spirit of Christmas, so many companies and individuals across the great

State of Alaska are donating goods, services, airline miles, freight services, food, hand and foot warmers, first-aid kits, cold-weather gear—you name it. Everybody is pitching in to help. It is something that this body and this country should be particularly proud of.

Although I am not surprised by it, Casey's marine brothers have flown in from thousands of miles away, all across the country, to help in the search. They served with him in Afghanistan, and they have now come to Alaska from Texas, Pennsylvania, California, and as far away from Alaska as New York. There are 11 now and more on the way. In the Marines, we don't leave our brothers and sisters behind, and these marines are living up to that ethos.

I am asking for the thoughts and prayers of this body and Americans—any Americans all across this country who are watching—on this effort. I am asking that we pray to bring Casey home.

Semper fi to him, his father, his sisters, and to those proud marines who are making sure he makes it home.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL RESERVE TRANSPARENCY ACT OF 2015—MOTION TO PROCEED

Mr. PERDUE. Mr. President, on behalf of the majority leader, I move to proceed to Calendar No. 289, S. 2232.

The PRESIDENT pro tempore. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 289, S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

CLOTURE MOTION

Mr. PERDUE. Mr. President, on behalf of the majority leader, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 289, S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mitch McConnell, John Barrasso, Roy Blunt, John Cornyn, Cory Gardner, David Vitter, Shelley Moore Capito, Rand Paul, Johnny Isakson, Steve Daines, Patrick J. Toomey, John Boozman, Chuck Grassley, Mike Crapo, Mike Lee, David Perdue, Rob Portman.

Mr. PERDUE. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PERDUE. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture vote occur at 2:30 p.m. on Tuesday, January 12.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE APPROPRIATIONS PROCESS

Mr. REID. Mr. President, the Republican leader and I are both long-time appropriators. I love the Appropriations Committee. But over time, the appropriations process has broken down.

There are differing opinions about the causes of the breakdown. Opinions typically vary depending on whether Senators serve in the majority or minority. But there is a bipartisan consensus that we can and must do better. I hope that in the coming session, both sides can work together to restore the appropriations process to what it once was—a thoroughly bipartisan process focused on governing, not a partisan process focused on scoring political points.

The need for bipartisanship should be obvious. After all, during the next session, we will continue to be a divided government. Republicans will be in charge of the legislative branch, and President Obama will continue to control the administration. Neither side can force the other to accept its preferred process or its preferred outcomes. The only way to make this work is for both sides to work together throughout the year and to make the compromises needed to get appropriations bills not just passed but signed into law.

Among other things, this means that both parties will have to be part of the decisionmaking process from the beginning, at both the committee and leadership levels. This doesn't just mean developing individual bills in a bipartisan way. It means reaching bipartisan agreements on the sequencing and packaging of legislation, so that one party's priorities are not pursued at the expense of the other's priorities.

True bipartisanship also requires both parties to resist the temptation to pursue poison pill riders that appeal to their own supporters but that are so strongly opposed by the other party that their inclusion in appropriations bills would grind the process to a halt. No doubt there will be many opportunities next year for both sides to score political points. But the appropriations process is not the place for that. And I hope Members in both parties will agree that it is more important to fund the government than to play politics.

I am convinced that if we can restore the appropriations process to one based on bipartisan cooperation at every stage, all Senators will benefit. It will give Members in both parties a meaningful opportunity for input, and it will avoid the need for invoking cloture on motions to proceed to appropriations bills. With some luck, it also will allow us to complete our work next year without a lameduck session and without another end of year crisis. And that is something everyone should be able to agree on.

In today's polarized environment, that may seem like wishful thinking. But there is no reason we can't make it happen. We should build upon the momentum created by adoption of the Bipartisan Budget Act of 2015, which the Senate passed with a 64-to-35 vote on October 30. And the key is really quite simple—genuine bipartisan cooperation at every step of the process.

RECOGNIZING THE 10TH ANNIVERSARY OF HERMANDAD MEXICANA TRANSNACIONAL, ORG.

Mr. REID. Mr. President, I wish to recognize the 10th anniversary of Hermandad Mexicana Transnacional, Org.

Since it was established in 2005, Hermandad Mexicana Transnacional has been a strong advocate for the Latino community in southern Nevada. In working to fulfill its mission of promoting family unity and community empowerment, the organization ensures that Latinos in Nevada have the legal, social, educational, and economic support they need to thrive, regardless of their immigration status.

Hermandad Mexicana Transnacional provides the Latino community with essential immigration services including assistance with navigating the immigration system to become naturalized U.S. citizens; applying for the Deferred Action for Childhood Arrivals, DACA, program; renewing work permits and legal permanent resident cards; and filing U-Visa and Violence Against Women Act petitions.

Hermandad Mexicana Transnacional has formed important partnerships with other entities to enhance the resources it provides. These resources include supportive services for victims of violence and free tax preparation services, voter registration assistance for newly naturalized U.S. citizens, and attorney consultation services for immigration cases at no cost to the client. Furthermore, Hermandad Mexicana Transnacional offers a variety of literacy and education courses for English language learners through its adult education program. These courses include elementary and middle

school education classes and a preparation course for Spanish-speaking students to obtain a General Education diploma.

I applaud Hermandad Mexicana Transnacional for 10 years of dedicated service to the Latino community in southern Nevada. Hermandad Mexicana Transnacional is the only organization of its kind in the Silver State, and its work is truly appreciated and admired. I also commend the distinguished leadership of Hermandad Mexicana Transnacional, particularly Ms. Luz Marin Mosquera, Ms. Dora Lopez, and Ms. Kathia Pereira. Under their direction, Hermandad Mexicana Transnacional has assisted more than 45,000 people in southern Nevada with a variety of immigration-related issues. This includes 4,000 people who are now U.S. citizens and 5,300 people who are now DACA beneficiaries.

I wish Hermandad Mexicana Transnacional continued success as the organization continues its meaningful work.

UNANIMOUS CONSENT AGREEMENT NOTIFICATION REQUEST

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have my letter to Senator MCCONNELL dated December 17, 2015, printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, December 17, 2015.

Hon. MITCH MCCONNELL,
Majority Leader, Russell Senate Office Building, Washington, DC.

DEAR LEADER MCCONNELL: I request to be notified before any unanimous consent agreement is agreed to regarding the nomination of David Malcolm Robinson to be Assistant Secretary for Conflict and Stabilization Operations and Coordinator for Reconstruction and Stabilization. This request is intended to be made publicly and will be disclosed in the Congressional Record so my name need not be withheld.

Thank you for your assistance.

Sincerely,

CHARLES E. GRASSLEY,
Chairman,
Committee on the Judiciary.

NOMINATION OBJECTION

Mr. WYDEN. Mr. President, I am taking this opportunity to notice my objection to the Senate proceeding to the nomination of Janine Anne Davidson of Virginia to be Under Secretary of the Navy. My concern is not with Ms. Davidson's nomination, per se, but with a larger matter concerning the Navy and its policies and practices with regard to retaliation against whistleblowers.

On October 21, 2015, the Washington Post reported that the Navy plans to promote RDML Brian L. Losey, even though the Department of Defense Office of Inspector General, OIG, has found on multiple occasions that he retaliated against perceived whistleblowers in response to whistleblower complaints and, in some cases, simply the belief that such complaints had been made. According to the article, the OIG has reported that Rear Admiral Losey went so far as to make a list of suspected whistleblowers and intentionally target them for discipline, demotion, and internal investigation. In several instances, the OIG recommended personnel action be taken against Rear Admiral Losey for these actions. However, the Navy appears poised to ignore those findings and promote Rear Admiral Losey.

On November 13, 2015, I joined with seven other Senators, both Democrats and Republicans, in a request to Jon T. Rymer, the inspector general for the Department of Defense, for the OIG investigation reports related to Rear Admiral Losey's conduct. Those reports were provided to me and to the other Senators signing the November 13 letter just 3 days ago, on December 15, 2015, in redacted form.

Until I have had an opportunity to thoroughly review the inspector general's findings related to Rear Admiral Losey and until I have received assurances from the Navy that it will address those findings specifically and has policies in place to sanction retaliation against whistleblowers more broadly, I will object to the Senate proceeding with the Davidson nomination.

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

VOTE EXPLANATION

● Mr. RUBIO. Mr. President, on October 7, 2015, I was unable to vote on the conference report to accompany H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. I ask that the RECORD reflect that, had I been present, I would have voted yes.

Mr. President, on November 10, 2015, I was unable to vote on the motion to concur to the House Amendment to S. 1356, an Act to authorize appropriations for Fiscal Year 2016 for military activities of the Department of Defense. I ask that the RECORD reflect that, had I been present, I would have voted yes.●

ARIZONA STATEHOOD AND ENABLING ACT AMENDMENTS OF 1999

Mr. MCCAIN. Mr. President, we wish to speak today about the Arizona Statehood and Enabling Act Amendments of 1999 concerning the investment allocation and distribution of revenues in the State of Arizona's permanent land endowment trust fund. This fund consists of moneys derived from the sale of State trust land that was conveyed to the State of Arizona on admission to the Union in 1912. The State of Arizona was granted approximately 10.9 million acres of land at statehood and today holds in trust over 9 million acres. Every year, revenues generated from trust land uses must be deposited in the fund and used solely for the benefit of beneficiaries specified in the Constitution of the State of Arizona, predominately Arizona's K–12 public schools.

The Arizona Statehood and Enabling Act Amendments of 1999 repealed strict investment and distribution limitations imposed on the fund by the Congress in the State's enabling act. It also granted the voters of the State of Arizona the authority to adjust distributions to the fund beneficiaries. To accomplish that objective, Congress specifically amended section 28 of the Arizona Enabling Act of 1910 to read, ''Distributions from the trust funds shall be made as provided in article 10, Section 7 of the Constitution of the state of Arizona.''

The Congressional Budget Office estimate, which was included in the House of Representatives Committee report, indicated that ''[e]nactment of this bill would give Arizona state officials greater flexibility in investing and distributing the assets of the state's permanent funds.''

My understanding is that this reference to the Constitution of the State of Arizona, in section 28 of the enabling act, authorizes the voters of the State of Arizona to amend their constitution to authorize different distributions than those in place in 1999, including distributions that may pay out more funds to the beneficiaries. I ask the senior Senator from Alaska: Would she agree?

Ms. MURKOWSKI. I want to thank the senior Senator from Arizona for his question. I am familiar with the enabling act's requirements that funds are held in trust for certain beneficiaries, including K–12 public schools, and that distributions are made from Arizona's permanent land endowment trust fund.

The 1910 Arizona Enabling Act specified the level of education-funding distributions that must be made from the State land trust fund. In 1999, Congress amended the 1910 act, eliminating the distribution requirement and providing that such distributions be made as provided for in the Arizona Constitution, specifically article 10, section 7. Thus, as I understand it, so long as changes to the education-funding distributions are accomplished by amendments to article 10, section 7 of the Arizona Constitution, and the funds are used for the beneficiaries of the enabling act, the changes to funding distribution amounts from the State land trust are proper.

Mr. MCCAIN. I thank Senator MURKOWSKI for her answer. I have one further question. I believe, should the voters of the State of Arizona change the amounts distributed to the fund beneficiaries by amending article 10, section 7 of the Arizona Constitution, that the consent of Congress is not required prior to the change taking effect. Would the Senator agree?

Ms. MURKOWSKI. Senator MCCAIN, because Congress specified that distributions may be made as determined

in article 10, section 7, of the Arizona Constitution, I share his view that Congress need not provide consent.

Mr. MCCAIN. I thank the Senator from Alaska for her response.

CHILD NICOTINE POISONING PREVENTION ACT OF 2015

Ms. MURRAY. Mr. President, today I wish to engage in a colloquy with my colleague from Florida to speak briefly about the Senate's recent passage of S. 142, the Child Nicotine Poisoning Prevention Act of 2015, which was introduced by Senator NELSON and which I cosponsored, along with many of our colleagues on both sides of the aisle.

Liquid nicotine is very dangerous: even a small amount on the skin is enough to make a small child very ill. A 15-milliliter bottle, like those sold in stores and online—often without any verification that the buyer is not a minor—contains enough liquid nicotine to kill four children. This substance is marketed in bright colors and sweet flavors, so it is no surprise that it finds its way into the hands of our children. In 2014 alone, the American Association of Poison Control Centers reported over 1,500 liquid nicotine exposures. These exposures resulted in many serious injuries and at least one tragic death of a child in New York.

Mr. NELSON. I agree with my colleague from Washington—we cannot stand by and allow this harm to continue. The U.S. Government requires child-resistant packaging on other products, including over-the-counter medications and cleaning supplies. These rules have prevented countless injuries and deaths, and this important legislation will ensure we have the same protections in place when it comes liquid nicotine.

Ms. MURRAY. That is why my colleague, the ranking member of the Committee on Commerce, Science, and Transportation, and I, as ranking member of the Committee on Health, Education, Labor and Pensions, urge the Consumer Product Safety Commission, CPSC, to act swiftly to implement S. 142.

At the same time, we note that Congress is aware that the Food and Drug Administration has indicated a commitment to addressing the important public health issue of protecting children from the dangers of liquid nicotine. The agency's proposed tobacco deeming rule when finalized will extend FDA's tobacco authorities to products like e-cigarettes not marketed for therapeutic purposes and liquid nicotine.

Mr. NELSON. Like my colleague, I urge FDA to act as quickly as possible to address this important public health issue as soon as they have jurisdiction over these products, and we understand they intend to do so. On July 1, 2015, FDA issued an Advance Notice of Proposed Rule Making, ANPRM, titled, ''Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products; Request for Comments.''

This ANPRM sought comments, data, and research results that will inform future regulatory action. As the regulating agency of these products, FDA must use all of its regulatory tools to protect children from the harms of e-cigarettes and liquid nicotine, including the regulation of liquid nicotine packaging.

I look forward to working with Senator MURRAY and our colleagues at the FDA and at the CPSC on this important issue. Together, we can ensure that every measure is taken to prevent more harm to our children from these dangerous products.

FAA COMMUNITY INVOLVEMENT

Ms. COLLINS. Mr. President, I wish to join my colleague from Arizona, Senator MCCAIN, in a colloquy regarding an aviation noise concern of particular interest to his constituents in the Phoenix area.

During the floor debates on the transportation and housing appropriations bills in both the House and the Senate, there were a number of amendments adopted related to the Federal Aviation Administration's air traffic procedures and, in particular, the noise that FAA-approved flight patterns create in communities. The Senator from Arizona offered an amendment dealing with this issue, which I was happy to accept during the abbreviated consideration of the THUD bill on the Senate floor.

As a result, the omnibus includes bill language requiring the Federal Aviation Administration to update its ''community involvement manual'' related to new air traffic procedures in order to improve public outreach and community involvement. The FAA is directed to complete and implement a plan which enhances community involvement and proactively addresses concerns associated with performance-based navigation projects.

I know this is an important issue for you, Senator MCCAIN, and I appreciate you joining me on the floor today so that we can send a clear message to the FAA about the importance of involving your constituents.

Mr. MCCAIN. Mr. President, I wish to thank the Senator from Maine for her consideration. I wish to provide further detail on the provision included in the omnibus requiring the Federal Aviation Administration to improve community involvement policies and address concerns stemming from changes associated with performance based navigation projects, including what we expect the FAA to do to provide relief for impacted communities, and what that means for the people of Arizona.

I appreciate the Senator from Maine for acknowledging that community outreach on the part of the FAA to date has been lacking, and that efforts underway at the FAA to update their community involvement practices have not been sufficient. I look forward to working with her to continue to accomplish the intent of the language I introduced which was adopted by unanimous consent earlier this year during Senate consideration of the transportation and housing appropriations bills.

Since September 2014, residents in Arizona around the Phoenix Sky Harbor Airport have had their daily lives impacted by changes to flights paths made without formal notification to the airport or community engagement before the changes were implemented. The intent the language included in the omnibus is to improve outreach to the community and airport, providing an opportunity for notification and consultation with the operator of an affected airport and the community before making future flight path decisions.

Furthermore, for changes that have already been implemented, as is the case in Phoenix, the Administrator shall review those decisions to grant a categorical exclusion under Section 213(c) of the FAA Modernization and Reform Act of 2012 to implement procedures in which the changed procedure has had a significant effect on the human environment in the community in which the airport is located, if the airport can demonstrate that the implementation has had such an effect. If this review indicates that the flight path changes have had such an impact, the FAA shall consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment, including considering the use of alternative flight paths.

This would not impede the efforts to modernize our Nation's airspace through NextGen or substantially undermine efficiencies and safety improvements realized through those efforts. It does create a long-awaited, much-needed opportunity for residents around Phoenix Sky Harbor International Airport negatively impacted by flight noise to have their voices heard by the FAA.

Ms. COLLINS. To be clear, the FAA should be ensuring that local communities have a voice when decisions that affect them directly are being made by the agency.

REQUIRED STATE PREEMPTION PROVISION IN THE FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY ACT

Mr. WHITEHOUSE. Mr. President, today, with my colleagues Senator CORY BOOKER and Senator JEFF MERKLEY, I wish to discuss the Frank R. Lautenberg Chemical Safety for the 21st Century Act, S. 697. Some opponents claim it creates a regulatory void that will prohibit States from creating or enforcing State policies while EPA assesses chemicals for safety. We opposed the bill as introduced because that was the case. Since then, we

worked together with Senators UDALL, VITTER, and INHOFE to restore the ability of States to protect their citizens while EPA is assessing chemicals by substantially shrinking the interim period of time where preemption occurs and by creating a straightforward waiver process.

Mr. BOOKER. The provision requires EPA to allow States to regulate hazardous chemicals while EPA assesses a chemical for safety if the proposed state regulation meets three basic criteria: A, consistent with the dormant commerce clause of the U.S. Constitution, compliance with the proposed regulation will not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance; B, compliance with the proposed regulation would not cause a violation of any applicable Federal law, rule, or order; and C, the State or political subdivision of a State has a concern about the chemical substance or use of the chemical substance based in peer-reviewed science.

Given the importance of this provision and the role EPA will play in reviewing waiver applications, we asked EPA for its interpretation. EPA agrees that States will be exempted from preemption by meeting three criteria. The following are the relevant excerpts from EPA's response:

Based on the bill reported on June 18, 2015, S. Rep. 114–67, the following is a summary of how EPA understands the Frank R. Lautenberg Chemical Safety for the 21st Century Act, FRL21, would operate with respect to the preemption of state law.

Required waivers under section 18(f)(2). These would be State requests for an exemption from preemption under section 18(b). EPA must grant this kind of waiver request if the State law for which waiver is sought would not unduly burden interstate commerce; the State law for which waiver is sought would not cause a violation of Federal law; and the State has a concern about the chemical substance or use of the chemical substance based in peer-reviewed science.

Mr. MERKLEY. Each of these standards has a constitutional foundation. The first reflects the restraints of the dormant commerce clause. The second reflects the Constitution's supremacy clause. The third corresponds to the scientific factual predicate required to meet scrutiny under the due process clause, as not ''arbitrary and capricious.''

Restoring the ability for States to protect their citizens while EPA assesses the safety of chemicals was one of the primary goals of our work to improve this bill and that has been accomplished under section 18(f)(2) of S. 697, as reported by the Environment and Public Works Committee. We believe this does, within the limits imposed by the Constitution.

HONORING CORPORAL ANDREW A. AIMESBURY

Mrs. SHAHEEN. Mr. President, I have come to the floor to honor the service and sacrifice of Army CPL Andrew Aimesbury, who died last week from wounds sustained during squad live-fire training at Fort Stewart, GA. He was a proud son of New Hampshire, and I join with other Granite Staters in extending my deep condolences to his father, Carl Aimesbury, of Somersworth; his mother, Karen Kelsey, of Dover; and his sister, Abigail Aimesbury, also of Dover.

Corporal Aimesbury served courageously in Afghanistan and was highly respected as a warrior and team leader with an elite Ranger unit. His battalion commander praised his ''caring nature'' and called him ''an exceptional Ranger leader and an extraordinary man.''

It is deeply moving to read a post on Facebook by his father, Carl Aimesbury. Mr. Aimesbury wrote: ''Wednesday December 9th the world lost the best son, brother, cousin, grandson, person that I was so privileged to call my son. He was an Army Ranger and so proud to serve his country. My heart is broken but I am so thankful for the time I had with him. I love you Andrew.'' As we honor Andrew, let us remember that it is not only our warriors who serve and sacrifice but also their family members and loved ones.

Corporal Aimesbury represented the very best in our Nation. After graduation from Dover High School in Dover, NH, he enlisted in the Army and trained as an infantryman at Fort Benning, GA. He went on to complete the Ranger Assessment and Selection Program as well as the highly demanding Army Ranger Course and was assigned to Company D, 1st Battalion, 75th Ranger Regiment.

Soldiers typically flinch from the term ''hero.'' But make no mistake, Andrew Aimesbury answered the call of duty, served our Nation in time of war, and was prepared to—and did—make the ultimate sacrifice. If that is not heroism, I don't know what is.

There is an inscription at Arlington National Cemetery that pretty much says it all: ''Not for fame or reward, nor lured by ambition or goaded by necessity, but in simple obedience to duty.''

I join with people in New Hampshire and across the United States in honoring the ''simple obedience to duty'' of this brave fallen soldier, CPL Andrew Aimesbury.

TRIBUTE TO CHERYL S. CROMWELL

Mr. GRAHAM. Mr. President, today I wish to honor Ms. Cheryl S. Cromwell who will retire on January 3, 2016, after over 42 years of service to our Nation and the United States Air Force as a civilian airman.

Ms. Cromwell began her civil service career in 1973 as a clerk in the Office of Programs and Resources for the U.S. Department of the Air Force. In 1974, Ms. Cromwell moved to the Air Force legislative liaison office under the Secretary of the Air Force where she would serve for the rest of her distinguished career. She worked in the Air Force Senate liaison office in the Russell Senate Office Building, but spent the majority of her time in the Air Force congressional inquiry office in the Pentagon.

During her many years in the congressional inquiry division, Ms. Cromwell provided responses to over 50,000 inquiries on behalf of constituents and formed a strong working relationship with many on congressional staffs. It is not surprising that staff frequently requested that Cheryl personally work their most important and difficult cases.

It is my honor to join many of Ms. Cromwell's co-workers, family, and friends in congratulating her on her well-deserved retirement after over 42 years of dedicated Federal service.

TRIBUTE TO AIKO LANE

Mr. CARDIN. Mr. President, I would like my colleagues to join me in thanking Aiko Lane, a Brookings fellow from the Department of Defense, for her service to the Senate and to wish her well as she returns to the Pentagon.

Before Aiko joined my office she was a policy adviser in the office of the Secretary of Defense focusing on countering weapons of mass destruction. She has also served as the Japan country director where she represented the Department of Defense on issues related to the U.S.-Japan alliance, including coordinating the U.S. response to Japan's 2011 devastating Tōhoku earthquake and tsunami.

Prior to her work on Japan, Aiko was the Afghanistan country director where she was responsible for engaging with international partners and allies on military support for the U.S. and NATO-led efforts in Afghanistan.

Aiko, who received her undergraduate degree from Northwestern and a master's degree from Columbia, has been an important member of my foreign policy team over the last year, focusing much of her time and energy on my work as ranking member of the Senate Foreign Relations Subcommittee on East Asia, the Pacific and International Cybersecurity Policy. Aiko's expertise in matters pertaining to East Asia and the Pacific and her solid advice and thoughtful analysis of all regional matters have been critical to me. Moreover, Aiko's hard work enabled the subcommittee to hold five hearings this year on matters ranging from democratic transitions in Southeast Asia to the North Korean nuclear threat.

There is no question that the United States is fortunate to have people like Aiko representing Americans both at

home and abroad. We here in the Senate will miss Aiko's extensive knowledge and extraordinary work ethic as she returns to the Department of Defense. I also want to take this opportunity to thank Aiko's husband, Haru, and their children, Callea and Kent, for sharing her with us this past year. The Senate schedule isn't always the most ''family friendly'' but Aiko has been able to juggle the competing demands masterfully. I urge my colleagues to join me in thanking Aiko Lane for her outstanding service to our Nation.

RECOGNIZING THE 240TH ANNIVERSARY OF THE NAVY CHAPLAIN CORPS

Mr. LANKFORD. Mr. President, 240 years ago, the Navy Chaplain Corps was established. Chaplains serve our Nation by serving the members of our military—providing prayer, comfort, support, healing and restoration.

Chaplains go into the darkest places on earth to serve those who risk their lives for our Nation. They have seen the worst, but still provide hope for something greater. Over the course of their ministry, 16 Navy chaplains have given the ultimate sacrifice. Additionally, two chaplains have been awarded the Congressional Medal of Honor for their devoted service.

After over a decade of conflict in Iraq and Afghanistan, chaplains today continue to bring support and hope to those affected by war. Protecting and advancing the religious liberty of both chaplains and servicemembers is essential to preserve our honored heritage.

On the 240th anniversary of the Navy Chaplain Corps, we recognize their dedication and devotion, their service to a cause greater than themselves, and their selfless sacrifice for our nation. We also recognize the importance of protecting their right and the right of every servicemember to practice their religious beliefs.

On this day, we recognize all Navy chaplains who have answered the call to serve where it matters, when it matters, with what matters since 1775.

TRIBUTE TO BOB FORD

Mr. CRAPO. Mr. President, today I wish to honor Bob Ford, who is retiring from Senate service. Bob is a valued, longtime member of my staff and dear friend.

In September of 2002, Bob joined my staff as the State director for business, economic, and rural development. Bob, originally from the Sunny Slope area of Canyon County, brought to the position a profound knowledge of rural and economic development shaped by his service as the State manager of rural development for the Idaho Department of Commerce, where he worked for 17 years in various capacities.

To say that Bob assisted me in a number of issue areas is an understatement. He has worked on far too many efforts to count. In addition to his work on rural and economic development issues, he has worked on initiatives related to housing, labor, trade, veterans, energy, banking, budget, taxes, immigration, water resources, transportation, and much more.

Highlights of his contributions as a member of my staff include his successful work to stop the transfer of the terminal approach control radar, known as TRACON, from the Boise airport. Bob spent countless hours working with affected parties to build an overwhelming justification for retaining TRACON at the Boise airport. He also worked heavily on trying to restore a key Amtrak corridor between the Midwest, the Intermountain States, and the Pacific Northwest.

As a fellow veteran, Bob has utilized his shared understanding of serving our Nation to connect with Idaho's veterans community and help improve veterans' access to quality services. He has attentively and efficiently administered the presenting of the Spirit of Freedom Award, which is an annual award to veterans and volunteers to recognize their great contributions to our armed services and veterans.

Bob is pragmatic and witty. He brings his calm, commonsense approach to any task, and I will miss his logical counsel and good humor. Bob is so widely admired that there has been no shortage of Idahoans who have shared fond memories of times they have worked with Bob over the years and the achievements he has made for the people of our great State.

Bob, you have done ''not bad for a kid who grew up on a farm in Sunny Slope on the banks of the Snake River.'' I hope that retirement will provide much-deserved time fishing, and that I will still get to benefit from your wise assistance from time to time. Thank you for your outstanding, committed service. Congratulations on your retirement. I wish you all the best.

ADDITIONAL STATEMENTS

TRIBUTE TO VIRGIL COURNEYA

● Mr. HELLER. Mr. President, today I wish to congratulate Virgil Courneya on being selected as National President of the Fleet Reserve Association, FRA. It gives me great pleasure to recognize his achievement in being selected to lead an organization that does so much for our Nation's military community.

Mr. Courneya enlisted in the U.S. Marine Corps in 1972 and served his country for nearly a quarter century. Throughout his military career, he received numerous assignments across the country, where he served in California, Nevada, North Carolina, Hawaii, and Pennsylvania. He also served overseas in Japan and Bolivia. Before retiring in 1996, he achieved the rank of master gunnery sergeant. Mr. Courneya's service is invaluable to our country, and I am grateful for the sacrifices he made for our freedoms.

The FRA is a congressionally chartered military and veterans service organization that serves active members and veterans of the U.S. Navy, Marine Corps, and Coast Guard. In his new role, Mr. Courneya will work to strengthen the organization and increase national recognition of the work being done by the FRA on behalf of our Nation's heroes. He will also serve as an advocate for the issues important to sea service members and their families.

Mr. Courneya has been a member of the FRA since 1982 and is currently a member of the FRA Branch 274 in Reno. Throughout his service to this organization, he has held numerous important roles on the local, regional, and national levels, including serving as both the association's west coast regional president from 2004 to 2006 and national vice president from 2012 to 2013.

I am grateful for Mr. Courneya's many contributions to sea service members and veterans throughout our Nation and State. His actions represent only the greatest of Nevada's values and place him among the outstanding men and women who have valiantly defended our Nation. I would also like to recognize his wife, Helen, who was selected as the national president of the auxiliary. Our State is fortunate to have role models such as Mr. and Mrs. Courneya serving Nevada's brave.

As a member of the Senate Veterans' Affairs Committee, I recognize Congress has a responsibility not only to honor the brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for veterans in our State and across the country. I am grateful to have Nevadans like Mr. Courneya working towards a common goal: fighting to ensure the needs of our military community are met.

Mr. Courneya has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the U.S. Marine Corps. I extend my greatest gratitude for his service to defending our freedom and his work on behalf of the FRA. I am humbled and honored by his service and am proud to call him a fellow Nevadan. Today I ask my colleagues to join me in congratulating Mr. Courneya on being selected as national president of this important organization.●

CONGRATULATING PAT SKORKOWSKY

● Mr. HELLER. Mr. President, today I wish to congratulate Clark County School District Superintendent Pat Skorkowsky on being named National Superintendent of the Year by Jobs for America's Graduates, JAG. This award is truly prestigious and attained by only the most influential educators across the country.

JAG is a nonprofit organization that is focused on improving the educational outcome of America's youth

to ensure they are equipped to succeed in higher education and the workforce. The Nevada chapter of this State-based national organization has been a driving force to help integrate the JAG program into 19 schools in the Clark County School District, assisting the needs of more than 700 students in 37 schools across the State. Mr. Skorkowsky played a significant role in implementing this program after a successful pilot trial at several schools across our State.

Over 25 years ago, Mr. Skorkowsky began working as an educator for the Clark County School District. Throughout his tenure, he has served as a teacher, assistant principal, principal, academic manager, deputy superintendent, and now as superintendent. Mr. Skorkowsky spearheaded the idea that drives the nation's fifth largest school district: ''Every student in every classroom, without exceptions, without excuses.'' During his time as superintendent, Mr. Skorkowsky has upheld this philosophy, implementing strategies to improve the academic experience for every student who attends a Clark County School. Southern Nevada is fortunate to have someone of such great experience working on behalf of the future of Nevada's youth.

As a father of four children who attended Nevada's public schools and as the husband of a teacher, I understand the important role that educators play in enriching the lives of Nevada's students. Ensuring that America's youth are prepared to compete in the 21st century is critical for the future of our country. Mr. Skorkowsky has worked tirelessly to help prepare students across southern Nevada to be career and college ready, and I am grateful to have him serving as an ally to future generations of Nevadans.

I ask my colleagues and all Nevadans to join me in thanking Mr. Skorkowsky for his dedication to enriching the lives of Nevada's students and in congratulating him on receiving this award. I wish him well as he continues creating success for all students who enter the Clark County School District.●

REMEMBERING GLEE S. SMITH, JR.

● Mr. MORAN. Mr. President, on November 16, Kansas lost one of its greatest citizens when Glee Smith, Jr., passed away at age 94. Today, I pay tribute to Glee and celebrate his life, his legacy, and his service to our State and Nation.

Glee was born and raised in 1921 in Rozel—a rural central Kansas town with a population of 156. After high school, like so many members of our ''greatest generation,'' Glee served our Nation during World War II as a first lieutenant in the Army Air Corps.

After the war, he returned to further his education at the University of Kansas, where he earned a bachelor's degree in journalism in 1943 and a juris doctorate in 1947. During this time, Glee married Gerry Buhler, his wife of more than 70 years. Together, they moved southwest to Larned, where Glee partnered with Maurice Wildgen to found the Wildgen & Smith Law Firm. Within 2 years of establishing his law practice, Glee was elected to his first position of public service as Pawnee County attorney and later to the Larned Board of Education, on which he served for 12 years.

These two roles provided the bedrock for Glee's work on behalf of Kansans and instilled a deep respect for the rule of law and commitment to education. He was a 67-year member of the Kansas Bar Association—20 of which were spent as a member of the Board of Governors. In addition, President Gerald Ford appointed Glee to the First Board of Directors of the National Legal Services Corporation, which he served on from 1975 to 1979. He also served on the Kansas Board of Regents for 8 years, including 2 as chairman. These are just a few of the many other causes that Glee took part in and often ended up leading. Many remember Glee's leadership from his 16 years in the Kansas State Senate, during which he served as Judiciary Committee chairman, Ways and Means Committee chairman and president of the senate for his final 8 years.

The comments left on Glee's obituary in the Lawrence Journal-World do service to the impression that he left on those around him:

''Glee was a great person and a true gentleman[.] He was a great person to work with in governmental affairs and socially as well.''

''[I] loved his stories of how Ger[ry] and he met and that he loved her from the moment he saw her!!! Their love and devotion have been inspiring . . . It was an honor to get to know him.''

''There will always be an empty seat at First Presbyterian Church where Glee sat beside his beloved Gerry. He was a stately gentleman and a truly gentle man. He will be sorely missed by all who knew him.''

''One of the rewards of serving on the Kansas 4–H Foundation was serving alongside people like Glee. Leadership, Vision, Wisdom, Caring, Friend—a few words that describe Glee Smith.''

''Although his impact was great in his efforts on behalf of the State of Kansas and KU, it was most significant in all the lives he touched along the way.''

Glee Smith taught through his actions that true satisfaction in life comes from service to others. This is the legacy we should all hope to leave behind for the next generation.

I always believe what happens in the nation's capital is important, but the truth is that we change the world one person at a time. While our work in the Senate matters, much more is accomplished by a person like Glee. I would ask my Senate colleagues to join me in extending our sympathies to Glee's wife; three children, Sid, Stephen, and Susan; three grandchildren; and nine great-grandchildren as they begin this new year in the absence of their loved one.●

REMEMBERING MAJOR GENERAL WILL HILL TANKERSLEY

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to MG Will Hill Tankersley, a patriot and friend. General Tankersley died Saturday, November 28, 2015, at the age of 87. General Tankersley exemplified the attributes of service, loyalty, and, perhaps most precious to him, duty. He leaves behind an adoring family, generations of friends and admirers, and a legacy that will persist long after his passing.

He was born February 28, 1928, to a family with deep roots in Alabama. In fact, his grandfather settled around what would become Montgomery in 1815, 4 years before Alabama achieved statehood. When only a boy, his father, Felix Marcus Tully, passed away, leaving him in the care of his mother, ''Miss Corrie'' Melton Hill. His paternal grandfather, Judge Will Hill, became a father-figure to young Will Hill, ensuring his mother and her young family were provided for and that Will Hill and his brothers received an education.

Despite facing these difficult odds, Will Hill attended the Citadel and Marion Military Institute before gaining acceptance to West Point, from which he graduated in 1950. Soon after graduation, before his class had even gone through basic training, he was sent into combat in Korea, serving six campaigns as a combat infantryman. For his service, he was awarded the Distinguished Service Medal, Bronze Star, and Combat Infantry Badge.

The West Point Class of 1950 has the tragic distinction of suffering through some of the heaviest wartime losses in the history of the academy; he was one of only six of his classmates in his regiment not killed, wounded, or captured. In fact, at the age of 23, then-Lieutenant Tankersley had the unfortunate distinction of being the oldest living infantry lieutenant in the 19th Infantry Regiment.

It was in 1953 while stationed at Fort Benning that he met Theda Clark Ball, also of Montgomery, whom he soon married. She was the love of his life, and her special place in his heart remained after her death in 2013, after almost 60 years of marriage.

Once leaving the regular Army, Will Hill returned to Montgomery and joined the investment bank Sterne Agee & Leach. His 45 years at Sterne Agee saw him rise to the top of the organization, becoming a vice president, board member, senior vice president, chairman of the executive committee of the board of directors, president of the company, and finally the vice chairman emeritus for life. He retired in October of 2003.

General Tankersley's dedication to principle and sense of civic duty to his city, State, and country are well known.

Among his many distinctions are Montgomery Citizen of the Year for 1992; two terms as chairman of the Montgomery Chamber of Commerce; chairman of the Montgomery Area Committee of 100; chairman of Auburn University College of Business Advisory Counsel; the distinguished alumnus from Auburn University College of Business; and Marion Military Institute Alumnus of the Year.

General Tankersley also served on the board of visitors of the Air University at Maxwell Air Force Base; as president of the Montgomery Rotary Club; a member of the board of directors for the Montgomery Academy; a member of the board of directors for the Tukabatchee Area Counsel Boy Scouts of America; senior warden of St. John's Episcopal Church—having served 5 years on its vestry; one of eight directors of the Governor's Management Improvement Program for Alabama; and chairman of the Education Committee on Community Government.

After Active Duty, Will Hill remained in the U.S. Army Reserve, eventually rising to the rank of major general. He served as the civilian aide to the Secretary of the Army for the State of Alabama; was nominated as the Assistant Secretary of Defense for Reserve Affairs by President Ford, serving 3 years; was appointed during the George H.W. Bush administration as chairman of the Reserve Forces Policy Board, principal adviser to the Secretary of Defense on matters concerning the National Guard and Reserves; and was appointed in 2001 by George W. Bush as one of 11 commissioners on the American Battle Monuments Commission.

General Tankersley is survived by three children: his daughter, Theda, and sons Will Hill, Jr., and David.

I mentioned earlier the high value General Tankersely placed on the concept of duty and of meeting the requirements imposed upon those bound to it. He not only lived a life bound by this code but proselytized its virtues to others. In 1995, when I was attorney general of Alabama, he sent me a framed quotation of General Lee, still in my office today, which reads ''Duty is the sublimest word in the English Language.'' Accompanying this gift was an encouraging note serving as both a call to arms and an offer of his services reading in part:

In the event you ever feel the urge to let bygones be bygones, to overlook the transgressions of those in public office who have violated the law, abused the public trust, and brought dishonor on Alabama and hurt its image or to believe these miscreants did not know what they were doing and shouldn't be prosecuted—call me, night or day, and I'll come to where you are and remind you of General Lee's words.

The Philistines are all around us and they are many and we are few; we must keep the faith and do our duty if government of, by and for the people is to exist in our state.

General Tankersley represented the best of Alabama and her values. He was a true patriot and a man of great character. He will be greatly missed.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGES FROM THE HOUSE

At 10:27 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 3594) to extend temporarily the Federal Perkins Loan program, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

At 11:41 a.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 and joint resolution:

H.R. 3594. An act to extend temporarily the Federal Perkins Loan program, and for other purposes.

H.R. 4246. An act to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

H.J. Res. 76. Joint resolution appointing the day for the convening of the second session of the One Hundred Fourteenth Congress.

The enrolled bills and joint resolution were subsequently signed by the President pro tempore (Mr. HATCH).

At 2:06 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2425. An act to amend the XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2241. An act to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 104. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Fourteenth Congress.

ENROLLED BILL SIGNED

At 2:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2029. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2241. An act to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2434. A bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, December 18, 2015, she had presented to the President of the United States the following joint resolutions:

S.J. Res. 23. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of

title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3928. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pendimethalin; Pesticide Tolerances'' (FRL No. 9937–18–OCSPP) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3929. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of Pesticide Tolerances for Emergency Exemptions (Multiple Chemicals)'' (FRL No. 9939–95–OCSPP) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3930. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Onions Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Decreased Assessment Rate'' (Docket No. AMS–FV–15–0027) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3931. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–3932. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Appraisals for Higher-Priced Mortgage Loans Exemption Threshold'' (RIN3170–AA11) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Banking , Housing, and Urban Affairs.

EC–3933. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending (Regulation Z) Annual Threshold Adjustments (CARD Act, HOEPA and ATR/QM)'' (12 CFR Part 1026) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3934. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Consumer Leasing (Regulation M)'' (RIN3170–AA06) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3935. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending (Regulation Z)'' (12 CFR Part 1026) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3936. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: Conforming Amendments'' (RIN2501–AD66) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3937. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, the Annual Report of the Consumer Financial Protection Bureau on College Credit Cards; to the Committee on Banking, Housing, and Urban Affairs.

EC–3938. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–024); to the Committee on Foreign Relations.

EC–3939. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0166 - 2015–0171); to the Committee on Foreign Relations.

EC–3940. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program'' (FRL No. 9939–57–Region 6) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3941. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas and Oklahoma; Regional Haze State Implementation Plans; Interstate Viability Transport State Implementation Plan to Address Pollution Affecting Visibility and Regional Haze; Federal Implementation Plan for Regional Haze'' (FRL No. 9940–21–Region 6) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3942. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon; Interstate Transport of Ozone'' (FRL No. 9940–35–Region 10) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3943. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Idaho: Interstate Transport of Ozone'' (FRL No. 9940–32–Region 10) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3944. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Implementation Plan Approval; Illinois; Illinois Power Holdings and AmerenEnergy Medina Valley Cogen Variance'' (FRL No. 9939–75–Region 5) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3945. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; NH; Infrastructure State Implementation Plan Requirements for Ozone, Lead, and Nitrogen Dioxide.'' (FRL No. 9940–15–Region 1) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3946. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders'' (RIN0648–XE261) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Environment and Public Works.

EC–3947. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2015–85) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Finance.

EC–3948. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tribal Economic Development Bonds: Use of Volume Cap for Draw-Down Loans'' (Notice 2015–83) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Finance.

EC–3949. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Borrower Defense Student Loan Discharges'' (Rev. Proc. 2015–57) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Finance.

EC–3950. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling: 2015 Base Period T–Bill Rate'' (Rev. Rul. 2015–26) received in the Office of the President of the Senate on December 15, 2015; to the Committee on Finance.

EC–3951. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report of the Office of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016'' (Rept. No. 114–197).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 571, a bill to amend the Pilot's Bill of Rights to facilitate

appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes (Rept. No. 114–198).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. 152. A bill to prohibit gaming activities on certain Indian land in Arizona until the expiration of certain gaming compacts (Rept. No. 114–199).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

*Patrick Joseph Murphy, of Pennsylvania, to be Under Secretary of the Army.

*Janine Anne Davidson, of Virginia, to be Under Secretary of the Navy.

*Lisa S. Disbrow, of Virginia, to be Under Secretary of the Air Force.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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 Mrs. FEINSTEIN (for herself, Mrs. BOXER, and Mr. CARDIN):

S. 2422. A bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN:

S. 2423. A bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes; to the Committee on Appropriations.

By Mr. PORTMAN (for himself and Mrs. GILLIBRAND):

S. 2424. A bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself, Mr. CASEY, Mr. BURR, Mr. SCHUMER, Mr. BLUNT, Mr. BENNET, Mr. WYDEN, Mrs. MURRAY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Ms. HIRONO):

S. 2425. A bill to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes; considered and passed.

By Mr. GARDNER (for himself and Mr. CARDIN):

S. 2426. A bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. 2427. A bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 2428. A bill to amend the National and Community Service Act of 1990 to establish a National Service for Schools Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. AYOTTE (for herself, Mr. BURR, Mr. KIRK, Mr. GRAHAM, Mrs. ERNST, Mr. WICKER, Mr. RUBIO, Mr. ROBERTS, Ms. MURKOWSKI, Mr. THUNE, and Mr. INHOFE):

S. 2429. A bill to require a report on the military dimensions of Iran's nuclear program and to prohibit the provision of sanctions relief to Iran until Iran has verifiably ended all military dimensions of its nuclear program, and for other purposes; to the Committee on Foreign Relations.

By Ms. CANTWELL (for herself and Ms. COLLINS):

S. 2430. A bill to permit the recovery of costs incurred by U.S. Customs and Border Protection for preclearance operations activities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. BOOZMAN, and Mr. FRANKEN):

S. 2431. A bill to improve the training of child protection professionals; to the Committee on the Judiciary.

By Mr. SCOTT (for himself and Mr. BARRASSO):

S. 2432. A bill to amend the Public Health Service Act to require the disclosure of the portion of health insurance premiums attributable to the health insurance tax; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2433. A bill to provide Federal support to increase public transportation ridership by college students; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL:

S. 2434. A bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes; read the first time.

By Mr. KIRK (for himself, Mrs. CAPITO, Mr. ISAKSON, Mr. TILLIS, Mr. WICKER, and Mr. INHOFE):

S. 2435. A bill to ensure that each covered alien receives a thorough background investigation before such alien is admitted to the United States as a refugee, and for other purposes; to the Committee on the Judiciary.

By Ms. WARREN (for herself, Mr. REID, Mr. BLUMENTHAL, and Mr. SCHUMER):

S. 2436. A bill to provide for certain assistance and reforms relating to the territories, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. Res. 338. A resolution congratulating Towson University on the 150th anniversary of the founding of the university; considered and agreed to.

By Mr. GRASSLEY (for himself and Mrs. ERNST):

S. Res. 339. A resolution congratulating the University of Iowa College of Law for 150 years of outstanding service to the State of Iowa, the United States, and the world; considered and agreed to.

By Mr. CASSIDY (for himself, Mr. MANCHIN, Mr. RUBIO, Mr. KIRK, and Mr. WICKER):

S. Res. 340. A resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Ms. KLOBUCHAR):

S. Res. 341. A resolution designating January 2016 as ''National Carbon Monoxide Poisoning Awareness Month''; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself and Mr. MANCHIN):

S. Res. 342. A resolution congratulating the women's volleyball team of Wheeling Jesuit University on winning the Division II National Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 429

At the request of Ms. BALDWIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 697

At the request of Mr. UDALL, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 1082

At the request of Mrs. ERNST, her name was added as a cosponsor of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on

performance or misconduct, and for other purposes.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Mr. FRANKEN) 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. 1455

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1607

At the request of Mr. PORTMAN, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 1607, a bill to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, and for other purposes.

S. 1648

At the request of Mr. GRASSLEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1648, a bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare.

S. 1656

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 1656, a bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes.

S. 1688

At the request of Mr. CARPER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1688, a bill to provide for the admission of the State of New Columbia into the Union.

S. 1774

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1774, a bill to amend title 11 of the United States Code to treat Puerto Rico as a State for purposes of chapter 9 of such title relating to the adjustment of debts of municipalities.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1893

At the request of Mrs. MURRAY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1893, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 1911

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

At the request of Ms. COLLINS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1911, supra.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2222

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2222, a bill to amend the Workforce Innovation and Opportunity Act to support community college and industry partnerships, and for other purposes.

S. 2234

At the request of Mr. BLUNT, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Wyoming (Mr. BARRASSO), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), the Senator from Nebraska (Mrs. FISCHER), the Senator from Colorado (Mr. GARDNER), the Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. HATCH), the Senator from Tennessee (Mr. CORKER), the Senator from Georgia (Mr. ISAKSON), the Senator from Texas (Mr. CORNYN), the Senator from Delaware (Mr. COONS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Wyoming (Mr. ENZI), the Senator from Mississippi (Mr. WICKER), the Senator from Louisiana (Mr. CASSIDY), the Senator from New Hampshire (Ms. AYOTTE), the Senator from West Virginia (Mrs. CAPITO), the Senator from Alabama (Mr. SESSIONS), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Illinois (Mr. KIRK), the Senator from South Carolina (Mr. GRAHAM), the Senator from Pennsylvania (Mr. CASEY), the Senator from Indiana (Mr. DONNELLY), the Senator from Montana (Mr. DAINES), the Senator from Florida (Mr. NELSON), the Senator from Alaska (Mr. SULLIVAN), the Senator from New Mexico (Mr. UDALL), the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Delaware (Mr. CARPER), the Senator from South Dakota (Mr. THUNE), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Hawaii (Mr. SCHATZ), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Georgia (Mr. PERDUE), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from North Carolina (Mr. TILLIS), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Michigan (Ms. STABENOW), the Senator from Michigan (Mr. PETERS), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Ohio (Mr. BROWN), the Senator from Alabama (Mr. SHELBY), the Senator from Virginia (Mr. KAINE), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from South Carolina (Mr. SCOTT), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mrs. ERNST), the Senator from Kansas (Mr. ROBERTS), the Senator from Idaho (Mr. CRAPO), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2234, a bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II.

S. 2251

At the request of Ms. WARREN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2251, a bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes.

S. 2268

At the request of Mr. CORNYN, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors 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. 2356

At the request of Mr. KING, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2356, a bill to amend the Foreign Intelligence Surveillance Act of 1978 to require an electronic communication service provider that generates call detail records pursuant to an order under that Act to notify the Attorney General if the provider intends to retain such records for a period less than 18 months.

S. 2362

At the request of Mr. JOHNSON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2362, a bill to amend the Immigration and Nationality Act to provide enhanced security measures for the Visa Waiver Program, and for other purposes.

S. 2372

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2372, a bill to require reporting of terrorist activities and the unlawful distribution of information relating to explosives, and for other purposes.

S. RES. 290

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Res. 290, a resolution expressing the sense of the Senate that any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, negotiated at the 2015 United Nations Climate Change Conference in Paris will be considered a treaty requiring the advice and consent of the Senate.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, and Mr. CARDIN):

S. 2422. A bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016; to the Committee on Veterans' Affairs.

Mrs. FEINSTEIN. Mr. President, I speak today regarding the introduction of a bill, cosponsored by Senators BOXER and CARDIN, to provide the Department of Veterans Affairs with the authority to obligate and expend appropriated funds in order to begin construction on critical projects in California, Kentucky, Maryland, and Washington. This is time-sensitive legislation, and I am working with my colleague and friend Chairman ISAKSON to move the bill by unanimous consent as soon as a final fiscal year 2016 funding measure is enacted.

Last month, the Senate passed the fiscal year 2016 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, which provided $822,800,000 for major construction projects at these Veterans Affairs Medical Centers. This bill passed without a single vote cast against it.

However, the Department of Veterans Affairs cannot spend the money appropriated for fiscal year 2016 and begin construction on these projects because it lacks a separate authorization, which is required by law.

The legislation I am introducing today simply provides the authorization, as required by law, to allow the Department to move forward its fiscal year 2016 projects.

The fiscal year 2016 projects include critical, time-sensitive seismic safety corrections to structures in San Francisco, West Los Angeles, Long Beach, and American Lake. These buildings, which include health care facilities, veteran housing, and a community living center, are at an exceptionally high risk of collapse or suffering severe damage during an earthquake.

If a major earthquake struck in proximity to one of these medical centers while it was in use by veterans and the department's employees, there could be numerous injuries and deaths.

The U.S. Geological Survey estimates there is a greater than 99 percent chance that a magnitude 6.7 or greater earthquake will strike California in the next 30 years.

It is important to note that even less severe earthquakes can cause damage to seismically unsafe buildings that result in injuries and deaths. The California Governor's Office of Emergency Services believes that the damage to seismically unfit buildings caused by the magnitude 6.0 earthquake that hit Napa, California on August 24, 2014, at 3:20 a.m., would likely have resulted in many more deaths and injuries if it had struck during business hours when these structures were in use. As it was, the earthquake caused over 200 injuries and one fatality.

In fact, the U.S. Geological Survey estimates that a 6.0 magnitude earthquake hits California every 1.2 years on average. This is a terrifying figure, and it is why I strongly believe that Congress must enact this legislation without delay.

This is not a hypothetical situation. In 1971, the devastating San Fernando 6.6 magnitude earthquake struck and caused a total of 58 deaths. The older, deficient buildings at the San Fernando VA medical center were demolished, killing 30 patients and 10 staff. The destruction on the Federal Government's VA campus was responsible for the majority of all deaths reported in this earthquake. Had the Federal buildings been structurally sound, there is a likelihood that many of these deaths could have been prevented. If there are any Senators in this body who might want to delay moving the fiscal year 2016 construction authorizations, I urge them to think long and hard about this tragic event.

In 2015, Congress did not authorize the Department's major construction projects until this past September; 10 months after funds were appropriated by Congress in the fiscal year 2015 Omnibus. I believe it would be a huge disserve to our veterans to allow such a lengthy delay to occur again.

More hearings and delays are unnecessary to determine whether the Senate should pass this legislation. The Senate Appropriations Committee held hearings with the Department on these projects as it reviewed the President's fiscal year 2016 budget request. The Senate Committee marked up and reported the Military Construction, Veterans Affairs, and Related Agencies appropriations bill in a bipartisan fashion. The Senate voted in a unanimous fashion to pass this bill just last month.

I also understand there are concerns about the effectiveness of the Department's construction process, but the Senate's appropriations bill also included important provisions requiring the Department to work closely with the U.S. Army Corps of Engineers on improving the management controls for its next major construction projects.

I want to reiterate that without a separate authorization, the Department cannot start this vital work to protect our veterans and federal employees.

This is exactly why Americans believe that the Federal Government does not work. How does Congress explain this unnecessary delay to veterans who go to medical appointments in the buildings at risk of collapse or major damage? There is no reason to delay authorizing these projects when the money has already been appropriated.

I urge my colleagues to join me in quickly approving this legislation so that the fiscal year 2016 construction projects can move forward. Congress must act before the next earthquake strikes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 338—CONGRATULATING TOWSON UNIVERSITY ON THE 150TH ANNIVERSARY OF THE FOUNDING OF THE UNIVERSITY

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 338

Whereas, on January 15, 2016, Towson University, located in Towson, Maryland, celebrates the founding of the university on January 15, 1866;

Whereas Article VIII, section 1 of the Constitution of Maryland, adopted in convention in 1864, called for a uniform system of free public schools for the State of Maryland;

Whereas, in 1865, the General Assembly of Maryland (referred to in this preamble as the ''General Assembly'') created the State Normal School, which would become Towson University;

Whereas, on January 15, 1866, the State Normal School opened in the Red Men's Hall, located at 24 North Paca Street, in Baltimore, Maryland;

Whereas, in 1875, a law was enacted to authorize construction of a new building for the State Normal School, known as the Carrollton Building;

Whereas the Carrollton Building was erected in West Baltimore at the corner of Lafayette Avenue and Carrollton Avenue;

Whereas the State Normal School remained in the Carrollton Building for almost 40 years;

Whereas, on June 10, 1910, the General Assembly enacted a law to create the Maryland State Normal School Building Commission, which was responsible for—

(1) selecting a new site for the State Normal School; and

(2) preparing plans and estimates for the construction of new buildings;

Whereas, in April of 1912, the General Assembly enacted a law to authorize a $600,000 bond for the purchase of a new site for the State Normal School;

Whereas, in August of 1912, the Maryland State Normal School Building Commission selected the new site for the State Normal School in Towson, Maryland, where Towson University is located as of the date of adoption of this resolution;

Whereas the new campus of the State Normal School was constructed on 88 acres of farmland and included 3 buildings, which were known as—

(1) the Administration Building (known on the date of adoption of this resolution as ''Stephens Hall'');

(2) Newell Hall; and

(3) the Power Plant;

Whereas, on September 15, 1915, the doors of the State Normal School were opened for more than 300 students at its new location in Towson, Maryland;

Whereas, in June of 1935, the name of the State Normal School was changed to the State Teachers College at Towson (referred to in this preamble as the ''State Teachers College'');

Whereas the name of the State Normal School was changed to the State Teachers College because, in 1935, the General Assembly enacted a law to require teachers to earn a 4-year baccalaureate degree, rather than requiring teachers to earn a 2-year certificate;

Whereas, in 1936, the State Teachers College met standards of accreditation set forth by—

(1) the American Association of Teachers Colleges; and

(2) the American Council on Education;

Whereas the Governor of Maryland, Theodore McKeldin, submitted a capital improvement budget of $1,172,500 for the State Teachers College—

(1) to construct buildings; and

(2) to acquire 40 acres;

Whereas, in 1963, the State of Maryland—

(1) made the State Teachers College a liberal arts college; and

(2) changed the name of the State Teachers College to Towson State College;

Whereas, from 1960 through 1970, Towson State College carried out a construction program funded by more than $35,000,000 in Federal and State funds, which necessitated the purchase of land and construction of new buildings;

Whereas, on July 1, 1976, the name of Towson State College was changed to Towson State University;

Whereas, in 1988, higher education in Maryland was restructured to consolidate the State College and University System, of which Towson State University was a part, within the University System of Maryland;

Whereas, in 1996, U.S. News & World Report ranked Towson State University in categories for institutions in the North—

(1) second in the ''Most Efficient Schools'' category; and

(2) fourth in the ''Best Sticker Price'' category;

Whereas, in 1997, after years of discussion and debate, the name of Towson State University changed to Towson University, which was considered a step that would—

(1) elevate Towson University in the minds of individuals; and

(2) allow Towson University to develop an identity while remaining in the University System of Maryland;

Whereas, in 1998, U.S. News & World Report ranked Towson University among the top 10 public institutions in the North;

Whereas, between January 1, 2000, and the date of adoption of this resolution, 14 new structures were constructed on the campus of Towson University;

Whereas, in 2001, Towson University joined the Colonial Athletic Association, which is a collegiate conference affiliated with the National Collegiate Athletic Association (commonly known as the ''NCAA'');

Whereas Towson University has 19 Division I athletic teams;

Whereas, in 2003, the name of Minnegan Stadium at Towson University was changed to Johnny Unitas Stadium in honor of former Baltimore Colts quarterback, Johnny Unitas;

Whereas, in 2013, Towson University in Northeastern Maryland opened, which allows a student of Harford Community College or Cecil College to complete a 4-year degree in any of 6 programs;

Whereas the National Security Agency and the Department of Homeland Security designated Towson University as a National Center of Academic Excellence in Information Assurance and Cyber Defense;

Whereas the College of Education at Towson University is the oldest, largest, and preeminent producer of teachers in the State of Maryland;

Whereas an economic impact study entitled ''Towson University's Economic Impact'', published in 2015, found that Towson University had a $139,400,000,000 total economic impact on the economy of the State of Maryland between 1866 and 2014;

Whereas Towson University evolved from the State Normal School with 11 students to 1 of the largest universities in Maryland, comprised of 6 distinct colleges with a total enrollment of more than 22,000 students; and

Whereas the sustained commitment of Towson University to teacher education and workforce development has made Towson University—

(1) a driving force for the economy of Maryland; and

(2) a positive influence on the lives of graduates of Towson University and students of graduates of Towson University: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Towson University on the 150th anniversary of the founding of the university;

(2) recognizes the achievements of the administrators, professors, students, and staff of Towson University, who have contributed to the success of Towson University; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the president of Towson University; and

(B) the interim provost and vice president for academic affairs of Towson University.

SENATE RESOLUTION 339—CONGRATULATING THE UNIVERSITY OF IOWA COLLEGE OF LAW FOR 150 YEARS OF OUTSTANDING SERVICE TO THE STATE OF IOWA, THE UNITED STATES, AND THE WORLD

Mr. GRASSLEY (for himself and Mrs. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 339

Whereas the University of Iowa College of Law was founded in 1865, embodies the motto of Iowa, ''our liberties we prize and our rights we will maintain'', and has shaped generations of lawyers who exemplify that motto;

Whereas the University of Iowa College of Law is the oldest law school in continuous operation west of the Mississippi River;

Whereas, in 1873, the University of Iowa College of Law graduated what is believed to be the first female law student in the United States, Mary Beth Hickey;

Whereas the second female to graduate from the University of Iowa College of Law, Mary Humphrey Haddock, became the first woman admitted to practice before the District and Circuit Courts of the United States;

Whereas the University of Iowa College of Law was one of the first law schools to grant a degree to an African-American student when Alexander Clark, Jr., who graduated in 1879 and is believed to be the second African-American to graduate from a public law school in the United States, graduated from the University of Iowa College of Law;

Whereas the University of Iowa College of Law graduated the first United States Attorney of American Indian ancestry;

Whereas the University of Iowa College of Law has been ranked consistently among the top law schools in the United States since the founding of the College of Law 150 years ago and is currently ranked the 22nd best law school in the United States according to U.S. News and World Report;

Whereas the law journal of the University of Iowa College of Law, the Iowa Law Review, ranks among the high impact legal periodicals in the United States;

Whereas the University of Iowa College of Law is home to a law library that houses the second largest collection of volumes and volume equivalents among all law school libraries, containing over 1,000,000 volumes and volume equivalents, making it one of the most comprehensive collections of print, microgram, and electronic legal materials in the United States;

Whereas the Law Library at the University of Iowa College of Law is open to the public and provides valuable legal resources for all Iowans;

Whereas the University of Iowa College of Law serves as the only public law school in Iowa and pursues a mission of providing a legal education that is accessible, affordable, and inclusive;

Whereas the University of Iowa College of Law provides clinics that offer real-world experience in a wide range of legal fields and pro bono counsel to members of the community;

Whereas the University of Iowa College of Law strives to produce students that are well-suited for the legal profession, resulting in 99 percent of students of the College of Law completing degrees and 92 percent of students of the College of Law passing the bar exam on the first attempt;

Whereas the University of Iowa College of Law ranks in the top 15 law schools in the United States for graduates in full-time,

long-term jobs that require passage of the bar exam; and

Whereas the University of Iowa College of Law has produced hundreds of notable alumni that have contributed to the legal community in the State of Iowa and the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Iowa College of Law for 150 years of outstanding service to the State of Iowa, the United States, and the world; and

(2) requests that the Secretary of the Senate transmit a copy of this resolution to the Dean of the College of Law and the President of the University of Iowa.

SENATE RESOLUTION 340—EXPRESSING THE SENSE OF CONGRESS THAT THE SO-CALLED ISLAMIC STATE IN IRAQ AND AL-SHAM (ISIS OR DA'ESH) IS COMMITTING GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES, AND CALLING UPON THE PRESIDENT TO WORK WITH FOREIGN GOVERNMENTS AND THE UNITED NATIONS TO PROVIDE PHYSICAL PROTECTION FOR ISIS' TARGETS, TO SUPPORT THE CREATION OF AN INTERNATIONAL CRIMINAL TRIBUNAL WITH JURISDICTION TO PUNISH THESE CRIMES, AND TO USE EVERY REASONABLE MEANS, INCLUDING SANCTIONS, TO DESTROY ISIS AND DISRUPT ITS SUPPORT NETWORKS

Mr. CASSIDY (for himself, Mr. MANCHIN, Mr. RUBIO, Mr. KIRK, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 340

Whereas communities of Assyrian Chaldean Syriac, Armenian, Evangelical, and Melkite Christians; Kurds; Yezidis; Shia and Sunni Muslims; Turkmen; Sabea-Mandeans; Kaka'e; and Shabaks have been an integral part of the cultural fabric of the Middle East for millennia;

Whereas Article I of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, signed at Paris December 9, 1948 (in this resolution referred to as the ''Convention'') states that ''the contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and punish'';

Whereas Article II of the Convention declares, ''In the present Convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.'';

Whereas Article III of the Convention affirms, ''The following acts shall be punishable: (a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; (e) Complicity in genocide.'';

Whereas section 1091 of title 18, United States Code, declares that ''genocide'' occurs when any person ''whether in time of peace or in time of war and with the specific intent to destroy, in whole or in substantial part, a national, ethnic, racial, or religious group as such (1) kills members of that group; (2) causes serious bodily injury to members of that group; (3) causes the permanent impairment of the mental faculties of members of the group through drugs, torture, or similar techniques; (4) subjects the group to conditions of life that are intended to cause the physical destruction of the group in whole or in part; (5) imposes measures intended to prevent births within the group; or (6) transfers by force children of the group to another group'';

Whereas subsection (c) of section 2441 of title 18, United States Code, defines a ''war crime'' as conduct ''(1) defined as a grave breach in any of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party; (2) prohibited by Article 23 , 25, 27, or 28 of the Annex to the Hague Convention IV, Respecting the Laws and Customs of War on Land, signed 18 October 1907; (3) which constitutes a grave breach of common Article 3 [defined in subsection (d) of such section as torture, cruel or inhuman treatment, performing biological experiments, murder, mutilation or maiming, intentionally causing serious bodily injury, rape, sexual assault or abuse, or taking hostages] when committed in the context of and in association with an armed conflict not of an international character; or (4) of a person who, in relation to an armed conflict and contrary to the provisions of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended at Geneva on 3 May 1996 (Protocol II as amended on 3 May 1996), when the United States is a party to such Protocol, willfully kills or causes serious injury to civilians'';

Whereas the United States has ratified the United Nations Convention Against Transnational Organized Crime of 2000, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which defines ''trafficking in persons'' to mean ''the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'' and defines exploitation as including, ''at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs'';

Whereas section 2331 of title 18, United States Code, defines ''international terrorism activities'' as ''activities that (A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; (B) appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and (C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum'';

Whereas section 2332b of title 18, United States Code, defines ''terrorism transcending national boundaries'' to include ''(A) kill[ings], kidnap[ing]s, maim[ing]s, commit[ing] an assault resulting in serious bodily injury, or assaults with a dangerous weapon [of or on] any person within the United States; or (B) creat[ing] a substantial risk of serious bodily injury to any other person by destroying or damaging any structure, conveyance, or other real or personal property within the United States or by attempting or conspiring to destroy or damage any structure, conveyance, or other real or personal property within the United States; in violation of the laws of any State, or the United States,'';

Whereas the President, with the assistance of the Secretary of State and the Ambassador at Large for War Crimes Issues, is obligated under section 2113(b) of the ADVANCE Democracy Act of 2007 (22 U.S.C. 8213(b)) to ''collect information regarding incidents that may constitute crimes against humanity, genocide, slavery, or other violations of international humanitarian law'' and ''shall consider what actions can be taken to ensure that any government of a country or the leaders or senior officials of such government who are responsible for crimes against humanity, genocide, slavery, or other violations of international humanitarian law identified [pursuant to such collection of information] are brought to account for such crimes in an appropriately constituted tribunal'';

Whereas Article I of the Convention and the law of nations confirm that government authorities are obligated to prevent and punish acts constituting genocide, crimes against humanity, and war crimes;

Whereas, on July 10, 2015, Pope Francis, Supreme Pontiff of the Catholic Church, declared that the pattern of crimes committed by ISIS and its affiliates against Christians are part of a ''third world war, waged piecemeal, which we are now experiencing,'' and that ''a form of genocide is taking place, and it must end'';

Whereas the 2011 Presidential Study Directive on Mass Atrocities declares, ''Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States. . . [and that] our options are never limited to either sending in the military or standing by and doing nothing. . . The actions that can be taken are many—they range from economic to diplomatic interventions, and from non-combat military actions to outright intervention.'';

Whereas, on August 7, 2014, President Barak Obama authorized military action to stop ISIS' advance in northern Iraq, and ''to prevent a potential act of genocide'' against Yazidis stranded on Mount Sinjar;

Whereas, on August 7, 2014, Secretary of State John Kerry, stated that ISIS' ''campaign of terror against the innocent, including Yezedi and Christian minorities, and its grotesque and targeted acts of violence bear all the warning signs and hallmarks of genocide'';

Whereas, on March 27, 2015, the Office of the United Nations High Commissioner for Human Rights reported that its mission to Iraq had ''gathered reliable information about acts of violence perpetrated against civilians because of their affiliation or perceived affiliation to an ethnic or religious group,'' that the ''[e]thnic and religious groups targeted by ISIL include Yezidis, Christians, Turkmen, Sabea-Mandeans, Kaka'e, Kurds and Shia,'' and stated, ''It is reasonable to conclude, in the light of the information gathered overall, that some of

those incidents may constitute genocide. Other incidents may amount to crimes against humanity or war crimes.'';

Whereas the United States Commission on International Religious Freedom (USCIRF) has ''called on the U.S. government to designate the Christian, Yazidi, Shi'a, Turkmen, and Shabak communities of Iraq and Syria as victims of genocide by ISIL'' and USCIRF Chairman Robert P. George has observed that ''ISIL's intent to destroy religious groups that do not subscribe to its extremist ideology in the areas of Iraq and Syria that it controls, or seeks to control, is evident in, not only its barbarous acts, but also its own propaganda''; and

Whereas members of the International Association of Genocide Scholars, in their Appeal to Congress of September 9, 2015, stated, ''ISIS's mass murders of Chaldean, Assyrian, Melkite Greek, and Coptic Christians, Yazidis, Shi'a Muslims, Sunni Kurds and other religious groups meet even the strictest definition of genocide.'': Now, therefore, be it

Resolved, That the Senate—

(1) finds that ISIS, its affiliated organizations, and supporters are parts of an expanding, worldwide criminal network, the members of which have pledged allegiance to its leaders, support its actions, act in concert with them, claim credit for targeted killings, and are ''fully aware that [their] participation'' and support will ''assist [in] the commission'' of its crimes;

(2) finds that ISIS and its affiliated organizations maintain sophisticated publishing and social media networks that seek to attract others to join their efforts and seek to incite the murder of Christians, Shia and Sunni Muslims, Jews, and any religious believers who refuse to convert to their Wahhabi-Salafist jihadist ideology;

(3) declares that ISIS and its leaders should be charged with genocide, crimes against humanity, and war crimes;

(4) calls upon on the Attorney General to investigate and prosecute any United States citizens or residents alleged to be perpetrators of or complicit in these crimes and to report back to Congress regarding what steps are being taken to investigate and prosecute those involved;

(5) calls upon the Secretary of the Treasury to investigate and sanction any person, organization, business, or financial institution alleged to be perpetrators of or complicit in these crimes, and to report back to Congress regarding what additional authority, if any, is needed to disrupt ISIS financial support networks;

(6) calls upon the President to authorize the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, and the Ambassador-at-Large for War Crimes Issues to cooperate in the collection of forensic evidence of crimes against humanity, genocide, war crimes, slavery, or other violations of international humanitarian law;

(7) calls on the President, the Secretary of State, and the United States Permanent Representative to the United Nations, working through the United Nations Security Council and its member states as appropriate, to accelerate the implementation of an immediate, coordinated, and sustained response to provide humanitarian assistance, protect civilians, build resilience, and help reestablish livelihoods for displaced and persecuted persons in their communities of origin;

(8) calls upon the contracting parties to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, signed at Paris December 9, 1948, and other international agreements forbidding war crimes and crimes against humanity, to join with the United States in an effort to investigate, arrest, and prosecute individual and organizational perpetrators responsible for these crimes;

(9) calls upon the United Nations Secretary-General to urge all United Nations member states to cooperate in an international effort to investigate, try, and prosecute all cases in which prosecutors can prove that the accused have committed crimes against humanity, war crimes, and genocide;

(10) makes an urgent appeal to the Cooperation Council for the Arab States of the Gulf to collaborate on the establishment and operation of domestic, regional, and hybrid international tribunals with jurisdiction to punish the individuals and organizations responsible for or complicit in actions that constitute war crimes, crimes against humanity, and genocide; and

(11) commends the Governments of the Kurdistan Region of Iraq, Jordan, Lebanon, Turkey, and every other country sheltering and protecting individuals fleeing the violence of ISIS.

SENATE RESOLUTION 341—DESIGNATING JANUARY 2016 AS ''NATIONAL CARBON MONOXIDE POISONING AWARENESS MONTH''

Mr. SCHUMER (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 341

Whereas carbon monoxide is an odorless, colorless gas that is produced whenever any fuel, such as natural gas, propane, gasoline, oil, kerosene, wood, or charcoal, is burned;

Whereas devices that produce carbon monoxide include cars, boats, gasoline engines, stoves, and heating systems, and carbon monoxide produced from these sources can build up in enclosed or semi-enclosed spaces;

Whereas carbon monoxide is often referred to as the ''silent killer'' because it is colorless, odorless, tasteless, and nonirritating, and ignoring early stages of carbon monoxide poisoning may cause unconsciousness and continual exposure to danger;

Whereas according to the Centers for Disease Control and Prevention, each year in the United States, carbon monoxide poisoning kills more than 400 individuals and sends approximately 20,000 individuals to emergency rooms;

Whereas when people breathe in carbon monoxide, the poisonous gas enters the bloodstream and prevents adequate intake of oxygen, which can damage tissues and result in death;

Whereas individuals older than the age of 65, given common preexisting medical conditions, are particularly vulnerable to carbon monoxide poisoning;

Whereas for most individuals who suffer from carbon monoxide poisoning, the early signs of exposure to low concentrations of carbon monoxide include mild headaches and breathlessness after moderate exercise;

Whereas sustained or increased exposure to carbon monoxide can lead to flu-like symptoms, including severe headaches, dizziness, tiredness, nausea, confusion, irritability, and impaired judgment, memory, and coordination;

Whereas breathing in low concentrations of carbon monoxide can cause long-term health damage, even after exposure to the gas ends;

Whereas most cases of carbon monoxide exposure occur during the winter months of December, January, and February when oil and gas heaters are more heavily in use;

Whereas on January 5, 1996, the Burt family of Kimball, Minnesota, was poisoned by carbon monoxide from a malfunctioning furnace in the home of the Burt family, resulting in—

(1) the deaths of 15-month-old Zachary Todd Burt and 4-year-old Nicholas Todd Burt; and

(2) the hospitalization of Ryan Todd Burt;

Whereas Cheryl Burt, the mother of Zachary, Nicholas, and Ryan Burt, has worked to educate the public about the dangers of carbon monoxide poisoning, including by testifying in December 2009 before the Committee on Commerce, Science, and Transportation of the Senate;

Whereas Cheryl Burt has advocated for the Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act, which would establish a Federal grant program for State and tribal carbon monoxide poisoning prevention activities;

Whereas on January 17, 2009, Amanda J. Hansen, a junior and member of the swim team at West Seneca West High School, in West Seneca, New York, passed away from carbon monoxide poisoning while sleeping near a faulty basement boiler during a sleepover party;

Whereas Amanda J. Hansen loved Spanish, was a member of the Spanish Honor Society at West Seneca West High School, and wanted to eventually teach Spanish;

Whereas Amanda J. Hansen hoped to attend college at the University of North Carolina;

Whereas responding to tragedy, Ken and Kim Hansen established the Amanda Hansen Foundation to honor their daughter by raising money for a scholarship fund and spreading awareness about the dangers of carbon monoxide and the importance of taking safety measures, such as using carbon monoxide detectors in residences;

Whereas the Amanda Hansen Foundation works with lawmakers and local communities to educate the public on the dangers of carbon monoxide poisoning;

Whereas the Amanda Hansen Foundation raises money to purchase carbon monoxide detectors for individuals who cannot afford the detectors and has given away 17,000 carbon monoxide detectors;

Whereas the Amanda Hansen Foundation and Ken and Kim Hansen through their work with the Foundation collaborate with other national organizations to ensure that carbon monoxide detectors are as ubiquitous as possible;

Whereas the Hansen family fought in 2010 for the passage of ''Amanda's Law'', a law that mandates the installation of carbon monoxide detectors in new and existing residences with fuel-burning appliances and the replacement of carbon monoxide detectors every 5 years;

Whereas the Amanda Hansen Foundation has paid to replace furnaces in the Buffalo, New York area with furnaces that are safer and more energy efficient; and

Whereas in memory of their daughter, the Hansen family has worked tirelessly to make New York and the rest of the United States a safer place: Now, therefore, be it

Resolved, That the Senate designates January 2016 as ''National Carbon Monoxide Poisoning Awareness Month''.

SENATE RESOLUTION 342—CONGRATULATING THE WOMEN'S VOLLEYBALL TEAM OF WHEELING JESUIT UNIVERSITY ON WINNING THE DIVISION II NATIONAL CHAMPIONSHIP

Mrs. CAPITO (for herself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 342

Whereas on Saturday, December 12, 2015, the Wheeling Jesuit Cardinals won the Division II National Championship women's volleyball trophy in 3 straight sets, defeating the Palm Beach Atlantic Sailfish of Tampa, Florida, by scores of—

(1) 25 to 22;

(2) 26 to 24; and

(3) 26 to 24;

Whereas Wheeling Jesuit Cardinals setter Andrea Thobe earned the Most Outstanding Player award;

Whereas Wheeling Jesuit Cardinals volleyball players Jessica Thobe, Haley Kindall, and Kayce Krucki were recognized by being named to the All-Tournament team;

Whereas head volleyball coach Christy Benner, assistant volleyball coach Matt Benner, and graduate assistant coach Allissa Ware brilliantly created successful game plans throughout the 2015 season; and

Whereas all members of the Wheeling Jesuit Cardinals women's volleyball team, including Abby Moffit, Alexa Brown, Sydney Obringer, Maddy Smyth, Allegra Shippy, Julie Henderson, Samantha Obringer, Maddy Kassen, Emily Blank, Katie Campbell, Emma Schluecher, and Lauren Graves successfully worked together to help deliver the first National Championship for Wheeling Jesuit University: Now, therefore, be it

Resolved, That the Senate congratulates the women's volleyball team of Wheeling Jesuit University on winning the Division II National Championship.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2938. Mr. CARPER (for himself, Mr. COONS, Mr. BLUMENTHAL, Mr. MARKEY, Mr. BOOKER, Mr. SCHUMER , Mr. BENNET, Mr. CARDIN, Ms. CANTWELL, Mr. MURPHY, Mr. SANDERS, Mr. CASEY, Mr. BROWN, Mr. MENENDEZ, Ms. HIRONO, Mr. DONNELLY, Mr. HEINRICH, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 2939. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill S. 2152, to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

SA 2940. Mr. PERDUE (for Mrs. FISCHER) proposed an amendment to the bill S. 1115, to close out expired grants.

SA 2941. Mr. PERDUE (for Mr. THUNE) proposed an amendment to the bill H.R. 4188, to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

SA 2942. Mr. PERDUE (for Ms. MURKOWSKI (for herself, Ms. WARREN, Mr. SANDERS, Mr. WHITEHOUSE, Ms. COLLINS, and Mr. REED)) proposed an amendment to the bill S . 1893, to reauthorize and improve programs related to mental health and substance use disorders.

SA 2943. Mr. PERDUE (for Mr. LEE) proposed an amendment to the bill S. 1893, supra.

TEXT OF AMENDMENTS

SA 2938. Mr. CARPER (for himself, Mr. COONS, Mr. BLUMENTHAL, Mr. MARKEY, Mr. BOOKER, Mr. SCHUMER, Mr. BENNET, Mr. CARDIN, Ms. CANTWELL, Mr. MURPHY, Mr. SANDERS, Mr. CASEY, Mr. BROWN, Mr. MENENDEZ, Ms. HIRONO, Mr. DONNELLY, Mr. HEINRICH, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In title III of division P, insert after section 303 the following new section:

SEC. 303A. EXTENSION OF ENERGY CREDIT FOR OTHER ENERGY PROPERTY.

(a) QUALIFIED FUEL CELL PROPERTY.—Section 48(c)(1)(D) of the Internal Revenue Code of 1986 is amended by striking ''for any period after December 31, 2016'' and inserting ''the construction of which does not begin before January 1, 2022''.

(b) QUALIFIED MICROTURBINE PROPERTY.—Section 48(c)(2)(D) of such Code is amended by striking ''for any period after December 31, 2016'' and inserting ''the construction of which does not begin before January 1, 2022''.

(c) COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48(c)(3)(A)(iv) of such Code is amended by striking ''which is placed in service before January 1, 2017'' and inserting ''construction of which begins before January 1, 2022''.

(d) QUALIFIED SMALL WIND ENERGY PROPERTY.—Section 48(c)(4)(C) of such Code is amended by striking ''for any period after December 31, 2016'' and inserting ''the construction of which does not begin before January 1, 2022''.

(e) THERMAL ENERGY PROPERTY.—Section 48(a)(3)(A)(vii) of such Code is amended by striking ''periods ending'' and inserting ''property the construction of which begins before January 1, 2022''.

(f) PHASEOUT OF 30 PERCENT CREDIT RATE FOR FUEL CELL AND SMALL WIND ENERGY PROPERTY.—Subsection (a) of section 48 of such Code, as amended by this Act, is amended by adding at the end the following new paragraph:

''(7) PHASEOUT FOR QUALIFIED FUEL CELL PROPERTY AND QUALIFIED SMALL WIND ENERGY PROPERTY.—In th case of qualified fuel cell property or qualified small wind energy property, the construction of which begins before January 1, 2022, the energy percentage determined under paragraph (2) shall be equal to—

''(A) in the case of any property the construction of which begins after December 31, 2019, and before January 1, 2021, 26 percent, and

''(B) in the case of any property the construction of which begins after December 31, 2020, and before January 1, 2022, 22 percent.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 2939. Mr. MCCONNELL (for Mr. CORKER) proposed an amendment to the bill S. 2152, to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes; as follows:

On page 3, line 21, strike ''technologies; and'' and insert ''technologies;''.

On page 4, line 2, strike ''energy.'' and insert the following: ''energy; and

(9) promote and increase the use of private financing and seek ways to remove barriers to private financing and assistance for projects, including through charitable organizations.

On page 10, between lines 17 and 18, insert the following:

(12) A description of how United States investments to increase access to energy in sub-Saharan Africa may reduce the need for foreign aid and development assistance in the future.

(13) A description of policies or regulations, both domestically and internationally, that create barriers to private financing of the projects undertaken in this Act.

(14) A description of the specific national security benefits to the United States that will be derived from increased energy access in sub-Saharan Africa.

On page 13, between lines 8 and 9, insert the following:

(c) PROMOTION OF USE OF PRIVATE FINANCING AND ASSISTANCE.—In carrying out policies under this section, such institutions shall promote the use of private financing and assistance and seek ways to remove barriers to private financing for projects and programs under this Act, including through charitable organizations.

On page 13, line 9, strike ''(c)'' and insert ''(d)''.

SA 2940. Mr. PERDUE (for Mrs. FISCHER) proposed an amendment to the bill S. 1115, to close out expired grants; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Grants Oversight and New Efficiency Act'' or the ''GONE Act''.

SEC. 2. IDENTIFYING AND CLOSING OUT EXPIRED FEDERAL GRANT AWARDS.

(a) EXPIRED FEDERAL GRANT AWARD REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall instruct the head of each agency, in coordination with the Secretary, to submit to Congress and the Secretary a report, not later than December 31 of the first calendar year beginning after the date of the enactment of this Act, that—

(A) lists each Federal grant award held by such agency;

(B) provides the total number of Federal grant awards, including the number of grants—

(i) by time period of expiration;

(ii) with zero dollar balances; and

(iii) with undisbursed balances;

(C) for an agency with Federal grant awards, describes the challenges leading to delays in grant closeout; and

(D) for the 30 oldest Federal grant awards of an agency, explains why each Federal grant award has not been closed out.

(2) USE OF DATA SYSTEMS.—An agency may use existing multiagency data systems in order to submit the report required under paragraph (1).

(3) EXPLANATION OF MISSING INFORMATION.—If the head of an agency is unable to submit all of the information required to be included in the report under paragraph (1), the report shall include an explanation of why the information was not available, including any shortcomings with and plans to improve existing grant systems, including data systems.

(b) NOTICE FROM AGENCIES.—

(1) IN GENERAL.—Not later than 1 year after the date on which the head of an agency submits the report required under subsection (a), the head of such agency shall provide notice to the Secretary specifying whether the head of the agency has closed out grant awards associated with all of the Federal grant awards in the report and which Federal grant awards in the report have not been closed out.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which all of the notices required pursuant to paragraph (1) have been provided or March 31 of the calendar year following the calendar year described in subsection (a)(1), whichever is sooner, the Secretary shall compile the notices submitted pursuant to paragraph (1) and submit to Congress a report on such notices.

(c) INSPECTOR GENERAL REVIEW.—Not later than 1 year after the date on which the head of an agency provides notice to Congress under subsection (b)(2), the Inspector General of an agency with more than $500,000,000 in annual grant funding shall conduct a risk assessment to determine if an audit or review of the agency's grant closeout process is warranted.

(d) REPORT ON ACCOUNTABILITY AND OVERSIGHT.—Not later than 6 months after the date on which the second report is submitted pursuant to subsection (b)(2), the Director of Office of Management and Budget, in consultation with the Secretary, shall submit to Congress a report on recommendations, if any, for legislation to improve accountability and oversight in grants management, including the timely closeout of a Federal grant award.

(e) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(2) CLOSEOUT.—The term ''closeout'' means a closeout of a Federal grant award conducted in accordance with part 200 of title 2, Code of Federal Regulations, including sections 200.16 and 200.343 of such title, or any successor thereto.

(3) FEDERAL GRANT AWARD.—The term ''Federal grant award'' means a Federal grant award (as defined in section 200.38(a)(1) of title 2, Code of Federal Regulations, or any successor thereto), including a cooperative agreement, in an agency cash payment management system held by the United States Government for which—

(A) the grant award period of performance, including any extensions, has been expired for more than 2 years; and

(B) closeout has not yet occurred in accordance with section 200.343 of title 2, Code of Federal Regulations, or any successor thereto.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SA 2941. Mr. PERDUE (for Mr. THUNE) proposed an amendment to the bill H.R. 4188, to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coast Guard Authorization Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

(a) IN GENERAL.—Title 14, United States Code, is amended by adding at the end the following:

''PART III—COAST GUARD AUTHORIZATIONS AND REPORTS TO CONGRESS

''CHAPTER 27—AUTHORIZATIONS

''§ 2702. Authorization of appropriations

''Funds are authorized to be appropriated for each of fiscal years 2016 and 2017 for necessary expenses of the Coast Guard as follows:

''(1) For the operation and maintenance of the Coast Guard, not otherwise provided for—

''(A) $6,981,036,000 for fiscal year 2016; and

''(B) $6,981,036,000 for fiscal year 2017.

''(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

''(A) $1,945,000,000 for fiscal year 2016; and

''(B) $1,945,000,000 for fiscal year 2017.

''(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services—

''(A) $140,016,000 for fiscal year 2016; and

''(B) $140,016,000 for fiscal year 2017.

''(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title—

''(A) $16,701,000 for fiscal year 2016; and

''(B) $16,701,000 for fiscal year 2017.

''(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

''(A) $19,890,000 for fiscal year 2016; and

''(B) $19,890,000 for fiscal year 2017.

''§ 2704. Authorized levels of military strength and training

''(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for each of fiscal years 2016 and 2017.

''(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for each of fiscal years 2016 and 2017 as follows:

''(1) For recruit and special training, 2,500 student years.

''(2) For flight training, 165 student years.

''(3) For professional training in military and civilian institutions, 350 student years.

''(4) For officer acquisition, 1,200 student years.

''CHAPTER 29—REPORTS

''Sec.

''2904. Manpower requirements plan.

''§ 2904. Manpower requirements plan

''(a) IN GENERAL.—On the date on which the President submits to the Congress a budget for fiscal year 2017 under section 1105 of title 31, on the date on which the President submits to the Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a manpower requirements plan.

''(b) SCOPE.—A manpower requirements plan submitted under subsection (a) shall include for each mission of the Coast Guard—

''(1) an assessment of all projected mission requirements for the upcoming fiscal year and for each of the 3 fiscal years thereafter;

''(2) the number of active duty, reserve, and civilian personnel assigned or available to fulfill such mission requirements—

''(A) currently; and

''(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

''(3) the number of active duty, reserve, and civilian personnel required to fulfill such mission requirements—

''(A) currently; and

''(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

''(4) an identification of any capability gaps between mission requirements and mission performance caused by deficiencies in the numbers of personnel available—

''(A) currently; and

''(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter; and

''(5) an identification of the actions the Commandant will take to address capability gaps identified under paragraph (4).

''(c) CONSIDERATION.—In composing a manpower requirements plan for submission under subsection (a), the Commandant shall consider—

''(1) the marine safety strategy required under section 2116 of title 46;

''(2) information on the adequacy of the acquisition workforce included in the most recent report under section 2903 of this title; and

''(3) any other Federal strategic planning effort the Commandant considers appropriate.''.

(b) REQUIREMENT FOR PRIOR AUTHORIZATION OF APPROPRIATIONS.—Section 662 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2701;

(2) by transferring such section to appear before section 2702 of such title (as added by subsection (a) of this section); and

(3) by striking paragraphs (1) through (5) and inserting the following:

''(1) For the operation and maintenance of the Coast Guard, not otherwise provided for.

''(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment.

''(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services.

''(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title.

''(5) For research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard.

''(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program.''.

(c) AUTHORIZATION OF PERSONNEL END STRENGTHS.—Section 661 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2703; and

(2) by transferring such section to appear before section 2704 of such title (as added by subsection (a) of this section).

(d) REPORTS.—

(1) TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.—Section 662a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2901;

(B) by transferring such section to appear before section 2904 of such title (as added by subsection (a) of this section); and

(C) in subsection (b)—

(i) in paragraph (1) by striking ''described in section 661'' and inserting ''described in section 2703''; and

(ii) in paragraph (2) by striking ''described in section 662'' and inserting ''described in section 2701''.

(2) CAPITAL INVESTMENT PLAN.—Section 663 of title 14, United States Code, is amended—

(A) by redesignating such section as section 2902; and

(B) by transferring such section to appear after section 2901 of such title (as so redesignated and transferred by paragraph (1) of this subsection).

(3) MAJOR ACQUISITIONS.—Section 569a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2903;

(B) by transferring such section to appear after section 2902 of such title (as so redesignated and transferred by paragraph (2) of this subsection); and

(C) in subsection (c)(2) by striking ''of this subchapter''.

(e) ICEBREAKERS.—

(1) ICEBREAKING ON THE GREAT LAKES.—For fiscal years 2016 and 2017, the Commandant of the Coast Guard may use funds made available pursuant to section 2702(2) of title 14, United States Code (as added by subsection (a) of this section) for the selection of a design for and the construction of an icebreaker that is capable of buoy tending to enhance icebreaking capacity on the Great Lakes.

(2) POLAR ICEBREAKING.—Of the amounts authorized to be appropriated under section 2702(2) of title 14, United States Code, as amended by subsection (a), there is authorized to be appropriated to the Coast Guard $4,000,000 for fiscal year 2016 and $10,000,000 for fiscal year 2017 for preacquisition activities for a new polar icebreaker, including initial specification development and feasibility studies.

(f) ADDITIONAL SUBMISSIONS.—The Commandant of the Coast Guard shall submit to the Committee on Homeland Security of the House of Representatives—

(1) each plan required under section 2904 of title 14, United States Code, as added by subsection (a) of this section;

(2) each plan required under section 2903(e) of title 14, United States Code, as added by section 206 of this Act;

(3) each plan required under section 2902 of title 14, United States Code, as redesignated by subsection (d) of this section; and

(4) each mission need statement required under section 569 of title 14, United States Code.

SEC. 102. CONFORMING AMENDMENTS.

(a) ANALYSIS FOR TITLE 14.—The analysis for title 14, United States Code, is amended by adding after the item relating to part II the following:

''III. Coast Guard Authorizations and Reports to Congress ..... 2701''.

(b) ANALYSIS FOR CHAPTER 15.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569a.

(c) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the items relating to sections 661, 662, 662a, and 663.

(d) ANALYSIS FOR CHAPTER 27.—The analysis for chapter 27 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting—

(1) before the item relating to section 2702 the following:

''2701. Requirement for prior authorization of appropriations.'';

and

(2) before the item relating to section 2704 the following:

''2703. Authorization of personnel end strengths.''.

(e) ANALYSIS FOR CHAPTER 29.—The analysis for chapter 29 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting before the item relating to section 2904 the following:

''2901. Transmission of annual Coast Guard authorization request.

''2902. Capital investment plan.
''2903. Major acquisitions.''.

(f) MISSION NEED STATEMENT.—Section 569(b) of title 14, United States Code, is amended—

(1) in paragraph (2) by striking ''in section 569a(e)'' and inserting ''in section 2903''; and

(2) in paragraph (3) by striking ''under section 663(a)(1)'' and inserting ''under section 2902(a)(1)''.

TITLE II—COAST GUARD

SEC. 201. VICE COMMANDANT.

(a) GRADES AND RATINGS.—Section 41 of title 14, United States Code, is amended by striking ''an admiral,'' and inserting ''admirals (two);''.

(b) VICE COMMANDANT; APPOINTMENT.—Section 47 of title 14, United States Code, is amended by striking ''vice admiral'' and inserting ''admiral''.

(c) CONFORMING AMENDMENT.—Section 51 of title 14, United States Code, is amended—

(1) in subsection (a) by inserting ''admiral or'' before ''vice admiral,'';

(2) in subsection (b) by inserting ''admiral or'' before ''vice admiral,'' each place it appears; and

(3) in subsection (c) by inserting ''admiral or'' before ''vice admiral,''.

SEC. 202. VICE ADMIRALS.

Section 50 of title 14, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) The President may—

''(A) designate, within the Coast Guard, no more than five positions of importance and responsibility that shall be held by officers who, while so serving—

''(i) shall have the grade of vice admiral, with the pay and allowances of that grade; and

''(ii) shall perform such duties as the Commandant may prescribe, except that if the President designates five such positions, one position shall be the Chief of Staff of the Coast Guard; and

''(B) designate, within the executive branch, other than within the Coast Guard or the National Oceanic and Atmospheric Administration, positions of importance and responsibility that shall be held by officers who, while so serving, shall have the grade of vice admiral, with the pay and allowances of that grade.''; and

(B) in paragraph (3)(A) by striking ''under paragraph (1)'' and inserting ''under paragraph (1)(A)''; and

(2) in subsection (b)(2)—

(A) in subparagraph (B) by striking ''and'' at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) at the discretion of the Secretary, while awaiting orders after being relieved from the position, beginning on the day the officer is relieved from the position, but not for more than 60 days; and''.

SEC. 203. COAST GUARD REMISSION OF INDEBTEDNESS.

(a) EXPANSION OF AUTHORITY TO REMIT INDEBTEDNESS.—Section 461 of title 14, United States Code, is amended to read as follows:

''§ 461. Remission of indebtedness

''The Secretary may have remitted or cancelled any part of a person's indebtedness to the United States or any instrumentality of the United States if—

''(1) the indebtedness was incurred while the person served on active duty as a member of the Coast Guard; and

''(2) the Secretary determines that remitting or cancelling the indebtedness is in the best interest of the United States.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by striking the item relating to section 461 and inserting the following:

''461. Remission of indebtedness.''.

SEC. 204. ACQUISITION REFORM.

(a) MINIMUM PERFORMANCE STANDARDS.—Section 572(d)(3) of title 14, United States Code, is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (E) through (J), respectively;

(2) by redesignating subparagraph (B) as subparagraph (C);

(3) by inserting after subparagraph (A) the following:

''(B) the performance data to be used to determine whether the key performance parameters have been resolved;''; and

(4) by inserting after subparagraph (C), as redesignated by paragraph (2) of this subsection, the following:

''(D) the results during test and evaluation that will be required to demonstrate that a capability, asset, or subsystem meets performance requirements;''.

(b) CAPITAL INVESTMENT PLAN.—Section 2902 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''completion;'' and inserting ''completion based on the proposed appropriations included in the budget;''; and

(B) in subparagraph (D), by striking ''at the projected funding levels;'' and inserting ''based on the proposed appropriations included in the budget;''; and

(2) by redesignating subsection (b) as subsection (c), and inserting after subsection (a) the following:

''(b) NEW CAPITAL ASSETS.—In the fiscal year following each fiscal year for which appropriations are enacted for a new capital asset, the report submitted under subsection (a) shall include—

''(1) an estimated life-cycle cost estimate for the new capital asset;

''(2) an assessment of the impact the new capital asset will have on—

''(A) delivery dates for each capital asset;

''(B) estimated completion dates for each capital asset;

''(C) the total estimated cost to complete each capital asset; and

''(D) other planned construction or improvement projects; and

''(3) recommended funding levels for each capital asset necessary to meet the estimated completion dates and total estimated costs included in the such asset's approved acquisition program baseline.''; and

(3) by amending subsection (c), as so redesignated, to read as follows:

''(c) DEFINITIONS.—In this section—

''(1) the term 'unfunded priority' means a program or mission requirement that—

''(A) has not been selected for funding in the applicable proposed budget;

''(B) is necessary to fulfill a requirement associated with an operational need; and

''(C) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted; and

''(2) the term 'new capital asset' means—

''(A) an acquisition program that does not have an approved acquisition program baseline; or

''(B) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline.''.

(c) DAYS AWAY FROM HOMEPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall—

(1) implement a standard for tracking operational days at sea for Coast Guard cutters that does not include days during which such cutters are undergoing maintenance or repair; and

(2) notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the standard implemented under paragraph (1).

(d) FIXED WING AIRCRAFT FLEET MIX ANALYSIS.—Not later than September 30, 2016, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a revised fleet mix analysis of Coast Guard fixed wing aircraft.

(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Section 2903 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Each report under subsection (a) shall include a plan that describes for the upcoming fiscal year, and for each of the 20 fiscal years thereafter—

''(1) the numbers and types of cutters and aircraft to be decommissioned;

''(2) the numbers and types of cutters and aircraft to be acquired to—

''(A) replace the cutters and aircraft identified under paragraph (1); or

''(B) address an identified capability gap; and

''(3) the estimated level of funding in each fiscal year required to—

''(A) acquire the cutters and aircraft identified under paragraph (2);

''(B) acquire related command, control, communications, computer, intelligence, surveillance, and reconnaissance systems; and

''(C) acquire, construct, or renovate shoreside infrastructure.

''(f) QUARTERLY UPDATES ON RISKS OF PROGRAMS.—

''(1) IN GENERAL.—Not later than 15 days after the end of each fiscal year quarter, the Commandant of the Coast Guard shall submit to the committees of Congress specified in subsection (a) an update setting forth a current assessment of the risks associated with all current major acquisition programs.

''(2) ELEMENTS.—Each update under this subsection shall set forth, for each current major acquisition program, the following:

''(A) The top five current risks to such program.

''(B) Any failure of such program to demonstrate a key performance parameter or threshold during operational test and evaluation conducted during the fiscal year quarter preceding such update.

''(C) Whether there has been any decision during such fiscal year quarter to order full-rate production before all key performance parameters or thresholds are met.

''(D) Whether there has been any breach of major acquisition program cost (as defined by the Major Systems Acquisition Manual) during such fiscal year quarter.

''(E) Whether there has been any breach of major acquisition program schedule (as so defined) during such fiscal year quarter.''.

SEC. 205. AUXILIARY JURISDICTION.

(a) IN GENERAL.—Section 822 of title 14, United States Code, is amended—

(1) by striking ''The purpose'' and inserting the following:

''(a) IN GENERAL.—The purpose''; and

(2) by adding at the end the following:

''(b) LIMITATION.—The Auxiliary may conduct a patrol of a waterway, or a portion thereof, only if—

''(1) the Commandant has determined such waterway, or portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard; or

''(2) a State or other proper authority has requested such patrol pursuant to section 141 of this title or section 13109 of title 46.''.

(b) NOTIFICATION.—The Commandant of the Coast Guard shall—

(1) review the waterways patrolled by the Coast Guard Auxiliary in the most recently completed fiscal year to determine whether such waterways are eligible or ineligible for patrol under section 822(b) of title 14, United States Code (as added by subsection (a)); and

(2) not later than 180 days after the date of the enactment of this Act, provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notification of—

(A) any waterways determined ineligible for patrol under paragraph (1); and

(B) the actions taken by the Commandant to ensure Auxiliary patrols do not occur on such waterways.

SEC. 206. COAST GUARD COMMUNITIES.

Section 409 of the Coast Guard Authorization Act of 1998 (14 U.S.C. 639 note) is amended in the second sentence by striking ''90 days'' and inserting ''30 days''.

SEC. 207. POLAR ICEBREAKERS.

(a) INCREMENTAL FUNDING AUTHORITY FOR POLAR ICEBREAKERS.—In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of polar icebreakers and associated equipment using incremental funding.

(b) ''POLAR SEA'' MATERIEL CONDITION ASSESSMENT AND SERVICE LIFE EXTENSION.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary of the department in which the Coast Guard is operating shall—

''(1) complete a materiel condition assessment with respect to the *Polar Sea*;

''(2) make a determination of whether it is cost effective to reactivate the *Polar Sea* compared with other options to provide icebreaking services as part of a strategy to maintain polar icebreaking services; and

''(3) submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(A) the assessment required under paragraph (1); and

''(B) written notification of the determination required under paragraph (2).'';

(2) in subsection (b) by striking ''analysis'' and inserting ''written notification'';

(3) by striking subsection (c);

(4) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(5) in subsection (c) (as redesignated by paragraph (4) of this section)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking ''based on the analysis required''; and

(ii) in subparagraph (C) by striking ''analysis'' and inserting ''written notification'';

(B) in paragraph (2)—

(i) by striking ''analysis'' each place it appears and inserting ''written notification'';

(ii) by striking ''subsection (a)'' and inserting ''subsection (a)(3)(B)'';

(iii) by striking ''subsection (c)'' each place it appears and inserting ''that subsection''; and

(iv) by striking ''under subsection (a)(5)''; and

(C) in paragraph (3)—

(i) by striking ''in the analysis submitted under this section'';

(ii) by striking ''(a)(5)'' and inserting ''(a)'';

(iii) by striking ''then'' and all that follows through ''(A)'' and inserting ''then'';

(iv) by striking ''; or'' and inserting a period; and

(v) by striking subparagraph (B); and

(6) in subsection (d) (as redesignated by paragraph (4) of this subsection) by striking ''in subsection (d)'' and inserting ''in subsection (c)''.

SEC. 208. AIR FACILITY CLOSURES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by inserting after section 676 the following:

''§ 676a. Air facility closures

''(a) PROHIBITION.—

''(1) IN GENERAL.—The Coast Guard may not—

''(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

''(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

''(2) SUNSET.—Paragraph (1) shall have no force or effect beginning on the later of—

''(A) January 1, 2018; or

''(B) the date on which the Secretary submits to the Committee on Transportation and Infrastructure of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, rotary wing strategic plans prepared in accordance with section 208(b) of the Coast Guard Authorization Act of 2015.

''(b) CLOSURES.—

''(1) IN GENERAL.—Beginning on January 1, 2018, the Secretary may not close a Coast Guard air facility, except as specified by this section.

''(2) DETERMINATIONS.—The Secretary may not propose closing or terminating operations at a Coast Guard air facility unless the Secretary determines that—

''(A) remaining search and rescue capabilities maintain the safety of the maritime public in the area of the air facility;

''(B) regional or local prevailing weather and marine conditions, including water temperatures or unusual tide and current conditions, do not require continued operation of the air facility; and

''(C) Coast Guard search and rescue standards related to search and response times are met.

''(3) PUBLIC NOTICE AND COMMENT.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with regard to the proposed closure or cessation of operations at the air facility.

''(4) NOTICE TO CONGRESS.—Prior to closure, cessation of operations, or any significant reduction in personnel and use of a Coast Guard air facility that is in operation on or after December 31, 2015, the Secretary shall—

''(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 for the fiscal year in which the action will be carried out; and

''(B) not later than 7 days after the date a proposal for an air facility is submitted pursuant to subparagraph (A), provide written notice of such proposal to each of the following:

''(i) Each member of the House of Representatives who represents a district in which the air facility is located.

''(ii) Each member of the Senate who represents a State in which the air facility is located.

''(iii) Each member of the House of Representatives who represents a district in which assets of the air facility conduct search and rescue operations.

''(iv) Each member of the Senate who represents a State in which assets of the air facility conduct search and rescue operations.

''(v) The Committee on Appropriations of the House of Representatives.

''(vi) The Committee on Transportation and Infrastructure of the House of Representatives.

''(vii) The Committee on Appropriations of the Senate.

''(viii) The Committee on Commerce, Science, and Transportation of the Senate.

''(c) OPERATIONAL FLEXIBILITY.—The Secretary may implement any reasonable management efficiencies within the air station and air facility network, such as modifying the operational posture of units or reallocating resources as necessary to ensure the safety of the maritime public nationwide.''.

(b) ROTARY WING STRATEGIC PLANS.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall prepare the plans specified in paragraph (2) to adequately address contingencies arising from potential future aviation casualties or the planned or unplanned retirement of rotary wing airframes to avoid to the greatest extent practicable any substantial gap or diminishment in Coast Guard operational capabilities.

(2) ROTARY WING STRATEGIC PLANS.—

(A) ROTARY WING CONTINGENCY PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a contingency plan—

(i) to address the planned or unplanned losses of rotary wing airframes;

(ii) to reallocate resources as necessary to ensure the safety of the maritime public nationwide; and

(iii) to ensure the operational posture of Coast Guard units.

(B) ROTARY WING REPLACEMENT CAPITAL INVESTMENT PLAN.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a capital investment plan for the acquisition of new rotary wing airframes to replace the Coast Guard's legacy helicopters and fulfil all existing mission requirements.

(ii) REQUIREMENTS.—The plan developed under this subparagraph shall provide—

(I) a total estimated cost for completion;

(II) a timetable for completion of the acquisition project and phased in transition to new airframes; and

(III) projected annual funding levels for each fiscal year.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code,

is amended by inserting after the item relating to section 676 the following:

''676a. Air facility closures.''.

(2) REPEAL OF PROHIBITION.—Section 225 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3022) is amended—

(A) by striking subsection (b); and

(B) by striking ''(a) IN GENERAL.—''.

SEC. 209. TECHNICAL CORRECTIONS TO TITLE 14, UNITED STATES CODE.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in the analysis for part I, by striking the item relating to chapter 19 and inserting the following:

''19. Environmental Compliance and Restoration Program ..... 690'';

(2) in section 46(a), by striking ''subsection'' and inserting ''section'';

(3) in section 47, in the section heading by striking ''**commandant**'' and inserting ''**Commandant**'';

(4) in section 93(f), by striking paragraph (2) and inserting the following:

''(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

''(A) the lease is for cash exclusively;

''(B) the lease amount is equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant;

''(C) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands and tidelands, or obtain goods and services from the lessee; and

''(D) proceeds from the lease are deposited in the Coast Guard Housing Fund established under section 687.'';

(5) in the analysis for chapter 9, by striking the item relating to section 199 and inserting the following:

''199. Marine safety curriculum.'';

(6) in section 427(b)(2), by striking ''this chapter'' and inserting ''chapter 61 of title 10'';

(7) in the analysis for chapter 15 before the item relating to section 571, by striking the following:

''Sec.'';

(8) in section 581(5)(B), by striking ''$300,000,0000,'' and inserting ''$300,000,000,'';

(9) in section 637(c)(3), in the matter preceding subparagraph (A) by inserting ''it is'' before ''any'';

(10) in section 641(d)(3), by striking ''Guard, installation'' and inserting ''Guard installation'';

(11) in section 691(c)(3), by striking ''state'' and inserting ''State'';

(12) in the analysis for chapter 21—

(A) by striking the item relating to section 709 and inserting the following:

''709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.'';

and

(B) by striking the item relating to section 740 and inserting the following:

''740. Failure of selection and removal from an active status.'';

(13) in section 742(c), by striking ''subsection'' and inserting ''subsections'';

(14) in section 821(b)(1), by striking ''Chapter 26'' and inserting ''Chapter 171''; and

(15) in section 823a(b)(1), by striking ''Chapter 26'' and inserting ''Chapter 171''.

SEC. 210. DISCONTINUANCE OF AN AID TO NAVIGATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process for the discontinuance of an aid to navigation (other than a seasonal or temporary aid) established, maintained, or operated by the Coast Guard.

(b) REQUIREMENT.—The process established under subsection (a) shall include procedures to notify the public of any discontinuance of an aid to navigation described in that subsection.

(c) CONSULTATION.—In establishing a process under subsection (a), the Secretary shall consult with and consider any recommendations of the Navigation Safety Advisory Council.

(d) NOTIFICATION.—Not later than 30 days after establishing a process under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the process established.

SEC. 211. MISSION PERFORMANCE MEASURES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the efficacy of the Coast Guard's Standard Operational Planning Process with respect to annual mission performance measures.

SEC. 212. COMMUNICATIONS.

(a) IN GENERAL.—If the Secretary of Homeland Security determines that there are at least two communications systems described under paragraph (1)(B) and certified under paragraph (2), the Secretary shall establish and carry out a pilot program across not less than three components of the Department of Homeland Security to assess the effectiveness of a communications system that—

(1) provides for—

(A) multiagency collaboration and interoperability; and

(B) wide-area, secure, and peer-invitation-and-acceptance-based multimedia communications;

(2) is certified by the Department of Defense Joint Interoperability Test Center; and

(3) is composed of commercially available, off-the-shelf technology.

(b) ASSESSMENT.—Not later than 6 months after the date on which the pilot program is completed, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee Homeland Security and Governmental Affairs of the Senate an assessment of the pilot program, including the impacts of the program with respect to interagency and Coast Guard response capabilities.

(c) STRATEGY.—The pilot program shall be consistent with the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29).

(d) TIMING.—The pilot program shall commence within 90 days after the date of the enactment of this Act or within 60 days after the completion of the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29), whichever is later.

SEC. 213. COAST GUARD GRADUATE MARITIME OPERATIONS EDUCATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish an education program, for members and employees of the Coast Guard, that—

(1) offers a master's degree in maritime operations;

(2) is relevant to the professional development of such members and employees;

(3) provides resident and distant education options, including the ability to utilize both options; and

(4) to the greatest extent practicable, is conducted using existing academic programs at an accredited public academic institution that—

(A) is located near a significant number of Coast Guard, maritime, and other Department of Homeland Security law enforcement personnel; and

(B) has an ability to simulate operations normally conducted at a command center.

SEC. 214. PROFESSIONAL DEVELOPMENT.

(a) MULTIRATER ASSESSMENT.—

(1) IN GENERAL.—Chapter 11 of title 14, United States Code, is amended by inserting after section 428 the following:

''§ 429. Multirater assessment of certain personnel

''(a) MULTIRATER ASSESSMENT OF CERTAIN PERSONNEL.—

''(1) IN GENERAL.—Commencing not later than one year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant of the Coast Guard shall develop and implement a plan to conduct every two years a multirater assessment for each of the following:

''(A) Each flag officer of the Coast Guard.

''(B) Each member of the Senior Executive Service of the Coast Guard.

''(C) Each officer of the Coast Guard nominated for promotion to the grade of flag officer.

''(2) POST-ASSESSMENT ELEMENTS.—Following an assessment of an individual pursuant to paragraph (1), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

''(b) MULTIRATER ASSESSMENT DEFINED.—In this section, the term 'multirater assessment' means a review that seeks opinion from members senior to the reviewee and the peers and subordinates of the reviewee.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by inserting after the item related to section 428 the following:

''429. Multirater assessment of certain personnel.''.

(b) TRAINING COURSE ON WORKINGS OF CONGRESS.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''§ 60. Training course on workings of Congress

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant, in consultation with the Superintendent of the Coast Guard Academy and such other individuals and organizations as the Commandant considers appropriate, shall develop a training course on the workings of the Congress and offer that training course at least once each year.

''(b) COURSE SUBJECT MATTER.—The training course required by this section shall provide an overview and introduction to the Congress and the Federal legislative process, including—

''(1) the history and structure of the Congress and the committee systems of the House of Representatives and the Senate, including the functions and responsibilities of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

''(2) the documents produced by the Congress, including bills, resolutions, committee

reports, and conference reports, and the purposes and functions of those documents;

''(3) the legislative processes and rules of the House of Representatives and the Senate, including similarities and differences between the two processes and rules, including—

''(A) the congressional budget process;

''(B) the congressional authorization and appropriation processes;

''(C) the Senate advice and consent process for Presidential nominees;

''(D) the Senate advice and consent process for treaty ratification;

''(4) the roles of Members of Congress and congressional staff in the legislative process; and

''(5) the concept and underlying purposes of congressional oversight within our governance framework of separation of powers.

''(c) LECTURERS AND PANELISTS.—

''(1) OUTSIDE EXPERTS.—The Commandant shall ensure that not less than 60 percent of the lecturers, panelists, and other individuals providing education and instruction as part of the training course required by this section are experts on the Congress and the Federal legislative process who are not employed by the executive branch of the Federal Government.

''(2) AUTHORITY TO ACCEPT PRO BONO SERVICES.—In satisfying the requirement under paragraph (1), the Commandant shall seek, and may accept, educational and instructional services of lecturers, panelists, and other individuals and organizations provided to the Coast Guard on a pro bono basis.

''(d) COMPLETION OF REQUIRED TRAINING.—

''(1) CURRENT FLAG OFFICERS AND EMPLOYEES.—A Coast Guard flag officer appointed or assigned to a billet in the National Capital Region on the date of the enactment of this section, and a Coast Guard Senior Executive Service employee employed in the National Capital Region on the date of the enactment of this section, shall complete a training course that meets the requirements of this section within 60 days after the date on which the Commandant completes the development of the training course.

''(2) NEW FLAG OFFICERS AND EMPLOYEES.—A Coast Guard flag officer who is newly appointed or assigned to a billet in the National Capital Region, and a Coast Guard Senior Executive Service employee who is newly employed in the National Capital Region, shall complete a training course that meets the requirements of this section not later than 60 days after reporting for duty.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''60. Training course on workings of Congress.''.

(c) REPORT ON LEADERSHIP DEVELOPMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on Coast Guard leadership development.

(2) CONTENTS.—The report shall include the following:

(A) An assessment of the feasibility of—

(i) all officers (other than officers covered by section 429(a) of title 14, United States Code, as amended by this section) completing a multirater assessment;

(ii) all members (other than officers covered by such section) in command positions completing a multirater assessment;

(iii) all enlisted members in a supervisory position completing a multirater assessment; and

(iv) members completing periodic multirater assessments.

(B) Such recommendations as the Commandant considers appropriate for the implementation or expansion of a multirater assessment in the personnel development programs of the Coast Guard.

(C) An overview of each of the current leadership development courses of the Coast Guard, an assessment of the feasibility of the expansion of any such course, and a description of the resources, if any, required to expand such courses.

(D) An assessment on the state of leadership training in the Coast Guard, and recommendations on the implementation of a policy to prevent leadership that has adverse effects on subordinates, the organization, or mission performance, including—

(i) a description of methods that will be used by the Coast Guard to identify, monitor, and counsel individuals whose leadership may have adverse effects on subordinates, the organization, or mission performance;

(ii) the implementation of leadership recognition training to recognize such leadership in one's self and others;

(iii) the establishment of procedures for the administrative separation of leaders whose leadership may have adverse effects on subordinates, the organization, or mission performance; and

(iv) a description of the resources needed to implement this subsection.

SEC. 215. SENIOR ENLISTED MEMBER CONTINUATION BOARDS.

(a) IN GENERAL.—Section 357 of title 14, United States Code, is amended—

(1) by striking subsections (a) through (h) and subsection (j); and

(2) in subsection (i), by striking ''(i)''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 357. Retirement of enlisted members: increase in retired pay''

(2) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 11 of such title is amended by striking the item relating to such section and inserting the following:

''357. Retirement of enlisted members: increase in retired pay.''.

SEC. 216. COAST GUARD MEMBER PAY.

(a) ANNUAL AUDIT OF PAY AND ALLOWANCES OF MEMBERS UNDERGOING PERMANENT CHANGE OF STATION.—

(1) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 519. Annual audit of pay and allowances of members undergoing permanent change of station

''The Commandant shall conduct each calendar year an audit of member pay and allowances for the members who transferred to new units during such calendar year. The audit for a calendar year shall be completed by the end of the calendar year.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''519. Annual audit of pay and allowances of members undergoing permanent change of station.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on alternative methods for notifying members of the Coast Guard of their monthly earnings. The report shall include—

(1) an assessment of the feasibility of providing members a monthly notification of their earnings, categorized by pay and allowance type; and

(2) a description and assessment of mechanisms that may be used to provide members with notification of their earnings, categorized by pay and allowance type.

SEC. 217. TRANSFER OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) TRANSFER REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, United States Code, the Secretary of Homeland Security shall transfer to the Secretary of Defense an amount that represents the actuarial valuation of treatment or care—

(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

(2) for which a reimbursement would otherwise be made under section 1085.

(b) AMOUNT.—The amount transferred under subsection (a) shall be—

(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

(3) determined under procedures established by the Secretary of Defense;

(4) transferred during the fiscal year in which treatment or care is provided; and

(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the amount transferred is determined excessive or insufficient based on the services actually provided.

(c) NO TRANSFER WHEN SERVICE IN NAVY.—No transfer shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the transfer of an amount that represents the value of, treatment or care provided under any TRICARE program.

SEC. 218. PARTICIPATION OF THE COAST GUARD ACADEMY IN FEDERAL, STATE, OR OTHER EDUCATIONAL RESEARCH GRANTS.

Section 196 of title 14, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by adding at the end the following:

''(b) QUALIFIED ORGANIZATIONS.—

''(1) IN GENERAL.—The Commandant of the Coast Guard may—

''(A) enter into a contract, cooperative agreement, lease, or licensing agreement with a qualified organization;

''(B) allow a qualified organization to use, at no cost, personal property of the Coast Guard; and

''(C) notwithstanding section 93, accept funds, supplies, and services from a qualified organization.

''(2) SOLE-SOURCE BASIS.—Notwithstanding chapter 65 of title 31 and chapter 137 of title 10, the Commandant may enter into a contract or cooperative agreement under paragraph (1)(A) on a sole-source basis.

''(3) MAINTAINING FAIRNESS, OBJECTIVITY, AND INTEGRITY.—The Commandant shall ensure that contributions under this subsection do not—

''(A) reflect unfavorably on the ability of the Coast Guard, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

''(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

''(4) LIMITATION.—For purposes of this subsection, employees or personnel of a qualified organization shall not be employees of the United States.

''(5) QUALIFIED ORGANIZATION DEFINED.—In this subsection the term 'qualified organization' means an organization—

''(A) described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; and

''(B) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting academic research and applying for and administering Federal, State, or other educational research grants on behalf of the Coast Guard Academy.''.

SEC. 219. NATIONAL COAST GUARD MUSEUM.

Section 98(b) of title 14, United States Code, is amended—

(1) in paragraph (1), by striking ''any appropriated Federal funds for'' and insert ''any funds appropriated to the Coast Guard on''; and

(2) in paragraph (2), by striking ''artifacts.'' and inserting ''artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.''.

SEC. 220. INVESTIGATIONS.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by adding at the end the following:

''§ 430. Investigations of flag officers and Senior Executive Service employees

''In conducting an investigation into an allegation of misconduct by a flag officer or member of the Senior Executive Service serving in the Coast Guard, the Inspector General of the Department of Homeland Security shall—

''(1) conduct the investigation in a manner consistent with Department of Defense policies for such an investigation; and

''(2) consult with the Inspector General of the Department of Defense.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 429 the following:

''430. Investigations of flag officers and Senior Executive Service employees.''.

SEC. 221. CLARIFICATION OF ELIGIBILITY OF MEMBERS OF THE COAST GUARD FOR COMBAT-RELATED SPECIAL COMPENSATION.

(a) CONSIDERATION OF ELIGIBILITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department is which the Coast Guard is operating shall issue procedures and criteria to use in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of the eligibility of such member for combat-related special compensation under section 1413a of title 10, United States Code. Such procedures and criteria shall include the procedures and criteria prescribed by the Secretary of Defense pursuant to subsection (e)(2) of such section. Such procedures and criteria shall apply in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of determining the eligibility of such member for combat-related special compensation under such section.

(2) DISABILITY FOR WHICH A DETERMINATION IS MADE.—For the purposes of this section, and in the case of a member of the Coast Guard, a disability under section 1413a(e)(2)(B) of title 10, United States Code, includes a disability incurred during aviation duty, diving duty, rescue swimmer or similar duty, and hazardous service duty onboard a small vessel (such as duty as a surfman)—

(A) in the performance of duties for which special or incentive pay was paid pursuant to section 301, 301a, 304, 307, 334, or 351 of title 37, United States Code;

(B) in the performance of duties related to a statutory mission of the Coast Guard under paragraph (1) or paragraph (2) of section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)), including—

(i) law enforcement, including drug or migrant interdiction;

(ii) defense readiness; or

(iii) search and rescue; or

(C) while engaged in a training exercise for the performance of a duty described in subparagraphs (A) and (B).

(b) APPLICABILITY OF PROCEDURES AND CRITERIA.—The procedures and criteria issued pursuant to subsection (a) shall apply to disabilities described in that subsection that are incurred on or after the effective date provided in section 636(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2574; 10 U.S.C. 1413a note).

(c) REAPPLICATION FOR COMPENSATION.—Any member of the Coast Guard who was denied combat-related special compensation under section 1413a of title 10, United States Code, during the period beginning on the effective date specified in subsection (b) and ending on the date of the issuance of the procedures and criteria required by subsection (a) may reapply for combat-related special compensation under such section on the basis of such procedures and criteria in accordance with such procedures as the Secretary of the department in which the Coast Guard is operating shall specify.

SEC. 222. LEAVE POLICIES FOR THE COAST GUARD.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by inserting after section 430 the following:

''§ 431. Leave policies for the Coast Guard

''Not later than 1 year after the date on which the Secretary of the Navy promulgates a new rule, policy, or memorandum pursuant to section 704 of title 10, United States Code, with respect to leave associated with the birth or adoption of a child, the Secretary of the department in which the Coast Guard is operating shall promulgate a similar rule, policy, or memorandum that provides leave to officers and enlisted members of the Coast Guard that is equal in duration and compensation to that provided by the Secretary of the Navy.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 430 the following:

''431. Leave policies for the Coast Guard.''.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. SURVIVAL CRAFT.

(a) IN GENERAL.—Section 3104 of title 46, United States Code, is amended to read as follows:

''§ 3104. Survival craft

''(a) REQUIREMENT TO EQUIP.—The Secretary shall require that a passenger vessel be equipped with survival craft that ensures that no part of an individual is immersed in water, if—

''(1) such vessel is built or undergoes a major conversion after January 1, 2016; and

''(2) operates in cold waters as determined by the Secretary.

''(b) HIGHER STANDARD OF SAFETY.—The Secretary may revise part 117 or part 180 of title 46, Code of Federal Regulations, as in effect before January 1, 2016, if such revision provides a higher standard of safety than is provided by the regulations in effect on or before the date of the enactment of the Coast Guard Authorization Act of 2015.

''(c) INNOVATIVE AND NOVEL DESIGNS.—The Secretary may, in lieu of the requirements set out in part 117 or part 180 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2015, allow a passenger vessel to be equipped with a life-saving appliance or arrangement of an innovative or novel design that—

''(1) ensures no part of an individual is immersed in water; and

''(2) provides an equal or higher standard of safety than is provided by such requirements as in effect before such date of the enactment.

''(d) BUILT DEFINED.—In this section, the term 'built' has the meaning that term has under section 4503(e).''.

(b) REVIEW; REVISION OF REGULATIONS.—

(1) REVIEW.—Not later than December 31, 2016, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a review of—

(A) the number of casualties for individuals with disabilities, children, and the elderly as a result of immersion in water, reported to the Coast Guard over the preceding 30-year period, by vessel type and area of operation;

(B) the risks to individuals with disabilities, children, and the elderly as a result of immersion in water, by passenger vessel type and area of operation;

(C) the effect that carriage of survival craft that ensure that no part of an individual is immersed in water has on—

(i) passenger vessel safety, including stability and safe navigation;

(ii) improving the survivability of individuals, including individuals with disabilities, children, and the elderly; and

(iii) the costs, the incremental cost difference to vessel operators, and the cost effectiveness of requiring the carriage of such survival craft to address the risks to individuals with disabilities, children, and the elderly;

(D) the efficacy of alternative safety systems, devices, or measures in improving survivability of individuals with disabilities, children, and the elderly; and

(E) the number of small businesses and nonprofit vessel operators that would be affected by requiring the carriage of such survival craft on passenger vessels to address the risks to individuals with disabilities, children, and the elderly.

(2) SCOPE.—In conducting the review under paragraph (1), the Secretary shall include an examination of passenger vessel casualties that have occurred in the waters of other nations.

(3) UPDATES.—The Secretary shall update the review required under paragraph (1) every 5 years.

(4) REVISION.—Based on the review conducted under paragraph (1), including updates thereto, the Secretary shall revise regulations concerning the carriage of survival

craft under section 3104(c) of title 46, United States Code.

(c) GAO STUDY.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report to determine any adverse or positive changes in public safety after the implementation of the amendments and requirements under this section and section 3104 of title 46, United States Code.

(2) REQUIREMENTS.—In completing the report under paragraph (1), the Comptroller General shall examine—

(A) the number of casualties, by vessel type and area of operation, as the result of immersion in water reported to the Coast Guard for each of the 10 most recent fiscal years for which such data are available;

(B) data for each fiscal year on—

(i) vessel safety, including stability and safe navigation; and

(ii) survivability of individuals, including individuals with disabilities, children, and the elderly;

(C) the efficacy of alternative safety systems, devices, or measures; and

(D) any available data on the costs of the amendments and requirements under this section and section 3104 of title 46, United States Code.

SEC. 302. VESSEL REPLACEMENT.

(a) LOANS AND GUARANTEES.—Chapter 537 of title 46, United States Code, is amended—

(1) in section 53701—

(A) by redesignating paragraphs (8) through (14) as paragraphs (9) through (15), respectively; and

(B) by inserting after paragraph (7) the following:

''(8) HISTORICAL USES.—The term 'historical uses' includes—

''(A) refurbishing, repairing, rebuilding, or replacing equipment on a fishing vessel, without materially increasing harvesting capacity;

''(B) purchasing a used fishing vessel;

''(C) purchasing, constructing, expanding, or reconditioning a fishery facility;

''(D) refinancing existing debt;

''(E) reducing fishing capacity; and

''(F) making upgrades to a fishing vessel, including upgrades in technology, gear, or equipment, that improve—

''(i) collection and reporting of fishery-dependent data;

''(ii) bycatch reduction or avoidance;

''(iii) gear selectivity;

''(iv) adverse impacts caused by fishing gear; or

''(v) safety.''; and

(2) in section 53702(b), by adding at the end the following:

''(3) MINIMUM OBLIGATIONS AVAILABLE FOR HISTORIC USES.—Of the direct loan obligations issued by the Secretary under this chapter, the Secretary shall make a minimum of $59,000,000 available each fiscal year for historic uses.

''(4) USE OF OBLIGATIONS IN LIMITED ACCESS FISHERIES.—In addition to the other eligible purposes and uses of direct loan obligations provided for in this chapter, the Secretary may issue direct loan obligations for the purpose of—

''(A) financing the construction or reconstruction of a fishing vessel in a fishery managed under a limited access system; or

''(B) financing the purchase of harvesting rights in a fishery that is federally managed under a limited access system.''.

(b) LIMITATION ON APPLICATION TO CERTAIN FISHING VESSELS OF PROHIBITION UNDER VESSEL CONSTRUCTION PROGRAM.—Section 302(b)(2) of the Fisheries Financing Act (title III of Public Law 104–297; 46 U.S.C. 53706 note) is amended—

(1) in the second sentence—

(A) by striking ''or in'' and inserting '', in''; and

(B) by inserting before the period the following: '', in fisheries that are under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery that is under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act''; and

(2) by adding at the end the following: ''Any fishing vessel operated in fisheries under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act, and that is replaced by a vessel that is constructed or rebuilt with a loan or loan guarantee provided by the Federal Government may not be used to harvest fish in any fishery under the jurisdiction of any regional fishery management council, other than a fishery under the jurisdiction of the North Pacific Fishery Management Council or the Pacific Fishery Management Council.''.

SEC. 303. MODEL YEARS FOR RECREATIONAL VESSELS.

(a) IN GENERAL.—Section 4302 of title 46, United States Code is amended by adding at the end the following:

''(e)(1) Under this section, a model year for recreational vessels and associated equipment shall, except as provided in paragraph (2)—

''(A) begin on June 1 of a year and end on July 31 of the following year; and

''(B) be designated by the year in which it ends.

''(2) Upon the request of a recreational vessel manufacturer to which this chapter applies, the Secretary may alter a model year for a model of recreational vessel of the manufacturer and associated equipment, by no more than 6 months from the model year described in paragraph (1).''.

(b) APPLICATION.—This section shall only apply with respect to recreational vessels and associated equipment constructed or manufactured, respectively, on or after the date of enactment of this Act.

SEC. 304. MERCHANT MARINER CREDENTIAL EXPIRATION HARMONIZATION.

(a) IN GENERAL.—Except as provided in subsection (c) and not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process to harmonize the expiration dates of merchant mariner credentials, mariner medical certificates, and radar observer endorsements for individuals applying to the Secretary for a new merchant mariner credential or for renewal of an existing merchant mariner credential.

(b) REQUIREMENTS.—The Secretary shall ensure that the process established under subsection (a)—

(1) does not require an individual to renew a merchant mariner credential earlier than the date on which the individual's current credential expires; and

(2) results in harmonization of expiration dates for merchant mariner credentials, mariner medical certificates, and radar observer endorsements for all individuals by not later than 6 years after the date of the enactment of this Act.

(c) EXCEPTION.—The process established under subsection (a) does not apply to individuals—

(1) holding a merchant mariner credential with—

(A) an active Standards of Training, Certification, and Watchkeeping endorsement; or

(B) Federal first-class pilot endorsement; or

(2) who have been issued a time-restricted medical certificate.

SEC. 305. SAFETY ZONES FOR PERMITTED MARINE EVENTS.

Not later than 6 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish and implement a process to—

(1) account for the number of safety zones established for permitted marine events;

(2) differentiate whether the event sponsor who requested a permit for such an event is—

(A) an individual;

(B) an organization; or

(C) a government entity; and

(3) account for Coast Guard resources utilized to enforce safety zones established for permitted marine events, including for—

(A) the number of Coast Guard or Coast Guard Auxiliary vessels used; and

(B) the number of Coast Guard or Coast Guard Auxiliary patrol hours required.

SEC. 306. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Title 46, United States Code, is amended—

(1) in section 103, by striking ''(33 U.S.C. 151).'' and inserting ''(33 U.S.C. 151(b)).'';

(2) in section 2118—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''title,'' and inserting ''subtitle,''; and

(B) in subsection (b), by striking ''title'' and inserting ''subtitle'';

(3) in the analysis for chapter 35—

(A) by adding a period at the end of the item relating to section 3507; and

(B) by adding a period at the end of the item relating to section 3508;

(4) in section 3715(a)(2), by striking ''; and'' and inserting a semicolon;

(5) in section 4506, by striking ''(a)'';

(6) in section 8103(b)(1)(A)(iii), by striking ''Academy.'' and inserting ''Academy; and'';

(7) in section 11113(c)(1)(A)(i), by striking ''under this Act'';

(8) in the analysis for chapter 701—

(A) by adding a period at the end of the item relating to section 70107A;

(B) in the item relating to section 70112, by striking ''security advisory committees.'' and inserting ''Security Advisory Committees.''; and

(C) in the item relating to section 70122, by striking ''watch program.'' and inserting ''Watch Program.'';

(9) in section 70105(c)—

(A) in paragraph (1)(B)(xv)—

(i) by striking ''18, popularly'' and inserting ''18 (popularly''; and

(ii) by striking ''Act'' and inserting ''Act)''; and

(B) in paragraph (2), by striking ''(D) paragraph'' and inserting ''(D) of paragraph'';

(10) in section 70107—

(A) in subsection (b)(2), by striking ''5121(j)(8)),'' and inserting ''5196(j)(8)),''; and

(B) in subsection (m)(3)(C)(iii), by striking ''that is'' and inserting ''that the applicant'';

(11) in section 70122, in the section heading, by striking ''**watch program**'' and inserting ''**Watch Program**''; and

(12) in the analysis for chapter 705, by adding a period at the end of the item relating to section 70508.

(b) GENERAL BRIDGE STATUTES.—

(1) ACT OF MARCH 3, 1899.—The Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899, is amended—

(A) in section 9 (33 U.S.C. 401), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(B) in section 18 (33 U.S.C. 502), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(2) ACT OF MARCH 23, 1906.—The Act of March 23, 1906, popularly known as the Bridge Act of 1906, is amended—

(A) in the first section (33 U.S.C. 491), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(B) in section 4 (33 U.S.C. 494), by striking ''Secretary of Homeland Security'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(C) in section 5 (33 U.S.C. 495), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(3) ACT OF AUGUST 18, 1894.—Section 5 of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved August 18, 1894 (33 U.S.C. 499) is amended by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(4) ACT OF JUNE 21, 1940.—The Act of June 21, 1940, popularly known as the Truman-Hobbs Act, is amended—

(A) in section 1 (33 U.S.C. 511), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(B) in section 4 (33 U.S.C. 514), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(C) in section 7 (33 U.S.C. 517), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(D) in section 13 (33 U.S.C. 523), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating''.

(5) GENERAL BRIDGE ACT OF 1946.—The General Bridge Act of 1946 is amended—

(A) in section 502(b) (33 U.S.C. 525(b)), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(B) in section 510 (33 U.S.C. 533), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(6) INTERNATIONAL BRIDGE ACT OF 1972.—The International Bridge Act of 1972 is amended—

(A) in section 5 (33 U.S.C. 535c), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(B) in section 8 (33 U.S.C. 535e), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(C) by striking section 11 (33 U.S.C. 535h).

SEC. 307. RECOMMENDATIONS FOR IMPROVEMENTS OF MARINE CASUALTY REPORTING.

Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the actions the Commandant will take to implement recommendations on improvements to the Coast Guard's marine casualty reporting requirements and procedures included in—

(1) the Department of Homeland Security Office of Inspector General report entitled ''Marine Accident Reporting, Investigations, and Enforcement in the United States Coast Guard'', released on May 23, 2013; and

(2) the Towing Safety Advisory Committee report entitled ''Recommendations for Improvement of Marine Casualty Reporting'', released on March 26, 2015.

SEC. 308. RECREATIONAL VESSEL ENGINE WEIGHTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations amending table 4 to subpart H of part 183 of title 33, Code of Federal Regulations (relating to Weights (Pounds) of Outboard Motor and Related Equipment for Various Boat Horsepower Ratings) as appropriate to reflect ''Standard 30–Outboard Engine and Related Equipment Weights'' published by the American Boat and Yacht Council, as in effect on the date of the enactment of this Act.

SEC. 309. MERCHANT MARINER MEDICAL CERTIFICATION REFORM.

(a) IN GENERAL.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

''§ 7509. Medical certification by trusted agents

''(a) IN GENERAL.—Notwithstanding any other provision of law and pursuant to regulations prescribed by the Secretary, a trusted agent may issue a medical certificate to an individual who—

''(1) must hold such certificate to qualify for a license, certificate of registry, or merchant mariner's document, or endorsement thereto under this part; and

''(2) is qualified as to sight, hearing, and physical condition to perform the duties of such license, certificate, document, or endorsement, as determined by the trusted agent.

''(b) PROCESS FOR ISSUANCE OF CERTIFICATES BY SECRETARY.—A final rule implementing this section shall include a process for—

''(1) the Secretary of the department in which the Coast Guard is operating to issue medical certificates to mariners who submit applications for such certificates to the Secretary; and

''(2) a trusted agent to defer to the Secretary the issuance of a medical certificate.

''(c) TRUSTED AGENT DEFINED.—In this section the term 'trusted agent' means a medical practitioner certified by the Secretary to perform physical examinations of an individual for purposes of a license, certificate of registry, or merchant mariner's document under this part.''.

(b) DEADLINE.—Not later than 5 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing section 7509 of title 46, United States Code, as added by this section.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''7509. Medical certification by trusted agents.''.

SEC. 310. ATLANTIC COAST PORT ACCESS ROUTE STUDY.

(a) ATLANTIC COAST PORT ACCESS ROUTE STUDY.—Not later than April 1, 2016, the Commandant of the Coast Guard shall conclude the Atlantic Coast Port Access Route Study and submit the results of such study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NANTUCKET SOUND.—Not later than December 1, 2016, the Commandant of the Coast Guard shall complete and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a port access route study of Nantucket Sound using the standards and methodology of the Atlantic Coast Port Access Route Study, to determine whether the Coast Guard should revise existing regulations to improve navigation safety in Nantucket Sound due to factors such as increased vessel traffic, changing vessel traffic patterns, weather conditions, or navigational difficulty in the vicinity.

SEC. 311. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Not later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations that—

(1) make certificates of documentation for recreational vessels effective for 5 years; and

(2) require the owner of such a vessel—

(A) to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based, that occurs before the expiration of the certificate; and

(B) apply for a new certificate of documentation for such a vessel if there is any such change.

SEC. 312. PROGRAM GUIDELINES.

Not later than 180 days after the date of the enactment this Act, the Secretary of Transportation shall—

(1) develop guidelines to implement the program authorized under section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241), including specific actions to ensure the future availability of able and credentialed United States licensed and unlicensed seafarers including—

(A) incentives to encourage partnership agreements with operators of foreign-flag vessels that carry liquified natural gas, that provide no less than one training billet per vessel for United States merchant mariners in order to meet minimum mandatory sea service requirements;

(B) development of appropriate training curricula for use by public and private maritime training institutions to meet all United States merchant mariner license, certification, and document laws and requirements under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978; and

(C) steps to promote greater outreach and awareness of additional job opportunities for sea service veterans of the United States Armed Forces; and

(2) submit such guidelines to the Committee Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 313. REPEALS.

(a) REPEALS, MERCHANT MARINE ACT, 1936.—Sections 601 through 606, 608 through 611, 613 through 616, 802, and 809 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note) are repealed.

(b) CONFORMING AMENDMENTS.—Chapter 575 of title 46, United States Code, is amended—

(1) in section 57501, by striking ''titles V and VI'' and inserting ''title V''; and

(2) in section 57531(a), by striking ''titles V and VI'' and inserting ''title V''.

(c) TRANSFER FROM MERCHANT MARINE ACT, 1936.—

(1) IN GENERAL.—Section 801 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note) is—

(A) redesignated as section 57522 of title 46, United States Code, and transferred to appear after section 57521 of such title; and

(B) as so redesignated and transferred, is amended—

(i) by striking so much as precedes the first sentence and inserting the following:

''§ 57522. Books and records, balance sheets, and inspection and auditing'';

(ii) by striking ''the provision of title VI or VII of this Act'' and inserting ''this chapter''; and

(iii) by striking '': *Provided,* That'' and all that follows through ''Commission''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 575, of title 46, United States Code, is amended by inserting after the item relating to section 57521 the following:

''57522. Books and records, balance sheets, and inspection and auditing.''.

(d) REPEALS, TITLE 46, U.S.C.—Section 8103 of title 46, United States Code, is amended in subsections (c) and (d) by striking ''or operating'' each place it appears.

SEC. 314. MARITIME DRUG LAW ENFORCEMENT.

(a) PROHIBITIONS.—Section 70503(a) of title 46, United States Code, is amended to read as follows:

''(a) PROHIBITIONS.—While on board a covered vessel, an individual may not knowingly or intentionally—

''(1) manufacture or distribute, or possess with intent to manufacture or distribute, a controlled substance;

''(2) destroy (including jettisoning any item or scuttling, burning, or hastily cleaning a vessel), or attempt or conspire to destroy, property that is subject to forfeiture under section 511(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 881(a)); or

''(3) conceal, or attempt or conspire to conceal, more than $100,000 in currency or other monetary instruments on the person of such individual or in any conveyance, article of luggage, merchandise, or other container, or compartment of or aboard the covered vessel if that vessel is outfitted for smuggling.''.

(b) COVERED VESSEL DEFINED.—Section 70503 of title 46, United States Code, is amended by adding at the end the following:

''(e) COVERED VESSEL DEFINED.—In this section the term 'covered vessel' means—

''(1) a vessel of the United States or a vessel subject to the jurisdiction of the United States; or

''(2) any other vessel if the individual is a citizen of the United States or a resident alien of the United States.''.

(c) PENALTIES.—Section 70506 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''A person violating section 70503'' and inserting ''A person violating paragraph (1) of section 70503(a)''; and

(2) by adding at the end the following:

''(d) PENALTY.—A person violating paragraph (2) or (3) of section 70503(a) shall be fined in accordance with section 3571 of title 18, imprisoned not more than 15 years, or both.''.

(d) SEIZURE AND FORFEITURE.—Section 70507(a) of title 46, United States Code, is amended by striking ''section 70503'' and inserting ''section 70503 or 70508''.

(e) CLERICAL AMENDMENTS.—

(1) The heading of section 70503 of title 46, United States Code, is amended to read as follows:

''§ 70503. Prohibited acts''

(2) The analysis for chapter 705 of title 46, United States Code, is further amended by striking the item relating to section 70503 and inserting the following:

''70503. Prohibited acts.''.

SEC. 315. EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.

(a) DISCLOSURE.—

(1) IN GENERAL.—Chapter 75 of title 46, United States Code, is further amended by adding at the end the following:

''§ 7510. Examinations for merchant mariner credentials

''(a) DISCLOSURE NOT REQUIRED.—Notwithstanding any other provision of law, the Secretary is not required to disclose to the public—

''(1) a question from any examination for a merchant mariner credential;

''(2) the answer to such a question, including any correct or incorrect answer that may be presented with such question; and

''(3) any quality or characteristic of such a question, including—

''(A) the manner in which such question has been, is, or may be selected for an examination;

''(B) the frequency of such selection; and

''(C) the frequency that an examinee correctly or incorrectly answered such question.

''(b) EXCEPTION FOR CERTAIN QUESTIONS.—Notwithstanding subsection (a), the Secretary may, for the purpose of preparation by the general public for examinations required for merchant mariner credentials, release an examination question and answer that the Secretary has retired or is not presently on or part of an examination, or that the Secretary determines is appropriate for release.

''(c) EXAM REVIEW.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Coast Guard Authorization Act of 2015, and once every two years thereafter, the Commandant of the Coast Guard shall commission a working group to review new questions for inclusion in examinations required for merchant mariner credentials, composed of—

''(A) 1 subject matter expert from the Coast Guard;

''(B) representatives from training facilities and the maritime industry, of whom—

''(i) one-half shall be representatives from approved training facilities; and

''(ii) one-half shall be representatives from the appropriate maritime industry;

''(C) at least 1 representative from the Merchant Marine Personnel Advisory Committee;

''(D) at least 2 representatives from the State maritime academies, of whom one shall be a representative from the deck training track and one shall be a representative of the engineer license track;

''(E) representatives from other Coast Guard Federal advisory committees, as appropriate, for the industry segment associated with the subject examinations;

''(F) at least 1 subject matter expert from the Maritime Administration; and

''(G) at least 1 human performance technology representative.

''(2) INCLUSION OF PERSONS KNOWLEDGEABLE ABOUT EXAMINATION TYPE.—The working group shall include representatives knowledgeable about the examination type under review.

''(3) LIMITATION.—The requirement to convene a working group under paragraph (1) does not apply unless there are new examination questions to review.

''(4) BASELINE REVIEW.—

''(A) IN GENERAL.—Within 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall convene the working group to complete a baseline review of the Coast Guard's Merchant Mariner Credentialing Examination, including review of—

''(i) the accuracy of examination questions;

''(ii) the accuracy and availability of examination references;

''(iii) the length of merchant mariner examinations; and

''(iv) the use of standard technologies in administering, scoring, and analyzing the examinations.

''(B) PROGRESS REPORT.—The Coast Guard shall provide a progress report to the appropriate congressional committees on the review under this paragraph.

''(5) FULL MEMBERSHIP NOT REQUIRED.—The Coast Guard may convene the working group without all members present if any non-Coast-Guard representative is present.

''(6) NONDISCLOSURE AGREEMENT.—The Secretary shall require all members of the working group to sign a nondisclosure agreement with the Secretary.

''(7) TREATMENT OF MEMBERS AS FEDERAL EMPLOYEES.—A member of the working group who is not a Federal Government employee shall not be considered a Federal employee in the service or the employment of the Federal Government, except that such a member shall be considered a special government employee, as defined in section 202(a) of title 18 for purposes of sections 203, 205, 207, 208, and 209 of such title and shall be subject to any administrative standards of conduct applicable to an employee of the department in which the Coast Guard is operating.

''(8) FORMAL EXAM REVIEW.—The Secretary shall ensure that the Coast Guard Performance Technology Center—

''(A) prioritizes the review of examinations required for merchant mariner credentials; and

''(B) not later than 3 years after the date of enactment of the Coast Guard Authorization Act of 2015, completes a formal review, including an appropriate analysis, of the topics and testing methodology employed by the National Maritime Center for merchant seamen licensing.

''(9) FACA.—The Federal Advisory Committee Act (5 U.S.C. App) shall not apply to any working group created under this section to review the Coast Guard's merchant mariner credentialing examinations.

''(d) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term 'merchant mariner credential' means a merchant seaman license, certificate, or document that the Secretary is authorized to issue pursuant to this title.''.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

''7510. Examinations for merchant mariner credentials.''.

(b) EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.—

(1) IN GENERAL.—Chapter 71 of title 46, United States Code, is amended by adding at the end the following:

''§ 7116. Examinations for merchant mariner credentials

''(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of merchant mariner examination topics on an annual basis.

''(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

''(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term 'merchant

mariner credential' has the meaning that term has in section 7510.''.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''7116. Examinations for merchant mariner credentials.''.

(c) DISCLOSURE TO CONGRESS.—Nothing in this section may be construed to authorize the withholding of information from an appropriate inspector general, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 316. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.

(a) IN GENERAL.—Subsection (a) of section 710 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2986) is amended to read as follows:

''(a) HIGHER VOLUME PORTS.—Notwithstanding any other provision of law, the requirements of subparts D, F, and G of part 155 of title 33, Code of Federal Regulations, that apply to the higher volume port area for the Strait of Juan de Fuca at Port Angeles, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound, shall apply, in the same manner, and to the same extent, to the Strait of Juan de Fuca at Cape Flattery, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking ''the modification of the higher volume port area definition required by subsection (a).'' and inserting ''higher volume port requirements made applicable under subsection (a).''.

SEC. 317. RECOGNITION OF PORT SECURITY ASSESSMENTS CONDUCTED BY OTHER ENTITIES.

Section 70108 of title 46, United States Code, is amended by adding at the end the following:

''(f) RECOGNITION OF ASSESSMENT CONDUCTED BY OTHER ENTITIES.—

''(1) CERTIFICATION AND TREATMENT OF ASSESSMENTS.—For the purposes of this section and section 70109, the Secretary may treat an assessment that a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization has conducted as an assessment that the Secretary has conducted for the purposes of subsection (a), provided that the Secretary certifies that the foreign government or international organization has—

''(A) conducted the assessment in accordance with subsection (b); and

''(B) provided the Secretary with sufficient information pertaining to its assessment (including, but not limited to, information on the outcome of the assessment).

''(2) AUTHORIZATION TO ENTER INTO AN AGREEMENT.—For the purposes of this section and section 70109, the Secretary, in consultation with the Secretary of State, may enter into an agreement with a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization, under which parties to the agreement—

''(A) conduct an assessment, required under subsection (a);

''(B) share information pertaining to such assessment (including, but not limited to, information on the outcome of the assessment); or

''(C) both.

''(3) LIMITATIONS.—Nothing in this subsection shall be construed to—

''(A) require the Secretary to recognize an assessment that a foreign government or an international organization has conducted; or

''(B) limit the discretion or ability of the Secretary to conduct an assessment under this section.

''(4) NOTIFICATION TO CONGRESS.—Not later than 30 days before entering into an agreement or arrangement with a foreign government under paragraph (2), the Secretary shall notify the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the proposed terms of such agreement or arrangement.''.

SEC. 318. FISHING VESSEL AND FISH TENDER VESSEL CERTIFICATION.

(a) ALTERNATIVE SAFETY COMPLIANCE PROGRAMS.—Section 4503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''this section'' and inserting ''this subsection'';

(2) in subsection (b), by striking ''This section'' and inserting ''Except as provided in subsection (d), subsection (a)'';

(3) in subsection (c)—

(A) by striking ''This section'' and inserting ''(1) Except as provided in paragraph (2), subsection (a)''; and

(B) by adding at the end the following:

''(2) Subsection (a) does not apply to a fishing vessel or fish tender vessel to which section 4502(b) of this title applies, if the vessel—

''(A) is at least 50 feet overall in length, and not more than 79 feet overall in length as listed on the vessel's certificate of documentation or certificate of number; and

''(B)(i) is built after the date of the enactment of the Coast Guard Authorization Act of 2015; and

''(ii) complies with—

''(I) the requirements described in subsection (e); or

''(II) the alternative requirements established by the Secretary under subsection (f).''; and

(4) by redesignating subsection (e) as subsection (g), and inserting after subsection (d) the following:

''(e) The requirements referred to in subsection (c)(2)(B)(ii)(I) are the following:

''(1) The vessel is designed by an individual licensed by a State as a naval architect or marine engineer, and the design incorporates standards equivalent to those prescribed by a classification society to which the Secretary has delegated authority under section 3316 or another qualified organization approved by the Secretary for purposes of this paragraph.

''(2) Construction of the vessel is overseen and certified as being in accordance with its design by a marine surveyor of an organization accepted by the Secretary.

''(3) The vessel—

''(A) completes a stability test performed by a qualified individual;

''(B) has written stability and loading instructions from a qualified individual that are provided to the owner or operator; and

''(C) has an assigned loading mark.

''(4) The vessel is not substantially altered without the review and approval of an individual licensed by a State as a naval architect or marine engineer before the beginning of such substantial alteration.

''(5) The vessel undergoes a condition survey at least twice in 5 years, not to exceed 3 years between surveys, to the satisfaction of a marine surveyor of an organization accepted by the Secretary.

''(6) The vessel undergoes an out-of-water survey at least once every 5 years to the satisfaction of a certified marine surveyor of an organization accepted by the Secretary.

''(7) Once every 5 years and at the time of a substantial alteration to such vessel, compliance of the vessel with the requirements of paragraph (3) is reviewed and updated as necessary.

''(8) For the life of the vessel, the owner of the vessel maintains records to demonstrate compliance with this subsection and makes such records readily available for inspection by an official authorized to enforce this chapter.

''(f)(1) Not later than 10 years after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that provides an analysis of the adequacy of the requirements under subsection (e) in maintaining the safety of the fishing vessels and fish tender vessels which are described in subsection (c)(2) and which comply with the requirements of subsection (e).

''(2) If the report required under this subsection includes a determination that the safety requirements under subsection (e) are not adequate or that additional safety measures are necessary, then the Secretary may establish an alternative safety compliance program for fishing vessels or fish tender vessels (or both) which are described in subsection (c)(2) and which comply with the requirements of subsection (e).

''(3) The alternative safety compliance program established under this subsection shall include requirements for—

''(A) vessel construction;

''(B) a vessel stability test;

''(C) vessel stability and loading instructions;

''(D) an assigned vessel loading mark;

''(E) a vessel condition survey at least twice in 5 years, not to exceed 3 years between surveys;

''(F) an out-of-water vessel survey at least once every 5 years;

''(G) maintenance of records to demonstrate compliance with the program, and the availability of such records for inspection; and

''(H) such other aspects of vessel safety as the Secretary considers appropriate.''.

(b) GAO REPORT ON COMMERCIAL FISHING VESSEL SAFETY.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on commercial fishing vessel safety. The report shall include—

(A) national and regional trends that can be identified with respect to rates of marine casualties, human injuries, and deaths aboard or involving fishing vessels greater than 79 feet in length that operate beyond the 3-nautical-mile demarcation line;

(B) a comparison of United States regulations for classification of fishing vessels to those established by other countries, including the vessel length at which such regulations apply;

(C) the additional costs imposed on vessel owners as a result of the requirement in section 4503(a) of title 46, United States Code, and how the those costs vary in relation to vessel size and from region to region;

(D) savings that result from the application of the requirement in section 4503(a) of title 46, United States Code, including reductions in insurance rates or reduction in the number of fishing vessels or fish tender vessels lost to major safety casualties, nationally and regionally;

(E) a national and regional comparison of the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built and maintained to class through a classification society to the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built to standards equivalent to classification society construction standards and maintained to standards equivalent to classification society standards with verification by independent surveyors; and

(F) the impact on the cost of production and availability of qualified shipyards, nationally and regionally, resulting from the application of the requirement in section 4503(a) of title 46, United States Code.

(2) CONSULTATION REQUIREMENT.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) consult with owners and operators of fishing vessels or fish tender vessels, classification societies, shipyards, the National Institute for Occupational Safety and Health, the National Transportation Safety Board, the Coast Guard, academics, naval architects, and marine safety nongovernmental organizations; and

(B) obtain relevant data from the Coast Guard including data collected from enforcement actions, boardings, investigations of marine casualties, and serious marine incidents.

(3) TREATMENT OF DATA.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) disaggregate data regionally for each of the regions managed by the regional fishery management councils established under section 302 of the Magnuson-Stevens Fisheries Conservation and Management Act (16 U.S.C. 1852), the Atlantic States Marine Fisheries Commission, the Pacific States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; and

(B) include qualitative data on the types of fishing vessels or fish tender vessels included in the report.

SEC. 319. INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.

(a) IN GENERAL.—Section 7001(a)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)(3)) is amended—

(1) by striking ''Minerals Management Service'' and inserting ''Bureau of Safety and Environmental Enforcement, the Bureau of Ocean Energy Management,''; and

(2) by inserting ''the United States Arctic Research Commission,'' after ''National Aeronautics and Space Administration,''.

(b) TECHNICAL AMENDMENTS.—Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''Department of Transportation'' and inserting ''department in which the Coast Guard is operating''; and

(2) in subsection (c)(8)(A), by striking ''(1989)'' and inserting ''(2010)''.

SEC. 320. INTERNATIONAL PORT AND FACILITY INSPECTION COORDINATION.

Section 825(a) of the Coast Guard Authorization Act of 2010 (6 U.S.C. 945 note; Public Law 111–281) is amended in the matter preceding paragraph (1)—

(1) by striking ''the department in which the Coast Guard is operating'' and inserting ''Homeland Security''; and

(2) by striking ''they are integrated and conducted by the Coast Guard'' and inserting ''the assessments are coordinated between the Coast Guard and Customs and Border Protection''.

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Chapter 3 of title 46, United States Code, is amended by adding at the end the following:

''§ 308. Authorization of appropriations

''There is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for each of fiscal years 2016 and 2017 for the activities of the Commission authorized under this chapter and subtitle IV.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 46, United States Code, is amended by adding at the end the following:

''308. Authorization of appropriations.''.

SEC. 402. DUTIES OF THE CHAIRMAN.

Section 301(c)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking ''units, but only after consultation with the other Commissioners;'' and inserting ''units (with such appointments subject to the approval of the Commission);'';

(2) in clause (iv) by striking ''and'' at the end;

(3) in clause (v) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(vi) prepare and submit to the President and the Congress requests for appropriations for the Commission (with such requests subject to the approval of the Commission).''.

SEC. 403. PROHIBITION ON AWARDS.

Section 307 of title 46, United States Code, is amended—

(1) by striking ''The Federal Maritime Commission'' and inserting the following:

''(a) IN GENERAL.—The Federal Maritime Commission''; and

(2) by adding at the end the following:

''(b) PROHIBITION.—Notwithstanding subsection (a), the Federal Maritime Commission may not expend any funds appropriated or otherwise made available to it to a non-Federal entity to issue an award, prize, commendation, or other honor that is not related to the purposes set forth in section 40101.''.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

SEC. 501. CONVEYANCE OF COAST GUARD PROPERTY IN POINT REYES STATION, CALIFORNIA.

(a) CONVEYANCE.—

(1) IN GENERAL.—The Commandant of the Coast Guard shall convey to the County of Marin, California all right, title, and interest of the United States in and to the covered property—

(A) for fair market value, as provided in paragraph (2);

(B) subject to the conditions required by this section; and

(C) subject to any other term or condition that the Commandant considers appropriate and reasonable to protect the interests of the United States.

(2) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(A) determined by a real estate appraiser who has been selected by the County and is licensed to practice in California; and

(B) approved by the Commandant.

(3) PROCEEDS.—The Commandant shall deposit the proceeds from a conveyance under paragraph (1) in the Coast Guard Housing Fund established by section 687 of title 14, United States Code.

(b) CONDITION OF CONVEYANCE.—As a condition of any conveyance of the covered property under this section, the Commandant shall require that all right, title, and interest in and to the covered property shall revert to the United States if the covered property or any part thereof ceases to be used for affordable housing, as defined by the County and the Commandant at the time of conveyance, or to provide a public benefit approved by the County.

(c) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(e) COVERED PROPERTY DEFINED.—In this section, the term ''covered property'' means the approximately 32 acres of real property (including all improvements located on the property) that are—

(1) located in Point Reyes Station in the County of Marin, California;

(2) under the administrative control of the Coast Guard; and

(3) described as ''Parcel A, Tract 1'', ''Parcel B, Tract 2'', ''Parcel C'', and ''Parcel D'' in the Declaration of Taking (Civil No. C 71–1245 SC) filed June 28, 1971, in the United States District Court for the Northern District of California.

(f) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is four years after the date of the enactment of this Act.

SEC. 502. CONVEYANCE OF COAST GUARD PROPERTY IN TOK, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard may convey to the Tanana Chiefs' Conference all right, title, and interest of the United States in and to the covered property, upon payment to the United States of the fair market value of the covered property.

(b) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(c) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(1) determined by appraisal; and

(2) subject to the approval of the Commandant.

(d) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section shall be determined by the Commandant and the purchaser.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under this section as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(f) DEPOSIT OF PROCEEDS.—Any proceeds received by the United States from a conveyance under this section shall be deposited in the Coast Guard Housing Fund established under section 687 of title 14, United States Code.

(g) COVERED PROPERTY DEFINED.—

(1) IN GENERAL.—In this section, the term ''covered property'' means the approximately 3.25 acres of real property (including all improvements located on the property) that are—

(A) located in Tok, Alaska;

(B) under the administrative control of the Coast Guard; and

(C) described in paragraph (2).

(2) DESCRIPTION.—The property described in this paragraph is the following:

(A) Lots 11, 12 and 13, block ''G'', Second Addition to Hartsell Subdivision, Section 20,

Township 18 North, Range 13 East, Copper River Meridian, Alaska as appears by Plat No. 72–39 filed in the Office of the Recorder for the Fairbanks Recording District of Alaska, bearing seal dated 25 September 1972, all containing approximately 1.25 acres and commonly known as 2–PLEX – Jackie Circle, Units A and B.

(B) Beginning at a point being the SE corner of the SE ¼ of the SE ¼ Section 24, Township 18 North, Range 12 East, Copper River Meridian, Alaska; thence running westerly along the south line of said SE ¼ of the NE ¼ 260 feet; thence northerly parallel to the east line of said SE ¼ of the NE ¼ 335 feet; thence easterly parallel to the south line 260 feet; then south 335 feet along the east boundary of Section 24 to the point of beginning; all containing approximately 2.0 acres and commonly known as 4–PLEX – West ''C'' and Willow, Units A, B, C and D.

(h) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is 4 years after the date of the enactment of this Act.

Subtitle B—Pribilof Islands

SEC. 521. SHORT TITLE.

This subtitle may be cited as the ''Pribilof Island Transition Completion Act of 2015''.

SEC. 522. TRANSFER AND DISPOSITION OF PROPERTY.

(a) TRANSFER.—To further accomplish the settlement of land claims under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the Secretary of Commerce shall, subject to paragraph (2), and notwithstanding section 105(a) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562), convey all right, title, and interest in the following property to the Alaska native village corporation for St. Paul Island:

(1) Lots 4, 5, and 6A, Block 18, Tract A, U.S. Survey 4943, Alaska, the plat of which was Officially Filed on January 20, 2004, aggregating 13,006 square feet (0.30 acres).

(2) On the termination of the license described in subsection (b)(3), T. 35 S., R. 131 W., Seward Meridian, Alaska, Tract 43, the plat of which was Officially Filed on May 14, 1986, containing 84.88 acres.

(b) FEDERAL USE.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may operate, maintain, keep, locate, inspect, repair, and replace any Federal aid to navigation located on the property described in subsection (a) as long as the aid is needed for navigational purposes.

(2) ADMINISTRATION.—In carrying out subsection (a), the Secretary may enter the property, at any time for as long as the aid is needed for navigational purposes, without notice to the extent that it is not practicable to provide advance notice.

(3) LICENSE.—The Secretary of the Department in which the Coast Guard is operating may maintain a license in effect on the date of the enactment of this Act with respect to the real property and improvements under subsection (a) until the termination of the license.

(4) REPORTS.—Not later than 2 years after the date of the enactment of this Act and not less than once every 2 years thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) efforts taken to remediate contaminated soils on tract 43 described in subsection (a)(2);

(B) a schedule for the completion of contaminated soil remediation on tract 43; and

(C) any use of tract 43 to carry out Coast Guard navigation activities.

(c) AGREEMENT ON TRANSFER OF OTHER PROPERTY ON ST. PAUL ISLAND.—

(1) IN GENERAL.—In addition to the property transferred under subsection (a), not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce and the presiding officer of the Alaska native village corporation for St. Paul Island shall enter into an agreement to exchange of property on Tracts 50 and 38 on St. Paul Island and to finalize the recording of deeds, to reflect the boundaries and ownership of Tracts 50 and 38 as depicted on a survey of the National Oceanic and Atmospheric Administration, to be filed with the Office of the Recorder for the Department of Natural Resources for the State of Alaska.

(2) EASEMENTS.—The survey described in subsection (a) shall include respective easements granted to the Secretary and the Alaska native village corporation for the purpose of utilities, drainage, road access, and salt lagoon conservation.

SEC. 523. NOTICE OF CERTIFICATION.

Section 105 of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562) is amended—

(1) in subsection (a)(1), by striking ''The Secretary'' and inserting ''Notwithstanding paragraph (2) and effective beginning on the date the Secretary publishes the notice of certification required by subsection (b)(5), the Secretary'';

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking ''section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165)'' and inserting ''section 205(a) of the Fur Seal Act of 1966 (16 U.S.C. 1165(a))''; and

(B) by adding at the end the following:

''(5) NOTICE OF CERTIFICATION.—The Secretary shall promptly publish and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice that the certification described in paragraph (2) has been made.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''makes the certification described in subsection (b)(2)'' and inserting ''publishes the notice of certification required by subsection (b)(5)''; and

(B) in paragraph (1), by striking ''Section 205'' and inserting ''Subsections (a), (b), (c), and (d) of section 205'';

(4) by redesignating subsection (e) as subsection (g); and

(5) by inserting after subsection (d) the following:

''(e) NOTIFICATIONS.—

''(1) IN GENERAL.—Not later than 30 days after the Secretary makes a determination under subsection (f) that land on St. Paul Island, Alaska, not specified for transfer in the document entitled 'Transfer of Property on the Pribilof Islands: Descriptions, Terms and Conditions' or section 522 of the Pribilof Island Transition Completion Act of 2015 is in excess of the needs of the Secretary and the Federal Government, the Secretary shall notify the Alaska native village corporation for St. Paul Island of the determination.

''(2) ELECTION TO RECEIVE.—Not later than 60 days after the date receipt of the notification of the Secretary under subsection (a), the Alaska native village corporation for St. Paul Island shall notify the Secretary in writing whether the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land.

''(3) TRANSFER.—If the Alaska native village corporation provides notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title and interest in the land or a portion of the land, the Secretary shall transfer all right, title, and interest in the land or portion to the Alaska native village corporation at no cost.

''(4) OTHER DISPOSITION.—If the Alaska native village corporation does not provide notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land, the Secretary may dispose of the land in accordance with other applicable law.

''(f) DETERMINATION.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection and not less than once every 5 years thereafter, the Secretary shall determine whether property located on St. Paul Island and not transferred to the Natives of the Pribilof Islands is in excess of the smallest practicable tract enclosing land—

''(A) needed by the Secretary for the purposes of carrying out the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.);

''(B) in the case of land withdrawn by the Secretary on behalf of other Federal agencies, needed for carrying out the missions of those agencies for which land was withdrawn; or

''(C) actually used by the Federal Government in connection with the administration of any Federal installation on St. Paul Island.

''(2) REPORT OF DETERMINATION.—When a determination is made under subsection (a), the Secretary shall report the determination to—

''(A) the Committee on Natural Resources of the House of Representatives;

''(B) the Committee on Commerce, Science, and Transportation of the Senate; and

''(C) the Alaska native village corporation for St. Paul Island.''.

SEC. 524. REDUNDANT CAPABILITY.

(a) RULE OF CONSTRUCTION.—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under section 522.

(b) REDUNDANT CAPABILITY.—If, within the 5-year period beginning on the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating determines that a facility on Tract 43, if transferred under this subtitle, is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice, for as long as such facility is needed to provide such capability.

Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska

SEC. 531. FINDINGS.

The Congress finds as follows:

(1) Major shipping traffic is increasing through the Bering Strait, the Bering and Chukchi Seas, and the Arctic Ocean, and will continue to increase whether or not development of the Outer Continental Shelf of the United States is undertaken in the future, and will increase further if such Outer Continental Shelf development is undertaken.

(2) There is a compelling national, State, Alaska Native, and private sector need for permanent infrastructure development and

for a presence in the Arctic region of Alaska by appropriate agencies of the Federal Government, particularly in proximity to the Bering Strait, to support and facilitate search and rescue, shipping safety, economic development, oil spill prevention and response, protection of Alaska Native archaeological and cultural resources, port of refuge, arctic research, and maritime law enforcement on the Bering Sea, the Chukchi Sea, and the Arctic Ocean.

(3) The United States owns a parcel of land, known as Point Spencer, located between the Bering Strait and Port Clarence and adjacent to some of the best potential deepwater port sites on the coast of Alaska in the Arctic.

(4) Prudent and effective use of Point Spencer may be best achieved through marshaling the energy, resources, and leadership of the public and private sectors.

(5) It is in the national interest to develop infrastructure at Point Spencer that would aid the Coast Guard in performing its statutory duties and functions in the Arctic on a more permanent basis and to allow for public and private sector development of facilities and other infrastructure to support purposes that are of benefit to the United States.

SEC. 532. DEFINITIONS.

In this subtitle:

(1) ARCTIC.—The term ''Arctic'' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(2) BSNC.—The term ''BSNC'' means the Bering Straits Native Corporation authorized under section 7 of the Alaska Native Claims Settlement Act (43 U.S.C. 1606).

(3) COUNCIL.—The term ''Council'' means the Port Coordination Council established under section 541.

(4) PLAN.—The term ''Plan'' means the Port Management Coordination Plan developed under section 541.

(5) POINT SPENCER.—The term ''Point Spencer'' means the land known as ''Point Spencer'' located in Townships 2, 3, and 4 South, Range 40 West, Kateel River Meridian, Alaska, between the Bering Strait and Port Clarence and withdrawn by Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(6) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(7) STATE.—The term ''State'' means the State of Alaska.

(8) TRACT.—The term ''Tract'' or ''Tracts'' means any of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, as appropriate, or any portion of such Tract or Tracts.

(9) TRACTS 1, 2, 3, 4, 5, AND 6.—The terms ''Tract 1'', ''Tract 2'', ''Tract 3'', ''Tract 4'', ''Tract 5'', and ''Tract 6'' each mean the land generally depicted as Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, respectively, on the map entitled the ''Point Spencer Land Retention and Conveyance Map'', dated January 2015, and on file with the Department of Homeland Security and the Department of the Interior.

SEC. 533. AUTHORITY TO CONVEY LAND IN POINT SPENCER.

(a) AUTHORITY TO CONVEY TRACTS 1, 3, AND 4.—Within 1 year after the Secretary notifies the Secretary of the Interior that the Coast Guard no longer needs to retain jurisdiction of Tract 1, Tract 3, or Tract 4 and subject to section 534, the Secretary of the Interior shall convey to BSNC or the State, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of that Tract in accordance with subsection (d).

(b) AUTHORITY TO CONVEY TRACTS 2 AND 5.—Within 1 year after the date of the enactment of this section and subject to section 534, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 2 and Tract 5 in accordance with subsection (d).

(c) AUTHORITY TO TRANSFER TRACT 6.—Within one year after the date of the enactment of this Act and subject to sections 534 and 535, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 6 in accordance with subsection (e).

(d) ORDER OF OFFER TO CONVEY TRACT 1, 2, 3, 4, OR 5.—

(1) DETERMINATION AND OFFER.—

(A) TRACT 1, 3, OR 4.—If the Secretary makes the determination under subsection (a) and subject to section 534, the Secretary of the Interior shall offer Tract 1, Tract 3, or Tract 4 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(B) TRACT 2 AND 5.—Subject to section 534, the Secretary of the Interior shall offer Tract 2 and Tract 5 to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—If BSNC chooses to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey such Tract to BSNC.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall offer such Tract for conveyance to the State under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508).

(3) OFFER TO STATE.—

(A) ACCEPTANCE BY STATE.—If the State chooses to accept an offer of conveyance of a Tract under paragraph (2)(B), the Secretary of the Interior shall consider such Tract as within the State's entitlement under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508) and shall convey such Tract to the State.

(B) DECLINE BY STATE.—If the State declines to accept an offer of conveyance of a Tract offered under paragraph (2)(B), such Tract shall be disposed of pursuant to applicable public land laws.

(e) ORDER OF OFFER TO CONVEY TRACT 6.—

(1) OFFER.—Subject to section 534, the Secretary of the Interior shall offer Tract 6 for conveyance to the State.

(2) OFFER TO STATE.—

(A) ACCEPTANCE BY STATE.—If the State chooses to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within the State's entitlement under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508) and shall convey Tract 6 to the State.

(B) DECLINE BY STATE.—If the State declines to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall offer Tract 6 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—

(i) IN GENERAL.—Subject to clause (ii), if BSNC chooses to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey Tract 6 to BSNC.

(ii) LEASE BY THE STATE.—The conveyance of Tract 6 to BSNC shall be subject to BSNC negotiating a lease of Tract 6 to the State at no cost to the State, if the State requests such a lease.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall dispose of Tract 6 pursuant to the applicable public land laws.

SEC. 534. ENVIRONMENTAL COMPLIANCE, LIABILITY, AND MONITORING.

(a) ENVIRONMENTAL COMPLIANCE.—Nothing in this Act or any amendment made by this Act may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(b) LIABILITY.—A person to which a conveyance is made under this subtitle shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance of the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out before such date on the real property conveyed.

(c) MONITORING OF KNOWN CONTAMINATION.—

(1) IN GENERAL.—To the extent practicable and subject to paragraph (2), any contamination in a Tract to be conveyed to the State or BSNC under this subtitle that—

(A) is identified in writing prior to the conveyance; and

(B) does not pose an immediate or long-term risk to human health or the environment;

may be routinely monitored and managed by the State or BSNC, as applicable, through institutional controls.

(2) INSTITUTIONAL CONTROLS.—Institutional controls may be used if—

(A) the Administrator of the Environmental Protection Agency and the Governor of the State concur that such controls are protective of human health and the environment; and

(B) such controls are carried out in accordance with Federal and State law.

SEC. 535. EASEMENTS AND ACCESS.

(a) USE BY COAST GUARD.—The Secretary of the Interior shall make each conveyance of any relevant Tract under this subtitle subject to an easement granting the Coast Guard, at no cost to the Coast Guard—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways that are located on such Tract; and

(2) the right to access such landing pads, airstrips, runways, and taxiways.

(b) USE BY STATE.—For any Tract conveyed to BSNC under this subtitle, BSNC shall provide to the State, if requested and pursuant to negotiated terms with the State, an easement granting to the State, at no cost to the State—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways located on such Tract; and

(2) a right to access such landing pads, airstrips, runways, and taxiways.

(c) RIGHT OF ACCESS OR RIGHT OF WAY.—If the State requests a right of access or right of way for a road from the airstrip to the southern tip of Point Spencer, the location of such right of access or right of way shall be determined by the State, in consultation with the Secretary and BSNC, so that such right of access or right of way is compatible

with other existing or planned infrastructure development at Point Spencer.

(d) ACCESS EASEMENT ACROSS TRACTS 2, 5, AND 6.—In conveyance documents to the State and BSNC under this subtitle, the Coast Guard shall retain an access easement across Tracts 2, 5, and 6 reasonably necessary to afford the Coast Guard with access to Tracts 1, 3, and 4 for its operations.

(e) ACCESS.—Not later than 30 days after the date of the enactment of this Act, the Coast Guard shall provide to the State and BSNC, access to Tracts for planning, design, and engineering related to remediation and use of and construction on those Tracts.

(f) PUBLIC ACCESS EASEMENTS.—No public access easements may be reserved to the United States under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)) with respect to the land conveyed under this subtitle.

SEC. 536. RELATIONSHIP TO PUBLIC LAND ORDER 2650.

(a) TRACTS NOT CONVEYED.—Any Tract that is not conveyed under this subtitle shall remain withdrawn pursuant to Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(b) TRACTS CONVEYED.—For any Tract conveyed under this subtitle, Public Land Order 2650 shall automatically terminate upon issuance of a conveyance document issued pursuant to this subtitle for such Tract.

SEC. 537. ARCHEOLOGICAL AND CULTURAL RESOURCES.

Conveyance of any Tract under this subtitle shall not affect investigations, criminal jurisdiction, and responsibilities regarding theft or vandalism of archeological or cultural resources located in or on such Tract that took place prior to conveyance under this subtitle.

SEC. 538. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior in consultation with the Secretary shall prepare maps and legal descriptions of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and Tract 6. In doing so, the Secretary of the Interior may use metes and bounds legal descriptions based upon the official survey plats of Point Spencer accepted by the Bureau of Land Management on December 6, 1978, and on information provided by the Secretary.

(b) SURVEY.—Not later than 5 years after the date of the enactment of this Act, the Secretary of the Interior shall survey Tracts conveyed under this subtitle and patent the Tracts in accordance with the official plats of survey.

(c) LEGAL EFFECT.—The maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall have the same force and effect as if the maps and legal descriptions were included in this Act.

(d) CORRECTIONS.—The Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b).

(e) AVAILABILITY.—Copies of the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall be available for public inspection in the appropriate offices of—

(1) the Bureau of Land Management; and

(2) the Coast Guard.

SEC. 539. CHARGEABILITY FOR LAND CONVEYED.

(a) CONVEYANCES TO ALASKA.—The Secretary of the Interior shall charge any conveyance of land conveyed to the State of Alaska pursuant to this subtitle against the State's remaining entitlement under section 6(b) of the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act''; Public Law 85–508: 72 Stat. 339).

(b) CONVEYANCES TO BSNC.—The Secretary of the Interior shall charge any conveyance of land conveyed to BSNC pursuant to this subtitle, against BSNC's remaining entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)).

SEC. 540. REDUNDANT CAPABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under this subtitle.

(b) CONTINUED ACCESS TO AND USE OF FACILITIES.—If the Secretary of the department in which the Coast Guard is operating determines, within the 5-year period beginning on the date of the enactment of this Act, that a facility on any of Tract 1, Tract 3, or Tract 4 that is transferred under this subtitle is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may, for as long as such facility is needed to provide redundant capability—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice.

SEC. 541. PORT COORDINATION COUNCIL FOR POINT SPENCER.

(a) ESTABLISHMENT.—There is established a Port Coordination Council for the Port of Point Spencer.

(b) MEMBERSHIP.—The Council shall consist of a representative appointed by each of the following:

(1) The State.

(2) BSNC.

(c) DUTIES.—The duties of the Council are as follows:

(1) To develop a Port Management Coordination Plan to help coordinate infrastructure development and operations at the Port of Point Spencer, that includes plans for—

(A) construction;

(B) funding eligibility;

(C) land use planning and development; and

(D) public interest use and access, emergency preparedness, law enforcement, protection of Alaska Native archaeological and cultural resources, and other matters that are necessary for public and private entities to function in proximity together in a remote location.

(2) Update the Plan annually for the first 5 years after the date of the enactment of this Act and biennially thereafter.

(3) Facilitate coordination among BSNC, the State, and the Coast Guard, on the development and use of the land and coastline as such development relates to activities at the Port of Point Spencer.

(4) Assess the need, benefits, efficacy, and desirability of establishing in the future a port authority at Point Spencer under State law and act upon that assessment, as appropriate, including taking steps for the potential formation of such a port authority.

(d) PLAN.—In addition to the requirements under subsection (c)(1) to the greatest extent practicable, the Plan developed by the Council shall facilitate and support the statutory missions and duties of the Coast Guard and operations of the Coast Guard in the Arctic.

(e) COSTS.—Operations and management costs for airstrips, runways, and taxiways at Point Spencer shall be determined pursuant to provisions of the Plan, as negotiated by the Council.

TITLE VI—MISCELLANEOUS

SEC. 601. MODIFICATION OF REPORTS.

(a) DISTANT WATER TUNA FLEET.—Section 421(d) of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended by striking ''On March 1, 2007, and annually thereafter'' and inserting ''Not later than July 1 of each year''.

(b) ANNUAL UPDATES ON LIMITS TO LIABILITY.—Section 603(c)(3) of the Coast Guard and Maritime Transportation Act of 2006 (33 U.S.C. 2704 note) is amended by striking ''on an annual basis.'' and inserting ''not later than January 30 of the year following each year in which occurs an oil discharge from a vessel or nonvessel source that results or is likely to result in removal costs and damages (as those terms are defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) that exceed liability limits established under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704).''.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Secretary of the department in which the Coast Guard is operating a report detailing the specifications and capabilities for interoperable communications the Commandant determines are necessary to allow the Coast Guard to successfully carry out its missions that require communications with other Federal agencies, State and local governments, and nongovernmental entities.

SEC. 602. SAFE VESSEL OPERATION IN THE GREAT LAKES.

The Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281) is amended—

(1) in section 610, by—

(A) striking the section enumerator and heading and inserting the following:

''SEC. 610. SAFE VESSEL OPERATION IN THE GREAT LAKES.'';

(B) striking ''existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve'' and inserting ''boundaries of any national marine sanctuary that preserves shipwrecks or maritime heritage in the Great Lakes''; and

(C) inserting before the period at the end the following: '', unless the designation documents for such sanctuary do not allow taking up or discharging ballast water in such sanctuary''; and

(2) in the table of contents in section 2, by striking the item relating to such section and inserting the following:

''Sec. 610. Safe vessel operation in the Great Lakes.''.

SEC. 603. USE OF VESSEL SALE PROCEEDS.

(a) AUDIT.—The Comptroller General of the United States shall conduct an audit of funds credited in each fiscal year after fiscal year 2004 to the Vessel Operations Revolving Fund that are attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, including—

(1) a complete accounting of all vessel sale proceeds attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004;

(2) the annual apportionment of proceeds accounted for under paragraph (1) among the uses authorized under section 308704 of title 54, United States Code, in each fiscal year after fiscal year 2004, including—

(A) for National Maritime Heritage Grants, including a list of all annual National Maritime Heritage Grant grant and subgrant awards that identifies the respective grant and subgrant recipients and grant and subgrant amounts;

(B) for the preservation and presentation to the public of maritime heritage property of the Maritime Administration;

(C) to the United States Merchant Marine Academy and State maritime academies, including a list of annual awards; and

(D) for the acquisition, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet; and

(3) an accounting of proceeds, if any, attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004, that were expended for uses not authorized under section 308704 of title 54, United States Code.

(b) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of the enactment this Act, the Comptroller General shall submit the audit conducted in subsection (a) to the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 604. NATIONAL ACADEMY OF SCIENCES COST ASSESSMENT.

(a) COST ASSESSMENT.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences under which the Academy, by no later than 365 days after the date of the enactment of this Act, shall submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the costs incurred by the Federal Government to carry out polar icebreaking missions. The assessment shall—

(1) describe current and emerging requirements for the Coast Guard's polar icebreaking capabilities, taking into account the rapidly changing ice cover in the Arctic environment, national security considerations, and expanding commercial activities in the Arctic and Antarctic, including marine transportation, energy development, fishing, and tourism;

(2) identify potential design, procurement, leasing, service contracts, crewing, and technology options that could minimize lifecycle costs and optimize efficiency and reliability of Coast Guard polar icebreaker operations in the Arctic and Antarctic; and

(3) examine—

(A) Coast Guard estimates of the procurement and operating costs of a *Polar* icebreaker capable of carrying out Coast Guard maritime safety, national security, and stewardship responsibilities including—

(i) economies of scale that might be achieved for construction of multiple vessels; and

(ii) costs of renovating existing polar class icebreakers to operate for a period of no less than 10 years.

(B) the incremental cost to augment the design of such an icebreaker for multiuse capabilities for scientific missions;

(C) the potential to offset such incremental cost through cost-sharing agreements with other Federal departments and agencies; and

(D) United States polar icebreaking capability in comparison with that of other Arctic nations, and with nations that conduct research in the Arctic.

(b) INCLUDED COSTS.—For purposes of subsection (a), the assessment shall include costs incurred by the Federal Government for—

(1) the lease or operation and maintenance of the vessel or vessels concerned;

(2) disposal of such vessels at the end of the useful life of the vessels;

(3) retirement and other benefits for Federal employees who operate such vessels; and

(4) interest payments assumed to be incurred for Federal capital expenditures.

(c) ASSUMPTIONS.—For purposes of comparing the costs of such alternatives, the Academy shall assume that—

(1) each vessel under consideration is—

(A) capable of breaking out McMurdo Station and conducting Coast Guard missions in the Antarctic, and in the United States territory in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)); and

(B) operated for a period of 30 years;

(2) the acquisition of services and the operation of each vessel begins on the same date; and

(3) the periods for conducting Coast Guard missions in the Arctic are of equal lengths.

(d) USE OF INFORMATION.—In formulating cost pursuant to subsection (a), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard *Polar* class icebreakers or for the acquisition of a polar icebreaker for the Federal Government.

SEC. 605. COASTWISE ENDORSEMENTS.

(a) ''ELETTRA III''.—

(1) IN GENERAL.—Notwithstanding sections 12112 and 12132, of title 46, United States Code, and subject to paragraphs (2) and (3), the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the vessel *M/V Elettra III* (United States official number 694607).

(2) LIMITATION ON OPERATION.—Coastwise trade authorized under a certificate of documentation issued under paragraph (1) shall be limited to the carriage of passengers and equipment in association with the operation of the vessel in the Puget Sound region to support marine and maritime science education.

(3) TERMINATION OF EFFECTIVENESS OF CERTIFICATE.—A certificate of documentation issued under paragraph (1) shall expire on the earlier of—

(A) the date of the sale of the vessel or the entity that owns the vessel;

(B) the date any repairs or alterations are made to the vessel outside of the United States; or

(C) the date the vessel is no longer operated as a vessel in the Puget Sound region to support the marine and maritime science education.

(b) ''F/V RONDYS''.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the *F/V Rondys* (O.N. 291085)

SEC. 606. INTERNATIONAL ICE PATROL.

(a) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives a report that describes the current operations to perform the International Ice Patrol mission and on alternatives for carrying out that mission, including satellite surveillance technology.

(b) ALTERNATIVES.—The report required by subsection (a) shall include whether an alternative—

(1) provides timely data on ice conditions with the highest possible resolution and accuracy;

(2) is able to operate in all weather conditions or any time of day; and

(3) is more cost effective than the cost of current operations.

SEC. 607. ASSESSMENT OF OIL SPILL RESPONSE AND CLEANUP ACTIVITIES IN THE GREAT LAKES.

(a) ASSESSMENT.—The Commandant of the Coast Guard, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and the head of any other agency the Commandant determines appropriate, shall conduct an assessment of the effectiveness of oil spill response activities specific to the Great Lakes. Such assessment shall include—

(1) an evaluation of new research into oil spill impacts in fresh water under a wide range of conditions; and

(2) an evaluation of oil spill prevention and clean up contingency plans, in order to improve understanding of oil spill impacts in the Great Lakes and foster innovative improvements to safety technologies and environmental protection systems.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Congress a report on the results of the assessment required by subsection (a).

SEC. 608. REPORT ON STATUS OF TECHNOLOGY DETECTING PASSENGERS WHO HAVE FALLEN OVERBOARD.

Not later than 18 months after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) describes the status of technology for immediately detecting passengers who have fallen overboard;

(2) includes a recommendation to cruise lines on the feasibility of implementing technology that immediately detects passengers who have fallen overboard, factoring in cost and the risk of false positives;

(3) includes data collected from cruise lines on the status of the integration of the technology described in paragraph (2) on cruise ships, including—

(A) the number of cruise ships that have the technology to capture images of passengers who have fallen overboard; and

(B) the number of cruise lines that have tested technology that can detect passengers who have fallen overboard; and

(4) includes information on any other available technologies that cruise ships could integrate to assist in facilitating the search and rescue of a passenger who has fallen overboard.

SEC. 609. VENUE.

Section 311(d) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(d)) is amended by striking the second sentence and inserting ''In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam, and in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.''.

SEC. 610. DISPOSITION OF INFRASTRUCTURE RELATED TO E-LORAN.

(a) DISPOSITION OF INFRASTRUCTURE.—

(1) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

''§ 681. Disposition of infrastructure related to E–LORAN

''(a) IN GENERAL.—The Secretary may not carry out activities related to the dismantling or disposal of infrastructure comprising the LORAN–C system until the date on which the Secretary provides to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event the Global Positioning System signals are disrupted.

''(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

''(c) DISPOSITION OF PROPERTY.—

''(1) IN GENERAL.—On any date after the notification is made under subsection (a), the Administrator of General Services, acting on behalf of the Secretary, may, notwithstanding any other provision of law, sell any real and personal property under the administrative control of the Coast Guard and used for the LORAN–C system, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard.

''(2) AVAILABILITY OF PROCEEDS.—

''(A) AVAILABILITY OF PROCEEDS.—The proceeds of such sales, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard 'Environmental Compliance and Restoration' account and, without further appropriation, shall be available until expended for—

''(i) environmental compliance and restoration purposes associated with the LORAN–C system;

''(ii) the costs of securing and maintaining equipment that may be used as a backup to the Global Positioning System or to meet any other Federal navigation requirement;

''(iii) the demolition of improvements on such real property; and

''(iv) the costs associated with the sale of such real and personal property, including due diligence requirements, necessary environmental remediation, and reimbursement of expenses incurred by the General Services Administration.

''(B) OTHER ENVIRONMENTAL COMPLIANCE AND RESTORATION ACTIVITIES.—After the completion of activities described in subparagraph (A), the unexpended balances of such proceeds shall be available for any other environmental compliance and restoration activities of the Coast Guard.''

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''681. Disposition of infrastructure related to E–LORAN.''.

(3) CONFORMING REPEALS.—

(A) Section 229 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3040), and the item relating to that section in section 2 of such Act, are repealed.

(B) Subsection 559(e) of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83; 123 Stat. 2180) is repealed.

(b) AGREEMENTS TO DEVELOP BACKUP POSITIONING, NAVIGATION, AND TIMING SYSTEM.—Section 93(a) of title 14, United States Code, is amended by striking ''and'' after the semicolon at the end of paragraph (23), by striking the period at the end of paragraph (24) and inserting ''; and'', and by adding at the end the following the following:

''(25) enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system to provide redundant capability in the event Global Positioning System signals are disrupted, which may consist of an enhanced LORAN system.''.

SEC. 611. PARKING.

Section 611(a) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3064) is amended by adding at the end the following:

''(3) REIMBURSEMENT.—Through September 30, 2017, additional parking made available under paragraph (2) shall be made available at no cost to the Coast Guard or members and employees of the Coast Guard.''.

SEC. 612. INAPPLICABILITY OF LOAD LINE REQUIREMENTS TO CERTAIN UNITED STATES VESSELS TRAVELING IN THE GULF OF MEXICO.

Section 5102(b) of title 46, United States Code, is amended by adding at the end the following:

''(13) a vessel of the United States on a domestic voyage that is within the Gulf of Mexico and operating not more than 15 nautical miles seaward of the base line from which the territorial sea of the United States is measured between Crystal Bay, Florida and Hudson Creek, Florida.''.

SA 2942. Mr. PERDUE (for Ms. MURKOWSKI (for herself, Ms. WARREN, Mr. SANDERS, Mr. WHITEHOUSE, Ms. COLLINS, and Mr. REED)) proposed an amendment to the bill S. 1893, to reauthorize and improve programs related to mental health and substance use disorders; as follows:

On page 22, line 22, strike ''$23,500,000'' and insert ''$30,000,000''.

SA 2943. Mr. PERDUE (for Mr. LEE) proposed an amendment to the bill S. 1893, to reauthorize and improve programs related to mental health and substance use disorders; as follows:

On page 22, strike line 2 and insert the following: ''through 2020.

''(d) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall submit to Congress a report on the activities carried out by the center established under subsection (a) during the year involved, including the potential impacts of such activities, and the States, organizations, and institutions that have worked with the center.''.

On page 22, between lines 17 and 18, insert the following:

(3) in subsection (g)(2), by striking ''2 years after the date of enactment of this section,'' and insert ''2 years after the date of enactment of the Mental Health Awareness and Improvement Act of 2015,''.

On page 36, after line 15, add the following:

SEC. 11. PERFORMANCE METRICS.

(a) EVALUATION OF CURRENT PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services shall conduct an evaluation of the impact of activities related to the prevention and treatment of mental illness and substance use disorders conducted by the Substance Abuse and Mental Health Services Administration.

(2) ASSESSMENT OF PERFORMANCE METRICS.—The evaluation conducted under paragraph (1) shall include an assessment of the use of performance metrics to evaluate activities carried out by entities receiving grants, contracts, or cooperative agreements related to mental illness or substance use disorders under title V or title XIX of the Public Health Service Act (42 U.S.C. 290aa et seq.; 42 U.S.C. 300w et seq.).

(3) RECOMMENDATIONS.—The evaluation conducted under paragraph (1) shall include recommendations for the use of performance metrics to improve the quality of programs related to the prevention and treatment of mental illness and substance use disorders.

(b) USE OF PERFORMANCE METRICS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall advance, through existing programs, the use of performance metrics, taking into consideration the recommendations under subsection (a)(3), to improve programs related to the prevention and treatment of mental illness and substance use disorders.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Ryan Willbrand, a congressional fellow in Senator KAINE's office, be granted floor privileges for the remainder of the session today.

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

GRANTS OVERSIGHT AND NEW EFFICIENCY ACT

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 303, S. 1115.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1115) to close out expired, empty grant accounts.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Grants Oversight and New Efficiency Act'' or the ''GONE Act''.

SEC. 2. IDENTIFYING AND CLOSING OUT EXPIRED GRANTS.

(a) EXPIRED GRANT REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall instruct the head of each agency, in coordination with the Secretary, to submit to Congress and the Secretary a report, not later than December 31 of the first calendar year beginning after the date of enactment of this Act, that—

(A) lists each covered grant held by the United States Government;

(B) recommends which of the covered grants described in subparagraph (A) should be closed; and

(C) for each covered grant, explains why the covered grant has not been closed out.

(2) USE OF DATA SYSTEMS.—An agency may use existing multiagency data systems in order to submit the report required under paragraph (1).

(3) EXPLANATION OF MISSING INFORMATION.—If an agency is unable to submit all of the information required to be included in the report under paragraph (1), the report shall include an explanation of why the information was not available, including any shortcomings with existing grant data systems.

(b) NOTICE FROM AGENCIES.—

(1) IN GENERAL.—Not later than 1 year after the date on which the head of an agency submits the report required under subsection (a), the head of the agency shall provide notice to the Secretary specifying whether the head of the agency has closed out grant awards associated with all of the covered grants.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the head of an agency provides notice to the Secretary under paragraph (1), the head of the agency shall provide the same notice to Congress.

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given that term in section 551 of title 5, United States Code;

(2) the term ''close out'' means a close out of a grant account conducted in accordance with section 200 of title 2, Code of Federal Regulations, including section 200.343 of such title, or any successor thereto;

(3) the term ''covered grant'' means a grant in a Federal agency cash payment management system held by the United States Government for which—

(A) the grant award period of performance, including any extensions, has been expired for not less than 2 years; and

(B) close out has not yet occurred in accordance with section 200.343 of title 2, Code of Federal Regulations, or any successor thereto; and

(4) the term ''Secretary'' means the Secretary of Health and Human Services.

Mr. PERDUE. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Fischer substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; that the committee-reported title amendment be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The committee-reported substitute amendment was withdrawn.

The amendment (No. 2940) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Grants Oversight and New Efficiency Act'' or the ''GONE Act''.

SEC. 2. IDENTIFYING AND CLOSING OUT EXPIRED FEDERAL GRANT AWARDS.

(a) EXPIRED FEDERAL GRANT AWARD REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall instruct the head of each agency, in coordination with the Secretary, to submit to Congress and the Secretary a report, not later than December 31 of the first calendar year beginning after the date of the enactment of this Act, that—

(A) lists each Federal grant award held by such agency;

(B) provides the total number of Federal grant awards, including the number of grants—

(i) by time period of expiration;

(ii) with zero dollar balances; and

(iii) with undisbursed balances;

(C) for an agency with Federal grant awards, describes the challenges leading to delays in grant closeout; and

(D) for the 30 oldest Federal grant awards of an agency, explains why each Federal grant award has not been closed out.

(2) USE OF DATA SYSTEMS.—An agency may use existing multiagency data systems in order to submit the report required under paragraph (1).

(3) EXPLANATION OF MISSING INFORMATION.—If the head of an agency is unable to submit all of the information required to be included in the report under paragraph (1), the report shall include an explanation of why the information was not available, including any shortcomings with and plans to improve existing grant systems, including data systems.

(b) NOTICE FROM AGENCIES.—

(1) IN GENERAL.—Not later than 1 year after the date on which the head of an agency submits the report required under subsection (a), the head of such agency shall provide notice to the Secretary specifying whether the head of the agency has closed out grant awards associated with all of the Federal grant awards in the report and which Federal grant awards in the report have not been closed out.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which all of the notices required pursuant to paragraph (1) have been provided or March 31 of the calendar year following the calendar year described in subsection (a)(1), whichever is sooner, the Secretary shall compile the notices submitted pursuant to paragraph (1) and submit to Congress a report on such notices.

(c) INSPECTOR GENERAL REVIEW.—Not later than 1 year after the date on which the head of an agency provides notice to Congress under subsection (b)(2), the Inspector General of an agency with more than $500,000,000 in annual grant funding shall conduct a risk assessment to determine if an audit or review of the agency's grant closeout process is warranted.

(d) REPORT ON ACCOUNTABILITY AND OVERSIGHT.—Not later than 6 months after the date on which the second report is submitted pursuant to subsection (b)(2), the Director of Office of Management and Budget, in consultation with the Secretary, shall submit to Congress a report on recommendations, if any, for legislation to improve accountability and oversight in grants management, including the timely closeout of a Federal grant award.

(e) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(2) CLOSEOUT.—The term ''closeout'' means a closeout of a Federal grant award conducted in accordance with part 200 of title 2, Code of Federal Regulations, including sections 200.16 and 200.343 of such title, or any successor thereto.

(3) FEDERAL GRANT AWARD.—The term ''Federal grant award'' means a Federal grant award (as defined in section 200.38(a)(1) of title 2, Code of Federal Regulations, or any successor thereto), including a cooperative agreement, in an agency cash payment management system held by the United States Government for which—

(A) the grant award period of performance, including any extensions, has been expired for more than 2 years; and

(B) closeout has not yet occurred in accordance with section 200.343 of title 2, Code of Federal Regulations, or any successor thereto.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

The bill (S. 1115), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: ''A bill to close out expired grants.''.

CONGRATULATING THE WOMEN'S VOLLEYBALL TEAM OF WHEELING JESUIT UNIVERSITY ON WINNING THE DIVISION II NATIONAL CHAMPIONSHIP

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 342, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 342) congratulating the women's volleyball team of Wheeling Jesuit University on winning the Division II National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PERDUE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 342) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE FIRST SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Chair lay before the Senate H. Con. Res. 104, which was received from the House.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 104) providing for the sine die adjournment of the first session of the One Hundred Fourteenth Congress.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. PERDUE. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 104) was agreed to, as follows:

H. CON. RES. 104

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday,

December 18, 2015, through Saturday, January 2, 2016, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on any day from Friday, December 18, 2015, through Tuesday, December 22, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 3 of this concurrent resolution.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 4. (a) When the Senate recesses or adjourns on any day of the second session of the One Hundred Fourteenth Congress from Sunday, January 3, 2016, through Friday, January 8, 2016, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand recessed or adjourned until noon on Monday, January 11, 2016, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to subsection (b), whichever occurs first.

(b) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(c) After reassembling pursuant to subsection (b), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to subsection (a).

COAST GUARD AUTHORIZATION ACT OF 2015

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4188, which was received from the House.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4188) to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. PERDUE. Mr. President, I ask unanimous consent that the Thune substitute amendment be agreed to and the bill, as amended, be read a third time.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 2941) 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.

Mr. PERDUE. Mr. President, I know of no further debate on this measure.

The PRESIDENT pro tempore. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4188), as amended, was passed.

Mr. PERDUE. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

APPOINTMENT

The PRESIDENT pro tempore. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 106–398, as amended by Public Law 108–7, and in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the reappointment of the following individual to serve as a member of the United States-China Economic and Security Review Commission: James M. Talent of Missouri for a term expiring December 31, 2017.

APPOINTMENTS AUTHORITY

Mr. PERDUE. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. PERDUE. Mr. President, I ask unanimous consent that the junior Senator from Arkansas and the junior Senator from West Virginia be authorized to sign duly enrolled bills or joint resolutions on Friday, December 18, 2015, through Monday, January 11, 2016.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 2434

Mr. PERDUE. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2434) to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

Mr. PERDUE. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDENT pro tempore. Objection is heard.

The bill will be read for the second time on the next legislative day.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 3:36 p.m., recessed subject to the call of the Chair and reassembled at 4:21 p.m. when called to order by the Presiding Officer (Mr. BLUNT).

The PRESIDING OFFICER. The Senator from Georgia.

MENTAL HEALTH AWARENESS AND IMPROVEMENT ACT OF 2015

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 247, S. 1893.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1893) to reauthorize and improve programs related to mental health and substance use disorders.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the Mental Health Awareness and Improvement Act of 2015.

SEC. 2. GARRETT LEE SMITH MEMORIAL ACT REAUTHORIZATION.

(a) SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.—Section 520C of the Public Health Service Act (42 U.S.C. 290bb–34) is amended—

*(1) in the section heading, by striking the section heading and inserting ''**SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.**'';*

(2) in subsection (a), by striking ''and in consultation with'' and all that follows through the period at the end of paragraph (2) and inserting ''shall establish a research, training, and technical assistance resource center to provide appropriate information, training, and technical

assistance to States, political subdivisions of States, federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations regarding the prevention of suicide among all ages, particularly among groups that are at high risk for suicide.'';

(3) by striking subsections (b) and (c);

(4) by redesignating subsection (d) as subsection (b);

(5) in subsection (b), as so redesignated—

(A) by striking the subsection heading and inserting ''RESPONSIBILITIES OF THE CENTER.'';

(B) in the matter preceding paragraph (1), by striking ''The additional research'' and all that follows through ''nonprofit organizations for'' and inserting ''The center established under subsection (a) shall conduct activities for the purpose of'';

(C) by striking ''youth suicide'' each place such term appears and inserting ''suicide'';

(D) in paragraph (1)—

(i) by striking ''the development or continuation of'' and inserting ''developing and continuing''; and

(ii) by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(E) in paragraph (2), by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(F) in paragraph (3), by inserting ''and tribal'' after ''statewide'';

(G) in paragraph (5), by inserting ''and prevention'' after ''intervention'';

(H) in paragraph (8), by striking ''in youth'';

(I) in paragraph (9), by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(J) in paragraph (10), by inserting ''conducting'' before ''other''; and

(6) by striking subsection (e) and inserting the following:

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $6,000,000 for each of fiscal years 2016 through 2020.''.

(b) YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.—Section 520E of the Public Health Service Act (42 U.S.C. 290bb–36) is amended—

(1) in paragraph (1) of subsection (a) and in subsection (c), by striking ''substance abuse'' each place such term appears and inserting ''substance use disorder'';

(2) in subsection (b)(2)—

(A) by striking ''each State is awarded only 1 grant or cooperative agreement under this section'' and inserting ''a State does not receive more than 1 grant or cooperative agreement under this section at any 1 time''; and

(B) by striking ''been awarded'' and inserting ''received''; and

(3) by striking subsection (m) and inserting the following:

''(m) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $23,500,000 for each of fiscal years 2016 through 2020.''.

(c) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Section 520E–2 of the Public Health Service Act (42 U.S.C. 290bb–36b) is amended—

*(1) in the section heading, by striking ''**AND BEHAVIORAL HEALTH**'' and inserting ''**HEALTH AND SUBSTANCE USE DISORDER**'';*

(2) in subsection (a)—

(A) by striking ''Services,'' and inserting ''Services and'';

(B) by striking ''and behavioral health problems'' and inserting ''health or substance use disorders''; and

(C) by striking ''substance abuse'' and inserting ''substance use disorders'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''for—'' and inserting ''for one or more of the following:''; and

(B) by striking paragraphs (1) through (6) and inserting the following:

''(1) Educating students, families, faculty, and staff to increase awareness of mental health and substance use disorders.

''(2) The operation of hotlines.

''(3) Preparing informational material.

''(4) Providing outreach services to notify students about available mental health and substance use disorder services.

''(5) Administering voluntary mental health and substance use disorder screenings and assessments.

''(6) Supporting the training of students, faculty, and staff to respond effectively to students with mental health and substance use disorders.

''(7) Creating a network infrastructure to link colleges and universities with health care providers who treat mental health and substance use disorders.'';

(4) in subsection (c)(5), by striking ''substance abuse'' and inserting ''substance use disorder'';

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''An institution of higher education desiring a grant under this section'' and inserting ''To be eligible to receive a grant under this section, an institution of higher education'';

(B) in paragraph (1)—

(i) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(ii) by inserting '', including veterans whenever possible and appropriate,'' after ''students''; and

(C) in paragraph (2), by inserting '', which may include, as appropriate and in accordance with subsection (b)(7), a plan to seek input from relevant stakeholders in the community, including appropriate public and private entities, in order to carry out the program under the grant'' before the period at the end;

(6) in subsection (e)(1), by striking ''and behavioral health problems'' and inserting ''health and substance use disorders'';

(7) in subsection (f)(2)—

(A) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(B) by striking ''suicide and substance abuse'' and inserting ''suicide and substance use disorders''; and

(8) in subsection (h), by striking ''$5,000,000 for fiscal year 2005'' and all that follows through the period at the end and inserting ''$6,500,000 for each of fiscal years 2016 through 2020.''.

SEC. 3. MENTAL HEALTH AWARENESS TRAINING GRANTS.

Section 520J of the Public Health Service Act (42 U.S.C. 290bb–41) is amended—

*(1) in the section heading, by inserting ''**MENTAL HEALTH AWARENESS**'' before ''**TRAINING**''; and*

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ILLNESS'' and inserting ''HEALTH'';

(B) in paragraph (1), by inserting ''and other categories of individuals, as determined by the Secretary,'' after ''emergency services personnel'';

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''to'' and inserting ''for evidence-based programs for the purpose of''; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

''(A) recognizing the signs and symptoms of mental illness; and

''(B)(i) providing education to personnel regarding resources available in the community for individuals with a mental illness and other relevant resources; or

''(ii) the safe de-escalation of crisis situations involving individuals with a mental illness.''; and

(D) in paragraph (7), by striking '', $25,000,000'' and all that follows through the period at the end and inserting ''$15,000,000 for each of fiscal years 2016 through 2020.''.

SEC. 4. CHILDREN'S RECOVERY FROM TRAUMA.

Section 582 of the Public Health Service Act (42 U.S.C. 290hh–1) is amended—

(1) in subsection (a), by striking ''developing programs'' and all that follows through the period at the end and inserting ''developing and maintaining programs that provide for—

''(1) the continued operation of the National Child Traumatic Stress Initiative (referred to in this section as the 'NCTSI'), which includes a cooperative agreement with a coordinating center, that focuses on the mental, behavioral, and biological aspects of psychological trauma response, prevention of the long-term consequences of child trauma, and early intervention services and treatment to address the long-term consequences of child trauma; and

''(2) the development of knowledge with regard to evidence-based practices for identifying and treating mental, behavioral, and biological disorders of children and youth resulting from witnessing or experiencing a traumatic event.'';

(2) in subsection (b)—

(A) by striking ''subsection (a) related'' and inserting ''subsection (a)(2) (related'';

(B) by striking ''treating disorders associated with psychological trauma'' and inserting ''treating mental, behavioral, and biological disorders associated with psychological trauma)''; and

(C) by striking ''mental health agencies and programs that have established clinical and basic research'' and inserting ''universities, hospitals, mental health agencies, and other programs that have established clinical expertise and research'';

(3) by redesignating subsections (c) through (g) as subsections (g) through (k), respectively;

(4) by inserting after subsection (b), the following:

''(c) CHILD OUTCOME DATA.—The NCTSI coordinating center shall collect, analyze, and report NCTSI-wide child treatment process and outcome data regarding the early identification and delivery of evidence-based treatment and services for children and families served by the NCTSI grantees.

''(d) TRAINING.—The NCTSI coordinating center shall facilitate the coordination of training initiatives in evidence-based and trauma-informed treatments, interventions, and practices offered to NCTSI grantees, providers, and partners.

''(e) DISSEMINATION AND COLLABORATION.—The NCTSI coordinating center shall, as appropriate, collaborate with—

''(1) the Secretary, in the dissemination of evidence-based and trauma-informed interventions, treatments, products, and other resources to appropriate stakeholders; and

''(2) appropriate agencies that conduct or fund research within the Department of Health and Human Services, for purposes of sharing NCTSI expertise, evaluation data, and other activities, as appropriate.

''(f) REVIEW.—The Secretary shall, consistent with the peer review process, ensure that NCTSI applications are reviewed by appropriate experts in the field as part of a consensus review process. The Secretary shall include review criteria related to expertise and experience in child trauma and evidence-based practices.'';

(5) in subsection (g) (as so redesignated), by striking ''with respect to centers of excellence are distributed equitably among the regions of the country'' and inserting ''are distributed equitably among the regions of the United States'';

(6) in subsection (i) (as so redesignated), by striking ''recipient may not exceed 5 years'' and inserting ''recipient shall not be less than 4 years, but shall not exceed 5 years''; and

(7) in subsection (j) (as so redesignated), by striking ''$50,000,000'' and all that follows

through ''2006'' and inserting ''$46,000,000 for each of fiscal years 2016 through 2020''.

SEC. 5. ASSESSING BARRIERS TO BEHAVIORAL HEALTH INTEGRATION.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives concerning Federal requirements that impact access to treatment of mental health and substance use disorders related to integration with primary care, administrative and regulatory issues, quality measurement and accountability, and data sharing.

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

(1) An evaluation of the administrative or regulatory burden on behavioral health care providers.

(2) The identification of outcome and quality measures relevant to integrated health care, evaluation of the data collection burden on behavioral health care providers, and any alternative methods for evaluation.

(3) An analysis of the degree to which electronic data standards, including interoperability and meaningful use includes behavioral health measures, and an analysis of strategies to address barriers to health information exchange posed by part 2 of title 42, Code of Federal Regulations.

(4) An analysis of the degree to which Federal rules and regulations for behavioral and physical health care are aligned, including recommendations to address any identified barriers.

(5) An analysis of the challenges to behavioral health and primary care integration faced by providers in rural areas.

SEC. 6. INCREASING EDUCATION AND AWARENESS OF TREATMENTS FOR OPIOID USE DISORDERS.

(a) IN GENERAL.—In order to improve the quality of care delivery and treatment outcomes among patients with opioid use disorders, the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Administrator for the Substance Abuse and Mental Health Services Administration, may advance, through existing programs as appropriate, the education and awareness of providers, patients, and other appropriate stakeholders regarding all products approved by the Food and Drug Administration to treat opioid use disorders.

(b) ACTIVITIES.—The activities described in subsection (a) may include—

(1) disseminating evidence-based practices for the treatment of opioid use disorders;

(2) facilitating continuing education programs for health professionals involved in treating opioid use disorders;

(3) increasing awareness among relevant stakeholders of the treatment of opioid use disorders;

(4) assessing current barriers to the treatment of opioid use disorders for patients and providers and development and implementation of strategies to mitigate such barriers; and

(5) continuing innovative approaches to the treatment of opioid use disorders in various treatment settings, such as prisons, community mental health centers, primary care, and hospitals.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, if the Secretary carries out the activities under this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that examines—

(1) the activities the Substance Abuse and Mental Health Services Administration conducts under this section, including any potential impacts on health care costs associated with such activities;

(2) the role of adherence in the treatment of opioid use disorders and methods to reduce opioid use disorders; and

(3) recommendations on priorities and strategies to address co-occurring substance use disorders and mental illnesses.

SEC. 7. EXAMINING MENTAL HEALTH CARE FOR CHILDREN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report concerning the utilization of mental health services for children, including the usage of psychotropic medications.

(b) CONTENT.—The report submitted under subsection (a) shall review and assess—

(1) the ways in which children access mental health care, including information on whether children are treated by primary care or specialty providers, what types of referrals for additional care are recommended, and any barriers to accessing this care;

(2) the extent to which children are prescribed psychotropic medications in the United States including the frequency of concurrent medication usage; and

(3) the tools, assessments, and medications that are available and used to diagnose and treat children with mental health disorders.

SEC. 8. EVIDENCE BASED PRACTICES FOR OLDER ADULTS.

Section 520A(e) of the Public Health Service Act (42 U.S.C. 290bb-32(e)) is amended by adding at the end the following:

''(3) GERIATRIC MENTAL HEALTH DISORDERS.—The Secretary shall, as appropriate, provide technical assistance to grantees regarding evidence-based practices for the prevention and treatment of geriatric mental health disorders and co-occurring mental health and substance use disorders among geriatric populations, as well as disseminate information about such evidence-based practices to States and nongrantees throughout the United States.''.

SEC. 9. NATIONAL VIOLENT DEATH REPORTING SYSTEM.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, is encouraged to improve, particularly through the inclusion of additional States, the National Violent Death Reporting System as authorized by title III of the Public Health Service Act (42 U.S.C. 241 et seq.). Participation in the system by the States shall be voluntary.

SEC. 10. GAO STUDY ON VIRGINIA TECH RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report concerning the status of implementation of recommendations made in the report to the President, On Issues Raised by the Virginia Tech Tragedy, by the Secretaries of Health and Human Services and Education and the Attorney General of the United States, submitted to the President on June 13, 2007.

(b) CONTENT.—The report submitted to the committees of Congress under subsection (a) shall review and assess—

(1) the extent to which the recommendations in the report that include participation by the Department of Health and Human Services were implemented;

(2) whether there are any barriers to implementation of such recommendations; and

(3) identification of any additional actions the Federal government can take to support States and local communities and ensure that the Federal government and Federal law are not obstacles to addressing at the community level—

(A) school violence; and

(B) mental illness.

Mr. PERDUE. Mr. President, I ask unanimous consent that the Murkowski amendment and the Lee amendment, which are at the desk, be agreed to; that the substitute amendment, as amended, be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2942) was agreed to, as follows:

(Purpose: To increase amounts authorized to be appropriated for youth suicide early intervention and prevention strategies grants)

On page 22, line 22, strike ''$23,500,000'' and insert ''$30,000,000''.

The amendment (No. 2943) was agreed to, as follows:

(Purpose: To provide for improved reporting)

On page 22, strike line 2 and insert the following: ''through 2020.

''(d) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall submit to Congress a report on the activities carried out by the center established under subsection (a) during the year involved, including the potential impacts of such activities, and the States, organizations, and institutions that have worked with the center.''.

On page 22, between lines 17 and 18, insert the following:

(3) in subsection (g)(2), by striking ''2 years after the date of enactment of this section,'' and insert ''2 years after the date of enactment of the Mental Health Awareness and Improvement Act of 2015,''.

On page 36, after line 15, add the following:

SEC. 11. PERFORMANCE METRICS.

(a) EVALUATION OF CURRENT PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services shall conduct an evaluation of the impact of activities related to the prevention and treatment of mental illness and substance use disorders conducted by the Substance Abuse and Mental Health Services Administration.

(2) ASSESSMENT OF PERFORMANCE METRICS.—The evaluation conducted under paragraph (1) shall include an assessment of the use of performance metrics to evaluate activities carried out by entities receiving grants, contracts, or cooperative agreements related to mental illness or substance use disorders under title V or title XIX of the Public Health Service Act (42 U.S.C. 290aa et seq.; 42 U.S.C. 300w et seq.).

(3) RECOMMENDATIONS.—The evaluation conducted under paragraph (1) shall include recommendations for the use of performance metrics to improve the quality of programs related to the prevention and treatment of mental illness and substance use disorders.

(b) USE OF PERFORMANCE METRICS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall advance, through existing programs, the use of performance metrics, taking into consideration the recommendations under subsection (a)(3), to improve programs related to the prevention and treatment of mental illness and substance use disorders.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1893), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1893

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 Mental Health Awareness and Improvement Act of 2015.

SEC. 2. GARRETT LEE SMITH MEMORIAL ACT REAUTHORIZATION.

(a) SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.—Section 520C of the Public Health Service Act (42 U.S.C. 290bb–34) is amended—

(1) in the section heading, by striking the section heading and inserting ''**SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.**'';

(2) in subsection (a), by striking ''and in consultation with'' and all that follows through the period at the end of paragraph (2) and inserting ''shall establish a research, training, and technical assistance resource center to provide appropriate information, training, and technical assistance to States, political subdivisions of States, federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations regarding the prevention of suicide among all ages, particularly among groups that are at high risk for suicide.'';

(3) by striking subsections (b) and (c);

(4) by redesignating subsection (d) as subsection (b);

(5) in subsection (b), as so redesignated—

(A) by striking the subsection heading and inserting ''RESPONSIBILITIES OF THE CENTER.'';

(B) in the matter preceding paragraph (1), by striking ''The additional research'' and all that follows through ''nonprofit organizations for'' and inserting ''The center established under subsection (a) shall conduct activities for the purpose of'';

(C) by striking ''youth suicide'' each place such term appears and inserting ''suicide'';

(D) in paragraph (1)—

(i) by striking ''the development or continuation of'' and inserting ''developing and continuing''; and

(ii) by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(E) in paragraph (2), by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(F) in paragraph (3), by inserting ''and tribal'' after ''statewide'';

(G) in paragraph (5), by inserting ''and prevention'' after ''intervention'';

(H) in paragraph (8), by striking ''in youth'';

(I) in paragraph (9), by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(J) in paragraph (10), by inserting ''conducting'' before ''other''; and

(6) by striking subsection (e) and inserting the following:

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $6,000,000 for each of fiscal years 2016 through 2020.

''(d) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall submit to Congress a report on the activities carried out by the center established under subsection (a) during the year involved, including the potential impacts of such activities, and the States, organizations, and institutions that have worked with the center.''.

(b) YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.—Section 520E of the Public Health Service Act (42 U.S.C. 290bb–36) is amended—

(1) in paragraph (1) of subsection (a) and in subsection (c), by striking ''substance abuse'' each place such term appears and inserting ''substance use disorder'';

(2) in subsection (b)(2)—

(A) by striking ''each State is awarded only 1 grant or cooperative agreement under this section'' and inserting ''a State does not receive more than 1 grant or cooperative agreement under this section at any 1 time''; and

(B) by striking ''been awarded'' and inserting ''received''; and

(3) in subsection (g)(2), by striking ''2 years after the date of enactment of this section,'' and insert ''2 years after the date of enactment of the Mental Health Awareness and Improvement Act of 2015,''.

(4) by striking subsection (m) and inserting the following:

''(m) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $30,000,000 for each of fiscal years 2016 through 2020.''.

(c) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Section 520E–2 of the Public Health Service Act (42 U.S.C. 290bb–36b) is amended—

(1) in the section heading, by striking ''**AND BEHAVIORAL HEALTH**'' and inserting ''**HEALTH AND SUBSTANCE USE DISORDER**'';

(2) in subsection (a)—

(A) by striking ''Services,'' and inserting ''Services and'';

(B) by striking ''and behavioral health problems'' and inserting ''health or substance use disorders''; and

(C) by striking ''substance abuse'' and inserting ''substance use disorders'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''for—'' and inserting ''for one or more of the following:''; and

(B) by striking paragraphs (1) through (6) and inserting the following:

''(1) Educating students, families, faculty, and staff to increase awareness of mental health and substance use disorders.

''(2) The operation of hotlines.

''(3) Preparing informational material.

''(4) Providing outreach services to notify students about available mental health and substance use disorder services.

''(5) Administering voluntary mental health and substance use disorder screenings and assessments.

''(6) Supporting the training of students, faculty, and staff to respond effectively to students with mental health and substance use disorders.

''(7) Creating a network infrastructure to link colleges and universities with health care providers who treat mental health and substance use disorders.'';

(4) in subsection (c)(5), by striking ''substance abuse'' and inserting ''substance use disorder'';

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''An institution of higher education desiring a grant under this section'' and inserting ''To be eligible to receive a grant under this section, an institution of higher education'';

(B) in paragraph (1)—

(i) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(ii) by inserting '', including veterans whenever possible and appropriate,'' after ''students''; and

(C) in paragraph (2), by inserting '', which may include, as appropriate and in accordance with subsection (b)(7), a plan to seek input from relevant stakeholders in the community, including appropriate public and private entities, in order to carry out the program under the grant'' before the period at the end;

(6) in subsection (e)(1), by striking ''and behavioral health problems'' and inserting ''health and substance use disorders'';

(7) in subsection (f)(2)—

(A) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(B) by striking ''suicide and substance abuse'' and inserting ''suicide and substance use disorders''; and

(8) in subsection (h), by striking ''$5,000,000 for fiscal year 2005'' and all that follows through the period at the end and inserting ''$6,500,000 for each of fiscal years 2016 through 2020.''.

SEC. 3. MENTAL HEALTH AWARENESS TRAINING GRANTS.

Section 520J of the Public Health Service Act (42 U.S.C. 290bb–41) is amended—

(1) in the section heading, by inserting ''**MENTAL HEALTH AWARENESS**'' before ''**TRAINING**''; and

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ILLNESS'' and inserting ''HEALTH'';

(B) in paragraph (1), by inserting ''and other categories of individuals, as determined by the Secretary,'' after ''emergency services personnel'';

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''to'' and inserting ''for evidence-based programs for the purpose of''; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

''(A) recognizing the signs and symptoms of mental illness; and

''(B)(i) providing education to personnel regarding resources available in the community for individuals with a mental illness and other relevant resources; or

''(ii) the safe de-escalation of crisis situations involving individuals with a mental illness.''; and

(D) in paragraph (7), by striking '', $25,000,000'' and all that follows through the period at the end and inserting ''$15,000,000 for each of fiscal years 2016 through 2020.''.

SEC. 4. CHILDREN'S RECOVERY FROM TRAUMA.

Section 582 of the Public Health Service Act (42 U.S.C. 290hh–1) is amended—

(1) in subsection (a), by striking ''developing programs'' and all that follows through the period at the end and inserting ''developing and maintaining programs that provide for—

''(1) the continued operation of the National Child Traumatic Stress Initiative (referred to in this section as the 'NCTSI'), which includes a cooperative agreement with a coordinating center, that focuses on the mental, behavioral, and biological aspects of psychological trauma response, prevention of the long-term consequences of child trauma, and early intervention services and treatment to address the long-term consequences of child trauma; and

''(2) the development of knowledge with regard to evidence-based practices for identifying and treating mental, behavioral, and biological disorders of children and youth resulting from witnessing or experiencing a traumatic event.'';

(2) in subsection (b)—

(A) by striking ''subsection (a) related'' and inserting ''subsection (a)(2) (related'';

(B) by striking ''treating disorders associated with psychological trauma'' and inserting ''treating mental, behavioral, and biological disorders associated with psychological trauma)''; and

(C) by striking ''mental health agencies and programs that have established clinical and basic research'' and inserting ''universities, hospitals, mental health agencies, and other programs that have established clinical expertise and research'';

(3) by redesignating subsections (c) through (g) as subsections (g) through (k), respectively;

(4) by inserting after subsection (b), the following:

''(c) CHILD OUTCOME DATA.—The NCTSI coordinating center shall collect, analyze, and report NCTSI-wide child treatment process and outcome data regarding the early identification and delivery of evidence-based treatment and services for children and families served by the NCTSI grantees.

''(d) TRAINING.—The NCTSI coordinating center shall facilitate the coordination of training initiatives in evidence-based and trauma-informed treatments, interventions, and practices offered to NCTSI grantees, providers, and partners.

''(e) DISSEMINATION AND COLLABORATION.—The NCTSI coordinating center shall, as appropriate, collaborate with—

''(1) the Secretary, in the dissemination of evidence-based and trauma-informed interventions, treatments, products, and other resources to appropriate stakeholders; and

''(2) appropriate agencies that conduct or fund research within the Department of Health and Human Services, for purposes of sharing NCTSI expertise, evaluation data, and other activities, as appropriate.

''(f) REVIEW.—The Secretary shall, consistent with the peer review process, ensure that NCTSI applications are reviewed by appropriate experts in the field as part of a consensus review process. The Secretary shall include review criteria related to expertise and experience in child trauma and evidence-based practices.'';

(5) in subsection (g) (as so redesignated), by striking ''with respect to centers of excellence are distributed equitably among the regions of the country'' and inserting ''are distributed equitably among the regions of the United States'';

(6) in subsection (i) (as so redesignated), by striking ''recipient may not exceed 5 years'' and inserting ''recipient shall not be less than 4 years, but shall not exceed 5 years''; and

(7) in subsection (j) (as so redesignated), by striking ''$50,000,000'' and all that follows through ''2006'' and inserting ''$46,000,000 for each of fiscal years 2016 through 2020''.

SEC. 5. ASSESSING BARRIERS TO BEHAVIORAL HEALTH INTEGRATION.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives concerning Federal requirements that impact access to treatment of mental health and substance use disorders related to integration with primary care, administrative and regulatory issues, quality measurement and accountability, and data sharing.

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

(1) An evaluation of the administrative or regulatory burden on behavioral health care providers.

(2) The identification of outcome and quality measures relevant to integrated health care, evaluation of the data collection burden on behavioral health care providers, and any alternative methods for evaluation.

(3) An analysis of the degree to which electronic data standards, including interoperability and meaningful use includes behavioral health measures, and an analysis of strategies to address barriers to health information exchange posed by part 2 of title 42, Code of Federal Regulations.

(4) An analysis of the degree to which Federal rules and regulations for behavioral and physical health care are aligned, including recommendations to address any identified barriers.

(5) An analysis of the challenges to behavioral health and primary care integration faced by providers in rural areas.

SEC. 6. INCREASING EDUCATION AND AWARENESS OF TREATMENTS FOR OPIOID USE DISORDERS.

(a) IN GENERAL.—In order to improve the quality of care delivery and treatment outcomes among patients with opioid use disorders, the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Administrator for the Substance Abuse and Mental Health Services Administration, may advance, through existing programs as appropriate, the education and awareness of providers, patients, and other appropriate stakeholders regarding all products approved by the Food and Drug Administration to treat opioid use disorders.

(b) ACTIVITIES.—The activities described in subsection (a) may include—

(1) disseminating evidence-based practices for the treatment of opioid use disorders;

(2) facilitating continuing education programs for health professionals involved in treating opioid use disorders;

(3) increasing awareness among relevant stakeholders of the treatment of opioid use disorders;

(4) assessing current barriers to the treatment of opioid use disorders for patients and providers and development and implementation of strategies to mitigate such barriers; and

(5) continuing innovative approaches to the treatment of opioid use disorders in various treatment settings, such as prisons, community mental health centers, primary care, and hospitals.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, if the Secretary carries out the activities under this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that examines—

(1) the activities the Substance Abuse and Mental Health Services Administration conducts under this section, including any potential impacts on health care costs associated with such activities;

(2) the role of adherence in the treatment of opioid use disorders and methods to reduce opioid use disorders; and

(3) recommendations on priorities and strategies to address co-occurring substance use disorders and mental illnesses.

SEC. 7. EXAMINING MENTAL HEALTH CARE FOR CHILDREN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report concerning the utilization of mental health services for children, including the usage of psychotropic medications.

(b) CONTENT.—The report submitted under subsection (a) shall review and assess—

(1) the ways in which children access mental health care, including information on whether children are treated by primary care or specialty providers, what types of referrals for additional care are recommended, and any barriers to accessing this care;

(2) the extent to which children are prescribed psychotropic medications in the United States including the frequency of concurrent medication usage; and

(3) the tools, assessments, and medications that are available and used to diagnose and treat children with mental health disorders.

SEC. 8. EVIDENCE BASED PRACTICES FOR OLDER ADULTS.

Section 520A(e) of the Public Health Service Act (42 U.S.C. 290bb–32(e)) is amended by adding at the end the following:

''(3) GERIATRIC MENTAL HEALTH DISORDERS.—The Secretary shall, as appropriate, provide technical assistance to grantees regarding evidence-based practices for the prevention and treatment of geriatric mental health disorders and co-occurring mental health and substance use disorders among geriatric populations, as well as disseminate information about such evidence-based practices to States and nongrantees throughout the United States.''.

SEC. 9. NATIONAL VIOLENT DEATH REPORTING SYSTEM.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, is encouraged to improve, particularly through the inclusion of additional States, the National Violent Death Reporting System as authorized by title III of the Public Health Service Act (42 U.S.C. 241 et seq.). Participation in the system by the States shall be voluntary.

SEC. 10. GAO STUDY ON VIRGINIA TECH RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report concerning the status of implementation of recommendations made in the report to the President, On Issues Raised by the Virginia Tech Tragedy, by the Secretaries of Health and Human Services and Education and the Attorney General of the United States, submitted to the President on June 13, 2007.

(b) CONTENT.—The report submitted to the committees of Congress under subsection (a) shall review and assess—

(1) the extent to which the recommendations in the report that include participation by the Department of Health and Human Services were implemented;

(2) whether there are any barriers to implementation of such recommendations; and

(3) identification of any additional actions the Federal government can take to support States and local communities and ensure that the Federal government and Federal law are not obstacles to addressing at the community level—

(A) school violence; and

(B) mental illness.

SEC. 11. PERFORMANCE METRICS.

(a) EVALUATION OF CURRENT PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services shall conduct an evaluation of the impact of activities related to the prevention and treatment of mental illness and substance use disorders conducted by the Substance Abuse and Mental Health Services Administration.

(2) ASSESSMENT OF PERFORMANCE METRICS.—The evaluation conducted under paragraph (1) shall include an assessment of the use of performance metrics to evaluate

activities carried out by entities receiving grants, contracts, or cooperative agreements related to mental illness or substance use disorders under title V or title XIX of the Public Health Service Act (42 U.S.C. 290aa et seq.; 42 U.S.C. 300w et seq.).

(3) RECOMMENDATIONS.—The evaluation conducted under paragraph (1) shall include recommendations for the use of performance metrics to improve the quality of programs related to the prevention and treatment of mental illness and substance use disorders.

(b) USE OF PERFORMANCE METRICS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall advance, through existing programs, the use of performance metrics, taking into consideration the recommendations under subsection (a)(3), to improve programs related to the prevention and treatment of mental illness and substance use disorders.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 332, 333, 383, 424, 432, and 438.

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

The clerk will report the nominations en bloc:

The senior assistant legislative clerk read the nominations of David Malcolm Robinson, of Connecticut, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Coordinator for Reconstruction and Stabilization; David Malcolm Robinson, of Connecticut, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (Conflict and Stabilization Operations); Suzette M. Kimball, of West Virginia, to be Director of the United States Geological Survey; Carlos J. Torres, of Virginia, to be Deputy Director of the Peace Corps; Shoshana Miriam Lew, of the District of Columbia, to be Chief Financial Officer, Department of Transportation; and Patrick Joseph Murphy, of Pennsylvania, to be Under Secretary of the Army.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate vote en bloc without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The question is, Will the Senate advise and consent to the Robinson, Kimball, Torres, Lew, and Murphy nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

NOMINATIONS REMAINING IN STATUS QUO

Mr. PERDUE. Mr. President, as in executive session, I ask unanimous consent that all the nominations received by the Senate during the 114th Congress, first session, remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate, with the exception of PN128 and PN214.

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

ORDERS FOR MONDAY, JANUARY 4, 2016, AND MONDAY, JANUARY 11, 2016

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned pursuant to the provisions of H. Con. Res. 104 until January 4, 2016, and pursuant to the terms of H.J. Res. 76, and that on January 4, the Senate convene at noon for a pro forma session only with no business conducted; further, that when the Senate adjourns on January 4, 2016, pursuant to the provisions of H. Con. Res. 104, it stand adjourned until 2 p.m., Monday, January 11, 2016; that following the prayer and pledge on January 11, 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 be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 5 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT SINE DIE

Mr. PERDUE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:25 p.m., adjourned sine die.

NOMINATIONS

Executive nominations received by the Senate:

MILLENNIUM CHALLENGE CORPORATION

MORTON H. HALPERIN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS. (REAPPOINTMENT)

MICHAEL O. JOHANNS, OF NEBRASKA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS, VICE LORNE W. CRANER, TERM EXPIRED.

DEPARTMENT OF STATE

ADAM H. STERLING, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SLOVAK REPUBLIC.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DAIN BORGES, OF PUERTO RICO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE MARVIN KRISLOV, TERM EXPIRED.

THAVOLIA GLYMPH, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE ROLENA KLAHN ADORNO, TERM EXPIRED.

DEBORAH WONG, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE ADELE LOGAN ALEXANDER, TERM EXPIRED.

NOMINATIONS RETURNED TO THE PRESIDENT

The following nominations transmitted by the President of the United States to the Senate during the first session of the 114th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

DEPARTMENT OF JUSTICE

STUART F. DELERY, OF THE DISTRICT OF COLUMBIA, TO BE ASSOCIATE ATTORNEY GENERAL.

CONO R. NAMORATO, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 18, 2015:

DEPARTMENT OF STATE

DAVID MALCOLM ROBINSON, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.

DAVID MALCOLM ROBINSON, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (CONFLICT AND STABILIZATION OPERATIONS).

DEPARTMENT OF THE INTERIOR

SUZETTE M. KIMBALL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY.

PEACE CORPS

CARLOS J. TORRES, OF VIRGINIA, TO BE DEPUTY DIRECTOR OF THE PEACE CORPS.

DEPARTMENT OF TRANSPORTATION

SHOSHANA MIRIAM LEW, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF TRANSPORTATION.

DEPARTMENT OF DEFENSE

PATRICK JOSEPH MURPHY, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF THE ARMY.

WITHDRAWAL

Executive message transmitted by the President to the Senate on December 18, 2015 withdrawing from further Senate consideration the following nomination:

ADEWALE ADEYEMO, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MARISA LAGO, WHICH WAS SENT TO THE SENATE ON JANUARY 16, 2015.