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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 18, 2015.

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

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

REMEMBERING MY FRIEND, HOWARD COBLE

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

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to a dear friend of mine and an outstanding Member of this House who passed away on November 3.

Howard Coble served this House with honor, always concerned first and foremost with how the policies it enacted would affect those he served in North Carolina's Sixth Congressional District.

Howard Coble was a son of Greensboro, a Coast Guard veteran of the Korean war, a prosecutor, and a dedicated public servant. Howard believed strongly in this House and its role in our democracy.

In the 30 years we served together, we stood on opposite sides of debate far more than we were on the same side, but we had a close friendship that transcended politics or policy. Howard Coble was one of the kindest and most warm-hearted individuals I have encountered in my years of service in this Capitol.

Howard was incredibly proud of his North Carolina roots. He tried his best to make it to every parade and event in his district that he could. He was a champion of our Nation's first responders.

We served together in the Congressional Fire Services Caucus. Howard was steadfast in advocating for firefighter safety and for our Nation to meet its responsibility to those who fell in service to their communities.

On many occasions we participated together in ceremonies to honor the families of the fallen, and we met with those families as well. Howard's compassion and his devotion to these families were unparalleled.

He was also chair of the Congressional Trademark Caucus. We worked together on intellectual property issues over the years, an area critical to our economic competitiveness.

Mr. Speaker, like so many of our colleagues, I will miss Howard Coble very much.

There was a great incident that happened here on the floor of this House. In 1994 or 1993, Howard Coble came over to me. His chief of staff was a University of Maryland graduate. Howard Coble came over to me. Howard Coble was sort of a curmudgeon soul with a wonderful gravelly voice. He came over to me and said: STENY, you need to hire Debbie Yow at the University of Maryland as your athletic director.

Mr. Speaker, frankly, I didn't know what to think of this gravelly voiced, hard-nosed North Carolinian because he was not necessarily a Maryland fan himself, of course, there being four extraordinary teams in North Carolina.

I looked at Howard Coble. I didn't know Debbie Yow, but she was from North Carolina. As a matter of fact, her sister was the great coach at North Carolina State of the women's basketball team.

When I got back to my office, I called up Brit Kirwan, Mr. Speaker, who was the president of the University of Maryland at College Park at that point in time. I said: Brit, I don't know Debbie Yow, but Howard Coble believes she would be a good athletic director. If she can convince Howard Coble that one of the few women to head up an NCAA Division I athletic program would be a good athletic director, she must be really something.

We hired her just a few weeks later, and Howard Coble was right. She was extraordinary. She is now back in North Carolina.

But it was that kind of relationship I had with Howard Coble, as did so many Members on this floor. He loved the House and served it with distinction and humor. He believed that working together across party lines was in the best interest of America.

Those of us who were privileged to serve with Howard will always remember his geniality, his intellect, his abiding love of country, and, of course, his State of North Carolina. He left a lasting imprint on his community, his State, his country, and this House.

Mr. Speaker, we thank him for his lifetime of service.

JONNY WADE'S FIGHT AGAINST CANCER

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize my friend, Jonny Wade, an 8-year-old from Jerseyville, Illinois, who is battling a rare form of brain and spinal cancer.

After being diagnosed with cancer on Christmas Day of 2014, Jonny has undergone several surgeries as well as multiple rounds of radiation and chemotherapy. Despite the diagnosis, Jonny continues to think of others, and his rallying cry remains, ''I don't want any other kid to have cancer.''

While he was unable to travel to Washington, as I invited him to do just a few short months ago, to come here to advocate for cancer research, I want to take this time, Mr. Speaker, to speak out on his behalf.

Cancer is the second leading cause of death for children, yet only 4 percent of cancer research funds go to children. Jonny and his twin brother Jacky have a special place in my heart because I am the parent of twin boys, too. While Jonny and Jacky may not be here with me today, they brought their cause to the Capitol.

Pediatric cancer is a relentless disease, and we cannot waver in our efforts to eradicate it. For Jonny and the thousands of children who are diagnosed with cancer each year, we must all work together to fully fund pediatric cancer research.

The favorite sport of Jonny and Jacky is baseball. These two guys right here like to go to baseball games and football games. Unfortunately for both of them, they are St. Louis Cardinals fans. Being an Atlanta Braves fan, I like to joke with them about their choice in teams.

But I have got a baseball right here, Mr. Speaker, and I want to thank all the colleagues who signed this baseball for me. I wanted everybody to sign, but as you can see, there is no room left.

This baseball is for you, Jonny. I want to thank you for being the fighter that you are.

THE CULTURE OF OPPOSITION NEEDS TO CHANGE

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

Mr. BLUMENAUER. Mr. Speaker, Chuck Rosenberg, the acting administrator of the Drug Enforcement Administration, recently called the notion of smoking medical marijuana a joke.

What is a joke is the job Rosenberg is doing as acting DEA administrator. He is an example of an inept, misinformed zealot who has mismanaged America's failed policy of marijuana prohibition.

Americans recognize it is time for a change in direction to legalize, regulate, and tax marijuana. Fifty-eight percent now support legalization, continuing an upward trend in public opinion polls and at the ballot box.

Over 75 percent of the American public supports medical marijuana, as do a majority of American physicians. Rosenberg claims medical marijuana is a joke, but the proven therapeutic value of cannabis has prompted 23 States, Guam, and the District of Columbia to approve its medical application and an additional 17 States have authorized its more limited use.

Rosenberg's claim that more research is necessary is true, but it reeks of hypocrisy because the DEA, under his leadership, has made badly needed cannabis research difficult, and often impossible. If Rosenberg was doing his job, he would have visited with some of the hundreds of thousands who have found medical marijuana has had a profound effect on their lives and that of their families.

President Obama is the first sitting President to tell the truth about cannabis. His administration has not acted to shut down the adult or medical marijuana reforms sweeping the country. Sadly, it isn't just his DEA administrator who is undercutting his policy.

Earlier this year the Department of Justice took an outrageously flawed position on the Rohrabacher-Farr amendment that passed with strong bipartisan support, which clearly specified that the Federal Government should not interfere with State legal medical marijuana operations.

The Department of Justice and the DEA contend that it only prevents action against States, not individuals. This is a ridiculous interpretation of the law and caused a Federal court in California to rule this interpretation ''defies language and logic'' in deciding against them.

More recently, the Senate passed the MILCON-VA appropriations bill, which included an amendment offered by my colleague in Oregon, Senator MERKLEY, mirroring my legislation to allow VA doctors to recommend medical marijuana to their patients in accordance with State law.

Yet, on November 13, the Department of Veterans Affairs indicated they won't allow doctors and patients to participate in State legal marijuana laws, even if this bill becomes law.

Sadly, these actions by administration officials are indicative of a throwback ideology rooted in the failed war on drugs, which needs to stop.

They do not reflect the overwhelming body of evidence about the effects of medical marijuana, the reforms happening at the State level and in Congress, or the opinion of the American people.

They don't reflect the statements by the President himself and the official policy promulgated by former Deputy Attorney General Cole outlining the administration's commitment to stay out of the way of State marijuana laws.

There is overwhelming evidence that marijuana offers relief when nothing else has helped, including as a more effective pain management tool than highly addictive narcotics. Opioid overdoses are skyrocketing, and we have an epidemic of heroin abuse and overdose.

Sadly, the culture of opposition in the Federal Government continues. On one level, we have this amazing progress at the State and local level. We have made significant progress here in Congress with the introduction of over 20 bills in both Chambers dealing with the Federal treatment of cannabis and hemp, and the successful votes on three amendments in the House and three in Senate committees in this Congress.

This culture needs to change. Leadership needs to change. Rosenberg is clearly not the right fit for the DEA in this administration.

I would hope that the President directs the heads of all relevant agencies to adjust their policies, clarify regulations that deal with marijuana laws, establish policies that reflect changing State laws, and, most importantly, reflect the President's own position.

He has said that he has bigger fish to fry than interfere with State legalization efforts. It is time that the rest of his administration gets on board, and it should start with a new head of the Drug Enforcement Administration.

SYRIAN REFUGEE CRISIS

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

Mr. CURBELO of Florida. Mr. Speaker, last week's gruesome terrorist attacks in Paris were a disturbing reminder that the war on terror is ongoing and that radical Islamic extremism represents a clear and present danger to all freedom-loving civilized people.

The time from September 11, 2001, up until today has been difficult for our Nation. We have seen our young men and women engaged in endless wars. We have lost thousands of American lives and spent a significant portion of our national treasure fighting in the Middle East. Costly mistakes were made in Afghanistan, Iraq, and Libya. We are understandably a war-weary people.

However, last Friday we were reminded that the consequences of inaction or of weak actions are far greater than any risks associated with making a serious and unwavering commitment to confronting and defeating radical terrorists.

ISIS is not a problem to be managed or contained. This ambitious terrorist organization is a dangerous enemy of the United States and our allies that must be eradicated. If we refuse to fight ISIS on their home turf, we will have to fight them in the streets of Paris and maybe in our own communities.

Just as the previous administration recognized that its Iraq strategy was failing and needed a jolt, it is now time for President Obama and his national security team to show that they are serious about destroying this dangerous threat to the stability of the world and to our own very lives.

□ 1015

Mr. Speaker, I have cosponsored a resolution authorizing the use of military force introduced by the gentleman from Illinois, my friend ADAM KINZINGER. It would guarantee the President and our military every tool necessary to defeat ISIS. This resolution deserves a vote so that we can fight to win a war that we cannot afford to lose.

CUBAN CRISIS

Mr. CURBELO of Florida. Mr. Speaker, since the announcement of the President's engagement policy with the Cuban dictatorship in December of last year, we have witnessed a 78 percent spike in the number of Cubans arriving into our country. An untold number have been lost to the sea.

But they aren't only coming by sea. Thousands of Cubans are illegally entering Central American nations, making the long trek north through Mexico and entering via our southern border. Too many are at the mercy of reprehensible human trafficking rings.

Costa Rican authorities report that the number of Cubans entering their country illegally has grown from 5,400 last year to 12,166 so far this year. This problem has become so severe that the Costa Rican Government had to temporarily close its borders this past weekend.

These trends show no signs of letting up, and I am concerned about another migrant crisis overwhelming our Nation, particularly south Florida. This is a matter of our national security and requires the President's immediate attention.

Cubans on the island seem to be reacting to the administration's new policy with desperation and fear, risking their lives and their safety to escape the prison that is Castro's Cuba.

WHITE HOUSE ACCREDITATION ALTERNATIVE

Mr. CURBELO of Florida. Mr. Speaker, today I rise in support of the administration's proposal to provide an alternative to accreditation for providers who develop partnerships with accredited institutions. The introduction of a regulator to judge programs like computer coding boot camps can help challenge traditional accreditors to put more focus on the success of students after graduation.

This could be the groundwork for a true alternative to accreditation that would not replace the traditional system. Rather, it would enhance and allow other successful models to access funding resources to replicate and extend their reach.

Accreditors maintain an important role within higher education; however, alternative models can help deal with segments that traditional accreditors may not be able to address effectively. As a large number of students enroll in noninstitutional programs, we should encourage the growth of successful models that are providing students with a path to successful and rewarding careers.

Emphasizing outputs is an important step forward in helping the system of higher education in the United States evolve. As we continue our work toward reauthorizing the Higher Education Act here in the House, I look forward to collaborating with my colleagues to ensure that we are helping prepare students for success.

In education, one size does not fit all. This step by the administration is one in the right direction.

TRIBUTE TO A FRIEND, REGINALD ''HATS'' ADAMS

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to Mr. Reginald ''Hats'' Adams, a dear friend whom I have known and worked with since the late 1960s.

In 1986, Hats was hired as the chief youth worker at the Mile Square Health Center. He had previously worked with the Boys and Girls Clubs of Chicago. After having the titles of community liaison and employee relations coordinator, he was named director of community affairs at Rush-Presbyterian-St. Luke's Medical Center in 1974 and held that position which he defined and redefined several times to coincide with what he was doing.

Rush-Presbyterian-St. Luke's Medical Center is a large, complex, and diverse corporate entity which trains thousands of doctors, nurses, and other medical personnel and has an excellent record of patient care.

Much of Mr. Adams' work involved outreach to the broad community on the medical center's behalf. Over the years, he has worked with municipal, county, and State entities, while at the same time developing and maintaining close ties to grassroots organizations, social service agencies, and faith institutions.

Mr. Adams has always been seriously interested in and involved with young people. His youth development work is legendary. He has paid special attention to the educational concerns of minority students. As a result, Rush sponsors summer work study programs for minority college students, summer internships for high school students, and math and science enrichment programs for students at more than 60 elementary and high schools.

Through Mr. Adams' efforts, the Science and Math Excellence Network was launched in 1991. The network is a coalition of public and private organizations working directly with the local schools to improve science and math education for elementary students.

Rush and its corporate partners sponsor after-school science clubs, provide judging at local science fairs, offer summer training programs for teachers, and sponsor a mobile science lab that visits schools without laboratory facilities.

Each year, the network hosts an awards dinner to recognize the top science and math students at participating schools. Since 1991, the network also has coordinated the construction of 10 science laboratories in local schools, including several specially designed facilities for preschool-age children. Mr. Adams served as president of the network.

Notwithstanding his outstanding professional work and civic involvement, Mr. Adams has always been endeared to his personal family, church, and friends. He was passionate about his family, and at times was known to have his own seat staked out at church.

Mr. Adams was also actively involved in the affirmative action activities of the medical center and helped assure that minority vendors, contractors, and business interests had access to business opportunities at the medical center.

Hats was a man of great wisdom, courage, and determination, always protecting the interests of the medical center but never forgetting the community from which he came and was a part of.

The poet Kipling may have had Hats in mind when he wrote:

If you can walk with Kings and Queens and not lose the common touch; if neither foes nor loving friends can hurt you; if all men matter with you, but none too much; and finally, if you can give the unforgiven moment with 60 seconds' worth of distance run; yours will be the Earth and all that is in it; and what is more, you will be a man, my son.

Reginald ''Hats'' Adams, what a man. His life is gone, but his legacy lives on.

SYRIAN REFUGEES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I rise today to discuss the issue of the Syrian refugees and the Islamic State terrorists who are coming across our southern border and, in relation to this, the Office of Refugee Resettlement loophole that exists there.

Also, Mr. Speaker, as I begin my remarks, I commend the House and our Speaker for speaking out and taking an action to condemn the Paris attacks.

This administration has announced its intention to resettle 10,000 Syrian refugees within the United States in fiscal year 2016. Now, I want you to think about that number, 10,000 in the year 2016. They will go to resettlement communities all across the country, if the administration has its way.

It is important to note that the Office of Refugee Resettlement, or the ORR as it is called, does not simply resettle refugees from overseas. In fact, the ORR has been resettling thousands of illegal aliens that are coming across our southern border.

I want to read to you from their 2013 report to Congress:

''Other Categories Eligible for Assistance and Services.

''Certain other persons admitted to the U.S. or granted status under other immigration categories also are eligible for refugee benefits.''

In addition, certain persons deemed to be victims of a severe form of trafficking, though not legally admitted as refugees, are eligible for ORR benefits to the same extent as refugees.

That is correct; the ORR resettles illegal aliens not classified as refugees, providing another potential gateway for the Islamic State terrorists.

Frankly, we would know more about the ORR activities if they filed their annual reports, as required in section 413(a) of the Immigration and Nationality Act, and did it in a timely fashion. The last report we have from them is 2013. It is not transparent, it is not accountable, and it cannot be trusted.

I know this firsthand, Mr. Speaker. I wrote Secretary Burwell twice last year about resettlement activities at the ORR and have been investigating them since July 2014, when Congressman BRIDENSTINE and I traveled to a UAC facility at Fort Sill, Oklahoma.

Mr. Speaker, I include in the RECORD those letters to Secretary Burwell.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 21, 2014.

Hon. SYLVIA M. BURWELL,
Secretary, U.S. Department of Health and Human Services, Washington, DC.

DEAR SECRETARY BURWELL: It has come to my attention that you have failed to submit an annual report to Congress regarding the activities of the Office of Refugee Resettlement (ORR) since Fiscal Year 2012. The Secretary is required by law to submit an annual report pursuant to Section 413(a) of the Immigration and Nationality Act ''no later than the January 31 following the end of each fiscal year, . . .'' Reports had been filed annually since 1980 before abruptly stopping after the FY2012 submission.

It is important that ORR operate transparently given its role in re-settling thousands of illegal aliens who crossed our Southern border last summer. ORR has released more than 45,000 Unaccompanied Alien Children (UAC) into our country to adult sponsors through September 30th of this year. My home state of Tennessee has had over 1,000 UACs released within its borders alone. I expect a thorough update on these activities.

I would also note that ORR's budget appears to have grown exponentially. ORR received over $750,000,000 million in funding in FY2012. However, HHS requested almost $1.5 billion for ORR in its FY2015 ''Justification of Estimates for Appropriations Committees''. Without annual reports being provided to Congress as part of the oversight process, it becomes increasingly difficult to approve requested funding.

I look forward to your immediate submission of ORR's FY2013 report to Congress. Also, I expect ORR's FY2014 report no later than January 31, 2015, as required by law.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 17, 2014.

Hon. SYLVIA M. BURWELL,
Secretary, U.S. Department of Health and Human Services, Washington, DC.

DEAR SECRETARY BURWELL: An article titled ''Crossing alone: Children fleeing to U.S. land in shadowy system'' was published in the Houston Chronicle on May 24th, 2014. The Chronicle's investigation revealed that over one-hundred ''significant incident reports'' were obtained from the Department of Health and Human Services (HHS) through a Freedom of Information Act Request (FOIA) and detailed instances where children were abused by Office of Refugee Resettlement (ORR) staff members between March 2011 and March 2013. The article contains several troubling statements:

1) ''No shelter worker has been prosecuted under a 2008 federal provision that makes sexual contact with a detainee in ORR's care a felony.''

2) ''Youths in ORR custody in Texas were molested as they slept, sexually harassed and seduced by staff members during the past decade, records from state childcare licensing investigators and law enforcement show. They were shoved, kicked, punched and threatened with deportation if they reported abuses, investigators found.''

3) ''The Office of Refugee Resettlement relies on state childcare licensing and local police to investigate abuses of the children in its care, instead of notifying the FBI of serious allegations. In the hands of local police and prosecutors, criminal cases have crumbled because of sloppy detective work, communication gaps with officials and jurisdiction confusion.''

On May 17, 2012 the President issued a memorandum regarding implementation of the Prison Rape Elimination Act of 2003 (PREA). The memo stated that ''Each agency is responsible for, and must be accountable for, the operations of its own confinement facilities, and each agency has extensive expertise regarding its own facilities, particularly those housing unique populations.''

On March 7, 2013 the President signed the Violence Against Women Act (VAWA) into law. Section 1101 of VAWA amended PREA as follows: ''Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children.''

According to the Chronicle's investigation and a letter you received from fifty-nine House Democrats this week, your department has still not published a final rule. This delay directly violates Section 1101 of VAWA. Your failure to act timely is unacceptable given the seriousness of these issues. As a result, please provide responses and document production, as requested, relating to the following inquiries:

1) Has HHS published a final rule adopting final standards for the detection, prevention, reduction and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied children? If so, when did this occur?

2) Please explain why HHS delayed, or continues to delay, publishing a final rule, as required by law.

3) In FY2014, ORR released 53,518 unaccompanied alien children to sponsors within the United States. Please produce any significant incident reports filed by, or on behalf of, unaccompanied alien children against ORR employees in FY2014, regardless of the format in which they are stored. If you redact information, or are unable to produce said reports, outline any legal privileges or exemptions the department is relying upon.

4) Please disclose the number of ORR employees currently being investigated by law enforcement for sexual misconduct or abuse involving unaccompanied alien children.

5) Please disclose the number of ORR employees disciplined or investigated by HHS for sexual misconduct or abuse of unaccompanied alien children in FY2014.

6) What efforts has ORR undertaken to work with federal law enforcement to prosecute employees accused of child abuse within its facilities since 2011?

7) What initiatives has ORR undertaken on its own to protect children from abuse within its facilities since 2011? Please include any internal rules or memorandums that were drafted to address this issue.

ORR's failure to timely comply with the law is unacceptable and not in keeping with the Administration's pledges of transparency. Please provide responses to the above inquiries, along with requested documentation, within fifteen days of receipt of this correspondence.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

Mrs. BLACKBURN. We know that there are more than Mexicans and Central Americans coming across that southern border, and we know that once they are here, the ORR has no way of tracking them and keeping up with them.

In April, a Judicial Watch report cited a Mexican army officer and police inspector who advised that ISIS was operating training bases in close proximity to the U.S. southern border. Another report from August 2014 advised that social media traffic indicated ISIS was planning to infiltrate the southern border in order to carry out a terrorist attack.

Due to these findings, all of our resettlement services must be temporarily suspended. I am currently working on a solution with several of my colleagues to address the loophole that allows nonrefugees to be resettled.

In the past 3 weeks, Islamic State terrorists have bombed a Russian jetliner, committed suicide bombings in Beirut, and massacred French citizens in Paris. They are now exporting their terror. There is simply no method that will allow us to determine with 100 percent accuracy whether Syrians or illegal aliens that we resettle into the U.S. are really ISIS jihadists.

Mr. Speaker, is the ISIS threat contained? No.

Can we guarantee that Syrian refugees who are resettled into the U.S. will not commit acts of terror against Americans? No.

Do we know who these people are? No.

Are they properly vetted? No.

Would it be responsible to bring Syrian refugees into this country after the attacks in Paris? No.

Do Americans across this country want the administration to resettle Syrian refugees into the U.S.? No.

Is the administration dangerously naive on this policy? Absolutely.

I encourage my colleagues to look closely at the issue.

SYRIAN REFUGEES

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

Mr. RANGEL. Mr. Speaker, I would like to join with the millions of Americans that feel heart-based sympathy for the loss of our friends in Europe and France, particularly Paris, and, of course, to give sympathy to those people that are absolutely hysterical on this issue as relates to refugees, even though there is no evidence at all that it was refugees that were responsible for the attacks.

These types of unprovoked attacks do cause fear and, many times, irresponsible behavior on behalf of people, as they attempt to instill fear in all people to such an extent that it shatters the principles which this country was built on.

□ 1030

Nevertheless, there is enough for us to be concerned about. There is enough for us to be fearful about, and there has to be concern as to what are we going to do about it.

Those that read in the media and listen to it—and even Members of Congress—will find that we have people that are now saying that we can't win this war against ISIS unless we have more of our military on the ground fighting against the Assad government.

We talk about sending troops overseas to put their lives in harm's way as though it is just another foreign policy decision that Members of Congress can make without any regard at all to the constitutional responsibility we have to ourselves and to be an example for the world.

Whenever this great Nation is threatened, whenever our national security is threatened, the President should be coming to this House of Representatives and the Senate and sharing with us what are the threats to our national security. And when it becomes abundantly clear that we have to call upon our military in any way, we should have a declaration of war for the reasons that the President has given to us.

Our responsibility to our constituents is to share as much information as we can to tell them that war means sacrifice, loss of life.

Yet, today, we haven't had a declaration of war since Franklin Roosevelt. Tens of thousands of Americans have died.

In this recent crisis, less than 1 percent of eligible Americans have actually put themselves in harm's way because of executive mandate and the allowance of the Congress to allow this to happen. And we have lost, just in Afghanistan and Iraq, 7,000 American lives that some of us have to go to the funerals and explain the best that we can that, even though we are not at war, there would be American lives lost in foreign countries.

I submit to you that if we believe that our national security is threatened, we should have a declaration of war, we should have a draft, and we should have a way to pay for these wars, so that we would know that it is not easy sending your loved ones abroad and not even know the reasons that they are there.

It would seem to me that, as everyone heard, the President of France says they are at war against ISIS, that if we are at war against ISIS, whatever country they are representing, it should be brought to the American people. It should be brought to the Congress, and the President should ask us to declare war.

But it is just totally not fair for people in the House of Representatives to come here and to say that Americans should be sent overseas to fight an unknown enemy, to put their lives in jeopardy and, perhaps, their families in jeopardy, without being able to say that they are fighting a war to preserve democracy in this country.

It just seems to me that whether you call them no feet on the ground, but boots on the ground, that if someone's coming back here with a flag-draped coffin, that we should be able to say they fought for America, they died for America, and that we are fighting for peace and to end a war that has yet to be declared.

SHOWING OUR SUPPORT FOR THE PEOPLE OF FRANCE

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

Mr. BARR. Mr. Speaker, I rise today in strong support of our allies, the people of France, and in strong condemnation of the terrorist attacks in Paris, France, carried out by the Islamic State this past Friday.

The people of France have been our allies since the American Revolution, and having traveled to Normandy and seeing the American flag over Omaha Beach, it underscores the important alliance that we have had with the people of France throughout our history.

Ever since the founding of our country, we have been united with the people of France by our shared values of freedom and civil society and democracy. The attack on Friday was an attack on these values by barbaric terrorists who want to impose their brutal and twisted version of Islam and authoritarian rule across the world.

We grieve for the massive loss of life, not just for the French people, but also for the victims and their families around the globe, including Nohemi Gonzalez, an American student from El Monte, California.

We join the voices from around the world to condemn these attacks, but condemnation is not enough.

As I saw firsthand while visiting Iraq and Afghanistan last month, the President's strategy of withdrawal and containment is clearly not working.

By underestimating the threat, referring to ISIL as the JV team, declaring that ISIL has been contained just hours before the brutal attacks in Paris, President Obama has allowed this radical Islamic cancer on humanity to fester and grow.

Indeed, the key lesson of my trip to the Middle East is that American retreat has made the world a much less stable and a much more dangerous place. The weakness of the President's foreign policy and U.S. withdrawal from the Middle East has allowed our adversaries, ISIL, Russia, Iran, the Taliban, al Qaeda, Jabhat Al-Nusra, to fill the vacuum, to grow stronger and become a much greater threat to our homeland and our interests.

In contrast, our allies, Israel, the Jordanians, the government of Iraq, the Kurdish regional government, the unity government in Afghanistan, they have all become more threatened and more vulnerable.

There is not a single place in the world which is safer or more stable today or where our adversaries are weaker or where our allies are stronger than on the day President Obama took office.

The President has, in recent days, lectured his critics to come up with their own plan and regurgitated his tired old attacks on his predecessor's successful national security policy.

But if there is any lesson to be learned from the Obama policy in Iraq, as contrasted with U.S. policy after World War II in Japan and Germany, it is that once you win a war, do not leave. A residual security force and continued diplomatic engagement to prevent sectarian divisions would have reassured moderate Sunnis and prevented the rise of ISIL.

The President implies that his critics would lead us into another unpopular ground war in the Middle East, but we do not need to fight the Iraq war again. We have already won that war.

But we do need to do more to combat ISIL. What about authorizing use of military force that doesn't constrain the Commander in Chief, which is what the President sent us?

Why don't we do what our ally, Prime Minister al-Abadi, in Baghdad, wants and has asked us for, which is more U.S. air power, more U.S. special operators on the ground for better coordination of the air campaign, more funding for the Iraqi train and equip fund?

We must do more to help the moderate forces, the indigenous forces on the ground, such as the Kurdish Peshmerga, to take back territory controlled by ISIL.

We must address the surge of refugees pouring out of Syria and other war-torn countries across the Middle East. These people are in desperate need of help, but the answer is not to resettle them halfway around the world here in the United States.

An open-ended resettlement program is, in fact, an admission of defeat, that their homes will never be safe for them to return to, so we had better assimilate them to new lands with new languages and new cultures.

That is not the best solution for these refugees. And because we know that at least one of these terrorists involved in the Paris attacks entered Europe by blending in with those trying

to flee ISIL, it could pose a national security risk to the United States.

We shouldn't take the indigenous fighters away from the anti-ISIL campaign through an open-ended refugee program. Instead, let's actively protect them in their home country by helping them defeat ISIL and win the war.

The best thing we can do for these people is to defeat the enemy and to end their reign of terror, rape and oppression. We need a new strategy, not to contain ISIL, but to eliminate them.

The refugee issue is a simple matter of common sense, but the problem is larger than the refugees. As we were reminded so tragically on Friday in Paris, failure to confront terrorists and radical ideologies abroad gives them an opportunity to grow and spread and attack us here at home.

So let's grieve and pray for the people of France, but let's do more. Let's rise up with them, with new resolve, to defend our shared commitment to liberty, security, and freedom.

THE PIONEERING SPIRIT OF 3M

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to applaud the 3M Company, a great Minnesota business, for recently being named one of the top 100 innovative organizations for the fifth consecutive year by Thomson Reuters in their fifth annual list of Top 100 Global Innovators.

Originally known as Minnesota Mining and Manufacturing Company, 3M started out as a small-scale mining company in northern Minnesota. However, mining turned out to be an unsuccessful venture, causing the company to suffer. Instead of accepting defeat, the company embraced a pioneering spirit and began to invent and produce other products.

More than a century later, 3M has evolved into a multinational company that produces more than 65,000 products which are used all over the world. Among the many products created, the Post-it Note and Scotch Tape remain among the most well-known.

As of today, one-third of 3M's sales come from products that were invented within the past 5 years, making it clear that this company defines American creativity and innovation.

Congratulations, 3M, and here is to another century of accomplishment.

DR. BITTMAN—IMPROVING FUTURE GENERATIONS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate one of Minnesota's finest educators, Dr. Daniel Bittman. Dr. Bittman has been the superintendent of Sauk Rapids-Rice Public Schools since 2010 and this year has been named Superintendent of the Year by the Minnesota Association of School Administrators.

Dr. Bittman earned both a master's and doctorate of education from the University of Nevada, and has been working in education in Minnesota for more than 20 years.

As a result of his continued efforts and leadership, the students of Sauk Rapids-Rice schools are now performing at a higher level than ever before and thriving within a more engaged and supportive community.

Our children are the future of this country, and Dr. Bittman's dedication to his students shows that our future is bright.

Dr. Bittman, thank you for all you have done for our children and our communities and for all you will do in the future. Congratulations on being named Superintendent of the Year. You deserve it.

NATIONAL DIABETES MONTH

Mr. EMMER of Minnesota. Mr. Speaker, in honor of National Diabetes Month, I rise today to voice my concern for this disease that is plaguing our Nation.

Statistics show that nearly 30 million children and adults in the United States are currently living with diabetes. In my home State of Minnesota, more than 8 percent of adults have been diagnosed with this difficult and dangerous disease.

As if these harrowing statistics are not concerning enough, studies show that type 2 diabetes will continue to grow at widespread rates and that the future cost of diabetes will increase. In other words, our diabetes problem and the associated costs are going to get worse.

This disease can often be prevented. While genetics play a role in developing diabetes, diet and exercise play a role in the development as well. If we eat better and exercise—in short, if we live healthy lifestyles—many of us can prevent the onset of diabetes.

So I urge my colleagues here in Congress to join me in raising awareness for diabetes. If we all put in the effort, I believe that our country can overcome this epidemic.

ALZHEIMER'S AWARENESS MONTH

Mr. EMMER of Minnesota. Mr. Speaker, in honor of Alzheimer's Awareness Month, I would like to bring attention to a disease that is all too prevalent in our country.

Alzheimer's is the most common form of dementia, and today, approximately 5.3 million Americans are living with this disease. To put it in perspective, that is the same as the population of the State of Minnesota.

Alzheimer's is a cruel disease that knows no limits. From the 30-year-old mother of three young ones who is suffering from early onset Alzheimer's to the elderly grandfather who fails to recognize his loved ones, this is a disease that is devastating families across our country.

Unfortunately, statistics show that Alzheimer's rates are rapidly increasing. In fact, by 2050, the number of people age 65 years or older with Alzheimer's is estimated to triple.

□ 1045

Mr. Speaker, at this point in time, Alzheimer's cannot be prevented or cured, which is why we must work harder to ensure that one day life without the risk of Alzheimer's can become a reality.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

ALZHEIMER'S DISEASE AWARENESS MONTH

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

Mr. DOLD. Mr. Speaker, I rise today to recognize November as Alzheimer's Disease Awareness Month.

Mr. Speaker, approximately 5.3 million Americans are currently suffering from Alzheimer's. This disease is the sixth leading killer in the United States, yet there is currently no treatment or cure for this horrible disease.

This devastating disease will cost Medicare and Medicaid approximately $150 billion in 2015 alone. It also places an incredible burden on caregivers. Oftentimes these caregivers are family members who sacrifice their own well-being to care for their loved ones.

We must work toward a cure, Mr. Speaker. This is one of the reasons why I was proud to be a cosponsor of the 21st Century Cures Act earlier this summer. The bill would provide an additional $8.75 billion in additional funding for the National Institutes of Health. Think about that for a second, Mr. Speaker. An opportunity for us to be able to invest in research so that we can actually have a breakthrough in some of the diseases that are the biggest drivers of our healthcare costs. For instance, we spend $330 billion each and every year treating diabetes; Alzheimer's and Parkinson's again will significantly eclipse that as we go forward.

So, Mr. Speaker, I believe that the best way to honor those who are impacted by Alzheimer's disease is by dedicating time and resources to finding that very cure. I will continue to do just that, and I urge my colleagues here in the Chamber, across the aisle, and over in the Senate to be able to join me so that we can, once and for all, find a cure for this horrible disease.

SYRIAN REFUGEES

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

Mr. FITZPATRICK. Mr. Speaker, America has a long tradition of opening its arms to oppressed people from around the globe. While the human rights of those fleeing terror and destruction must be respected, it is vital that we work to ensure that our Nation's safety is in place in this time of turmoil and unrest.

The United States cannot indefinitely close itself to the stark realities of the world, nor should we hastily accept tens of thousands of people without proper screening. That is why I

have called on Pennsylvania Governor Tom Wolf to suspend efforts to bring Syrian refugees to Pennsylvania until there are verifiable and robust mechanisms in place to properly screen all participants for potential security risks.

To facilitate the thorough screening needed, I am supporting legislation prompting the Department of Homeland Security, in coordination with the Director of National Intelligence and the FBI, to provide new security assurances before admitting refugees into the country and for the Government Accountability Office to conduct a sweeping review of security gaps in the current refugee review process. This measure addresses both shortcomings in our existing programs and ensures a role for congressional oversight.

Mr. Speaker, the refugee crisis the world faces is a symptom of a larger problem: militant Islam and the efforts of groups like ISIS to destabilize and destroy others. We need a long-term solution to this problem, and that includes defeating ISIS.

RECESS

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

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Christopher Weidner, St. Luke Lutheran Church, Gilbertsville, Pennsylvania, offered the following prayer:

O God, You are our help in ages past, our hope for years to come.

We remember Your servant leaders who have come before us, speaking light out of darkness, fashioning order out of chaos, and, mindful of the voiceless, daring decision and deploying power for the life of our Nation and the care of the Earth.

Move us by their witness, O God, and guide us by Your wisdom in every opportunity that comes before us now.

And when our way is uncertain, untraveled, or unclear, when failure or fatigue drive us apart, restore our footing, reconnect us, by the gravity of Your grace.

Remember us as one body, Members of this one House, faithful in our one service.

Give us courage, inspire our imagination, nudge us to dare the possible in Your gift of today with our gifts for tomorrow, in Your holy name, we pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nebraska (Mr. ASHFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. ASHFORD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND CHRISTOPHER WEIDNER

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

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to welcome and introduce our guest chaplain for today, Pastor Christopher L. Weidner, the pastor of St. Luke Lutheran Church in Gilbertsville, Pennsylvania.

In 1985, Pastor Chris was ordained as a minister of the Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in America. For 30 years, he has played an active and important role in our local community, engaging in programs such as the companionship ministries of the Evangelical Lutheran Church in Tanzania, the Southeastern Pennsylvania Synod Council Finance Committee, the Bear Creek Lutheran Camp board of directors, and he has helped provide affordable housing for seniors through the St. Luke Knolls program. Additionally, he volunteers his time as a hospital chaplain.

This coming Sunday, after 20 years, Pastor Chris will serve his final worship service at St. Luke's. We wish him blessings on the next chapter in his ministry.

It is with great pleasure that I welcome Pastor Christopher L. Weidner to the people's House today and offer our most heartfelt thanks for leading us in prayer this morning as our guest chaplain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

TERROR WILL NOT PREVAIL

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

Mr. RYAN of Wisconsin. Mr. Speaker, the world stands with the people of France this week.

The events in Paris were horrifying. All of us were shaken by them. Yet we know that whenever terror like this strikes, the world community will rally together. Terror will not prevail. But these events should serve as a reminder: there is still evil out there. We cannot ignore it. We cannot contain it. We must defeat it. And we must protect our people.

The country is uneasy and unsettled, and they have every right to be—not because of what they are hearing from politicians, but what they have seen with their own eyes. All of us here, Republicans and Democrats, are hearing these concerns in our offices.

People understand the plight of those fleeing the Middle East, but they also want basic assurances for the safety of this country.

We are a compassionate nation. We always have been, and we always will be. But we also must remember that our first priority is to protect the American people. We can be compassionate, and we can also be safe.

That is what the bill that we are bringing up tomorrow is all about. It calls for a new standard of verification for refugees from Syria and Iraq. It would mean a pause in the program until we can be certain beyond any doubt that those coming here are not a threat. It is that simple. I don't think it is too much to ask.

I also want to point out that we will not have a religious test, only a security one. If the intelligence and law enforcement community cannot certify a person presents no threat, then they should not be allowed in. This is common sense, and it is our obligation.

Let me also say to Members and to the country that we cannot lose sight of the bigger threat in Syria. The refugee crisis is just a consequence of a failed policy in that region. The ultimate solution is a plan to defeat ISIS.

That is why we are sending to the President a bill this week that requires him to finally propose an overarching strategy to deal with Syria and the terrorist threat in that region. This threat is not going away until we acknowledge and confront the real danger that exists.

There is a long road ahead, but today, for this moment, I urge all of my colleagues to support the legislation tomorrow and to help keep America safe.

HONORING DR. ROBERT HEANEY

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

Mr. ASHFORD. Mr. Speaker, I rise today in honor of Dr. Robert Heaney on the occasion of his 87th birthday. It is an honor to share a birthday, November 10, with such a distinguished member of our community.

Dr. Heaney is a world-renowned researcher in vitamin D deficiency. He is one of the most published researchers in the United States. He has published

over 400 original papers, chapters, and reviews on science and education. His accomplishments speak to his perseverance and commitment to innovation in his field.

From 1971 to 1984, Dr. Heaney served as Professor Emeritus and Vice-President of Health Sciences for my law school alma mater, Creighton University, in Omaha.

In addition to his own achievements in his own field, he is no stranger to nutrition policy. Dr. Heaney helped redefine nutritional requirements by providing the link between malnutrition and long-term health problems. Most recently, he served as research director of Grassroots Health, a nonprofit organization committed to solving global vitamin D deficiency.

I wish Dr. Heaney a very happy 87th birthday, and here's to many more.

PRESIDENT SHOULD CHANGE COURSE

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

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful this morning that General John Keane testified before a joint hearing of the Foreign Affairs and Homeland Security Committees. General Keane provided an overview:

''ISIS is part of the multigenerational struggle against radical Islam that will likely dominate the first half of the 21st century similar to the fight against communism, which dominated the second half of the 20th century. Fourteen years after 9/11, the U.S. has no comprehensive strategy or a global alliance to defeat radical Islam.''

He explained further:

''What ISIS has accomplished in the last few weeks is unprecedented. While conducting a conventional war in Iraq and Syria, ISIS has staged terrorist attacks on a global scale against the people from countries who are fighting ISIS. The result is almost 900 casualties in 12 days, both killed and wounded, who are Russian, Lebanese, and mostly French in Paris.''

The President should change course and accept the positive counsel of General Keane to defeat ISIS. Actions should be taken to prevent further attacks, since in the last 48 hours ISIS has threatened to attack Washington and Rome.

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

HONORING THE LIFE OF NOHEMI GONZALEZ

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

Ms. HAHN. Mr. Speaker, I rise today to remember Nohemi Gonzalez, a 23-year-old Cal State Long Beach student whose life was cut short Friday night in the terrorist attacks in Paris.

Nohemi was a shining star of the Cal State Long Beach design department. She was in Paris for the semester, studying at the Strate School of Design and traveling Europe. It was her first time abroad. Nohemi has been described as a cheerful soul and a self-driven young woman who had everything at her feet.

My heart goes out to her mother, Beatriz; her longtime boyfriend, Tim; and all of her family and friends. I cannot imagine the pain they are feeling.

This tragedy has brought home the devastation of terrorism, which often seems isolated and worlds away. Her murder has stunned all Americans, but it is particularly painful for the southern California delegation in Congress and the Long Beach and El Monte communities that lost one of their own.

As we grieve for our own loss, we stand in solidarity with Paris and with the families of 129 victims killed in Friday's attacks. As French authorities continue raids to bring the perpetrators of this ungodly violence to justice, our hearts are with the people of France, our loyal friend and our earliest ally.

HONORING SHERIFF DENNY NAU ON HIS RETIREMENT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the contributions of Centre County, Pennsylvania, Sheriff Denny Nau, who will retire at the end of this year.

Denny has served in that office for more than two decades after being elected in 1991. Before being elected sheriff, he served as a Pennsylvania State Police trooper. Sheriff Nau is also a marine, joining after graduating high school.

Over his 24 years as Centre County Sheriff, Denny has influenced countless law enforcement officers. In fact, more than 40 of his former deputies are police officers in areas ranging from Altoona to Pittsburgh or are serving as State troopers.

Nau has overseen great growth by the Centre County Sheriff's Office along with transitions to new technology, from typewriters to the use of state-of-the-art software to track cases, to a videoconference system to conduct hearings.

Mr. Speaker, Sheriff Denny Nau has provided a wonderful example of public service as a marine, a Pennsylvania State trooper, and high sheriff of Centre County. I wish my friend the best of luck in his retirement.

ALZHEIMER'S ASSOCIATION OF WESTERN NEW YORK

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

Mr. HIGGINS. Mr. Speaker, I rise to recognize the work of the Alzheimer's Association of Western New York.

There are 5.3 million Americans and their families living with Alzheimer's. That number is expected to triple by 2050. Two-thirds of Americans with Alzheimer's are women, and 200,000 are under the age of 65.

In western New York, 55,000 people have Alzheimer's or a related dementia. Last year, the Alzheimer's Association of Western New York provided 10,000 service contacts for these patients and is an invaluable resource to western New York families.

Alzheimer's is a disease whose cause is unknown but whose end is absolutely certain. This House must work together to increase funding for Alzheimer's research, and we must support the caregivers and volunteers who make a difference for millions of Americans and their families.

SYRIAN REFUGEES

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

Mr. BOST. Mr. Speaker, the most important obligation we have is to keep Americans safe.

As Paris has reminded us, there truly is evil in the world. We know that our seas and our borders alone will not protect us. We must act swiftly and smartly in the face of this evil.

While my heart hurts for innocent people suffering in Syria, our priority must be in keeping Americans safe. That is why I oppose the President's effort to bring refugees to our shores without a real plan to vet them. That is not leadership. That is sticking your head in the sand. And in matters of life and death, we must do better.

□ 1215

THE HOUSE OF REPRESENTATIVES IS SCARED

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

Mr. HIMES. Mr. Speaker, the House is scared today. You hear it in the voices of my colleagues, and you hear it because the American people are scared as they come to learn the capabilities of these evil psychopaths at ISIS.

But, Mr. Speaker, this House, when we are scared, we do dumb things. We spend time forcing the cafeteria to rename french fries freedom fries. We invade Iraq because we are angry at what comes out of the Middle East.

Mr. Speaker, on May 13, 1939, the transatlantic liner, the *St. Louis*, sailed from Germany with almost 1,000 souls aboard, all Jews seeking to flee the murderous wrath of Adolf Hitler. This ship went to Cuba with the idea that it would come to the United States, but it was denied entry into the United States.

The refugees were reported to be Communists and anarchists, and we were scared of them—Jewish refugees fleeing Hitler.

The ship was turned back. Nearly a quarter of the 1,000 souls lost their lives in Hitler's Holocaust. It was not a good moment for the United States. It is a moral stain on our history.

So let's keep our people safe. We are the greatest country in the world. We can do that while not trading our moral values.

Mr. Speaker, we are exceptional because we are good and because we are moral. Let's not lose the moral part of that equation.

ATHENS AREA EMERGENCY FOOD BANK

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to congratulate the Athens Area Emergency Food Bank on the exemplary service that they provide to our community. This incredible organization cares for the lives of thousands of families in Georgia's 10th District and beyond.

For the past 35 years, the Athens Area Emergency Food Bank has put food on the table of more than 175,000 citizens who were facing economic hardship. This organization has delivered more than 3.25 million pounds of food to more than 65,000 families in northeast Georgia, and they have done so on a budget of $80,000.

In closing, Mr. Speaker, I ask my colleagues to join me in applauding the service and commitment of the Athens Area Emergency Food Bank. Their steadfast commitment to the community is, indeed, inspiring. We are blessed to have such a dedicated organization as the Athens Area Emergency Food Bank serving our folks at home. I wish them the best in the years to come.

REFUGEE IMPACT ON THE SAFETY OF THE UNITED STATES

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

Mr. LAMALFA. Mr. Speaker, we know now that one of the terrorists who participated in the attack on Paris last Friday entered Europe by posing as a refugee. Unfortunately, we have no assurances that a similar tactic would not be successful here in the United States.

The Director of the FBI has testified before Congress that there is simply no way to vet many of the Syrian refugees. We cannot allow ISIS or any terrorist group to exploit the refugee resettlement program to sneak terrorists into our country by having lax background standards.

This is a real threat. ISIS has promised more attacks, and we must take that seriously. We need to, at the very least, pause and assess allowing Syrian refugees into the U.S. until we have a better screening procedure in place and focus on those that are persecuted, or even threatened with genocide, simply because of their being a religious minority.

TWENTIETH ANNIVERSARY OF THE LIVING VINE CHRISTIAN MATERNITY HOME

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the Living Vine Christian Maternity Home in Savannah, Georgia. For 20 years, Living Vine has been a safe haven for over 350 women who are experiencing an unexpected pregnancy and have nowhere to turn for help.

Once at Living Vine, they are provided with food, shelter, education, medical care, and a chance to learn about child care, financial management, how to find a job, and much more.

Day in and day out, Living Vine teaches a perspective that embodies true success. No matter what has happened in the past, Living Vine teaches women that they are valuable as a human being, they are valuable as a woman, and they are something to be treasured.

The Living Vine Christian Maternity Home fulfills their purpose solely through private donations and through its new thrift store called Blessingdales.

I am honored to have this organization located in the First Congressional District of Georgia. I salute them for 20 years of success and wish them continued success for years to come.

HONORING THE LIFE OF MRS. DOROTHY ''DOT'' HELMS

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

Mr. ROUZER. Mr. Speaker, I pay tribute today to the extraordinary life of one of America's finest women who recently passed on to be with our Creator. Mrs. Dorothy Helms, also known to many of us as ''Dot,'' was the longtime best friend and wife of the late U.S. Senator Jesse Helms.

As a member of the Helms Senate family, I grew to know both of them very well.

Senator Helms asked me one day, he said: ''David, do you know where I get all my good ideas?'' Without giving me a second to respond, he said, ''Dot, you know.''

For those of us who knew the two well, Dot was, in fact, the conservative of the family, and a strident and forceful communicator of her opinion on all matters.

Dot Helms was a trailblazer in her own right. She was one of the first women to graduate from the University of North Carolina with a degree in journalism and later went on to work for the News & Observer as a society page editor.

Meanwhile, Jesse Helms was there working as a sports reporter. The rest, of course, is history, and the two of them helped change history.

As much as Dot Helms will be missed by all of us, something tells me the tall, lanky fellow from Monroe, North Carolina, is delighted to have her back at his side.

ISIS IS NOT CONTAINED

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

Mr. WENSTRUP. Mr. Speaker, ISIS is not contained. It is not enough to try and contain terrorists in the Middle East. They have proven capable of a global reach.

Mere hope isn't going to win this, nor is sporadic, short-term planning. American leadership and an international coalition are required.

The U.S. should move to indefinitely suspend resettling Syrian refugees here. The records simply do not exist in a war-torn Syria to properly vet individuals with needed confidence.

All involved will be better served with an established safe haven in the Middle East and addressing the root cause that provides a motive for people to leave their own homeland.

Our first responsibility is to protect our Nation. No one wants to fight this war here. The world must defeat this ideology and its evildoers at their doorstep, not ours.

Our Nation recognizes that we need a short- and a long-term strategy, a smart use of force, and a greater commitment to victory. Eliminating the threat we face from the enemies of freedom is the challenge of this generation of Americans.

Mr. Speaker, our children are counting on us.

IN MEMORY OF KENNETH GEORGE MASSREY

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

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in memory of Kenneth George Massrey, a dear friend who passed away on Sunday, October 25, 2015, at the age of 66.

Ken was a loving husband, father, brother and grandfather. He lived in San Juan Capistrano, California, where he was a successful entrepreneur, an avid sports fan, and a generous contributor to charity.

The oldest of five children, Ken was born in Warwick, Rhode Island, and, at the age of six, his family moved to California.

Ken received a scholarship to UCLA, where he was a catcher for the Bruins

baseball team. He later graduated from Cal State Long Beach.

His professional career began at a California video security products firm, and in 1989, Ken launched his own company in Irvine, California, where he served as CEO for 26 years.

Ken is survived by his wife, Barbara; his daughters, Katie and Chrissie; his grandson, Griffin; his son-in-law, Ryan Downey; and his four siblings.

I am honored to have had the privilege of calling Ken a friend. I have very fond memories of our political discussions, and they were dynamic.

He will be deeply missed by all those who knew him, and his memory will live on.

DEADLY ATTACKS IN PARIS

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

Mrs. DAVIS of California. Mr. Speaker, this past Friday, the world watched in horror the unfolding of the deadliest attack on French soil since World War II.

The attacks in Paris killed 129 people from 26 countries, including one American, a young student from California. To all those affected by these terrible acts, I offer my deepest sympathies.

Around the world, tragedies of this scale have become distressingly familiar, but to see one happen in a country at peace, a country with which the United States has shared such a special relationship since our founding days, hits particularly hard.

Those who carried out these horrific attacks want us to react with divisiveness and hate; in fact, they depend on it. They know they cannot survive in a world that stands united against them.

We must, of course, respond to this threat with strength. But we cannot forget our compassion toward those in France and those in the Middle East fleeing the very same dangers.

As Dr. Martin Luther King, Jr., once said: ''Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.''

SUPPORT LIFESAVING CURES

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

Mr. YODER. Mr. Speaker, I rise today in support of lifesaving research at the National Institutes of Health.

As we debate the priorities for the upcoming omnibus appropriations act, one of our top initiatives must be an increase in support for research to cure and prevent disease. Cancer, Alzheimer's, Parkinson's, and more than 10,000 known diseases in our world affect millions of families throughout our country and in each and every one of our districts.

This year, 600,000 Americans will die of cancer. The best defense to saving those lives is enhancing and supporting funding at the National Institutes of Health.

Earlier this year, we passed the 21st Century Cures Act, which increased funding for the NIH by over $3 billion in FY 2016. Passing with 344 votes, it also had the support of both parties, including 170 Republican votes.

Now is the time to meet the moment and to increase NIH by $3 billion in the upcoming appropriations act.

Now is also the time to send a message of hope to each and every patient waiting for a cure, that Congress hears you, and Congress is going to do everything we can to find innovative cures and treatments that can ease suffering and save lives.

LOCAL BUSINESSES DESERVE OUR SUPPORT

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

Mr. BLUM. Mr. Speaker, I rise today on behalf of small businesses in the United States and especially those in the First District of Iowa that I represent. As a career small businessman myself, I understand firsthand the difficulties our entrepreneurs face when starting and running a business.

Small business is the backbone of our economy and a place where the American Dream happens every day. In fact, 2 million of the roughly 3 million private sector jobs generated in 2014 were created by small businesses.

As I visit small businesses throughout the First District, I am amazed at their innovation, determination, and optimism, often in the face of government policies that make doing business most difficult.

Mr. Speaker, local business deserves our support. I encourage my colleagues in Congress, as well as my constituents, to shop local on Small Business Saturday, November 28.

I also urge my colleagues to join me in cosponsoring the Small Business Saturday Resolution to highlight the contribution small businesses make to our economy.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2015.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 9:17 a.m.:

That the Senate agreed to S.J. Res. 24.

That the Senate agreed to S.J. Res. 23.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2015.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 11:03 a.m.:

That the Senate passed with amendments H.R. 2297.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

□ 1230

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2015.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 11:56 a.m.:

That the Senate disagrees to the Amendment of the House S. 1177.

And agrees to conference requested by the House Senate appoints conferees.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1210, PORTFOLIO LENDING AND MORTGAGE ACCESS ACT; PROVIDING FOR CONSIDERATION OF H.R. 3189, FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 20, 2015, THROUGH NOVEMBER 27, 2015

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 529 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 529

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature

of a substitute consisting of the text of Rules Committee Print 114-34 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Norcross of New Jersey or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-35, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from November 20, 2015, through November 27, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. STIVERS. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule for H.R. 1210, the Portfolio Lending and Mortgage Access Act, and H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015. House Resolution 529 provides a structured rule for consideration of H.R. 1210 and H.R. 3189.

The resolution provides 1 hour of debate equally divided between the chair and ranking minority member of the Committee on Financial Services for H.R. 1210 and for H.R. 3189. The resolution provides for the consideration of one amendment to H.R. 1210 and consideration of six amendments to H.R. 3189. The resolution also provides a motion to recommit for each bill. In addition, the rule provides the normal recess authorities to allow the chair to manage pro forma sessions during next week's district work period.

Mr. Speaker, I rise today in support of the resolution and the underlying legislation.

Mr. Speaker, as you know, the 2008 financial crisis was caused, in part, by the subprime lending meltdown. Financial institutions would originate loans. They would sell off 100 percent of those loans with no skin in the game to some investment party, a third party, and they would keep their fee. But they wouldn't keep any of the risk.

This led to a lot of loans to individuals and families that had an inability to repay those loans, and that resulted in our crisis. The bottom line was these institutions had no skin in the game.

The situation became so egregious that, at one point, there was a term in the industry called a NINJA loan. NINJA stood for no income, no job, no assets.

Borrowers across the country were being given loans by loan originators. Those originators knew they were impossible to repay, but the originators didn't care because they took their fee and had no skin in the game.

When the borrowers began to default on these loans, banks and others holding these mortgages began to lose tremendous amounts of assets, which precipitated the financial collapse.

In response, Congress passed the Dodd-Frank Act, which reforms mortgage lending and makes a lot of changes. One of those is around the ability to repay.

The Dodd-Frank statute created a category of loans called qualified mortgages that are deemed to comply with the law's ability-to-repay requirements. It provided a safe harbor from lawsuits, and it made sure that that safe harbor also covered regulatory action, provided that those loans met certain characteristics and underwriting criteria.

While it is important that we ensure the creditworthiness of potential homeowners and home buyers to avoid repeating our past mistakes, the current regulatory environment has unnecessarily restrained mortgage lending and has made it difficult for some creditworthy borrowers to obtain a loan. The bottom line of this crisis was that it was created by no skin in the game.

The Portfolio Lending and Mortgage Access Act would provide much-needed regulatory relief and allow consumers to buy a home and ensure not only that there is some skin in the game—there is 100 percent skin in the game. The banks and institutions that make these portfolio loans have 100 percent skin in the game. They lose dollar one when the loans go bad.

This bill provides that, when residential mortgages are held by that originator, the bank, if they hold them in their portfolio as opposed to being sold into the secondary market, they will be considered a qualified mortgage for the purpose of ability to repay.

It will make sure that more financial institutions have an incentive to make loans to individuals and the requirement for making those loans will be to take the entire risk, not pass that risk on to some un-named third-party investor, but keep that risk in their portfolio.

That is why it is called the Portfolio Lending Act. They will have 100 percent of the skin in the game. This legislation will also help borrowers gain access to mortgages that they badly need.

H.R. 3189, the Fed Oversight Reform and Modernization Act, pulls back the curtain at the Federal Reserve and makes it more accountable and transparent to the American people. The Federal Reserve has more power and responsibility today than ever before,

and that is precisely why this law is so important. The institution needs to be modernized, and the decisions they make need to be transparent and predictable to the marketplace.

The FORM Act, as it is called, requires the Federal Reserve to transparently communicate its monetary policy decisions to the American people. It does not require them to choose any one method.

Some people talk a lot about the so-called Taylor rule. This bill does not require the Federal Reserve to use the Taylor rule or any other process. It just requires that, when they make decisions, they need to make that decision and the reasons behind it transparent to the American people and explain how they make their decisions. Whether they use a rule or whether they use some other process, it needs to be transparent.

This bill also requires the Federal Reserve to conduct a cost-benefit analysis that every other Federal agency already has to comply with so that we know whether the costs of complying with the regulations exceed or are less than the benefits of those regulations. It is simple common sense. Other agencies use this cost-benefit analysis today.

The FORM Act protects the Federal Reserve's independence, as it requires the Federal Reserve to generate a monetary strategy of their own choosing, but requires them to give more accounting of their actions and transparency to their actions. The bill ensures that the American people understand how the Federal Reserve makes the decisions they make and why they make the decisions they make.

Mr. Speaker, I know that I, along with many of our colleagues in the House, have believed for a long time that we should audit the Federal Reserve. I am pleased to inform my colleagues that this legislation requires an audit of the Fed, and it contains provisions that remove restrictions placed on the GAO's ability to conduct an audit of the Federal Reserve. It directs the GAO, in fact, to conduct an audit of the Federal Reserve within 12 months of enactment and requires the GAO to report to Congress within 90 days of completion of that audit.

As the Federal Reserve plays an outsized role in the health of our Nation's economy, it is imperative that we make sure that their opaque structure is made transparent so the American people understand the decisions the Federal Reserve makes and why they make them because it has such an incredible impact on our economy.

Mr. Speaker, I look forward to debating these bills with our colleagues in the House as well as the amendments yet to come, and I would ask adoption of both the underlying bills and support of the underlying bills.

I reserve the balance of my time.

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

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

I rise today, Mr. Speaker, in opposition to this rule, which provides for consideration of both H.R. 1210, the Portfolio Lending and Mortgage Access Act, and H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015.

As the first matter of business, I would like to recognize that yesterday's rule, H. Res. 526, marked the 45th closed rule of this congressional session, making it the most closed session in history.

□ 1245

I join my colleagues in the minority in their distaste for this closed and exclusive process and echo their calls to Speaker RYAN to maintain his pledge to usher in a more transparent and open debate process that includes input from Members of both parties.

Very occasionally I talk about when I first came to Congress in 1993. The radio at that time was hammering those who were perpetrating closed rules. My party was in the majority and was being rightly, in my opinion, accused in that regard. I didn't know what a closed rule was. I didn't come here and start on this committee. But now that I have had a considerable amount of experience on this committee, I have come to believe that it is wrong for either party in the majority to conduct a process that disallows Members in this body from having an opportunity to participate in refining the underlying bills that come here for our consideration.

Mr. Speaker, H.R. 1210 seeks to amend the Truth in Lending Act to provide that depository institution creditors be subject to a legal safe harbor for mortgage loans meeting specified limitations that, since origination, have been held on the institution's balance sheet. The bill would extend this legal safe harbor to mortgage originators that steer borrowers to a nonqualified mortgage loan if the originator and borrower are notified that the lender intends to hold the loan in its portfolio.

We have seen firsthand the consequences that ensue when underwriting standards are virtually abandoned by both large and small lenders. This phenomenon, which contributed to the financial crisis and a bank bailout to the tune of $700 billion in taxpayer money, enabled predatory lenders to offer loans, the terms of which individuals could not afford or, worse, incentivize their brokers to steer families into more expensive loans, even when they qualified for lower rates and a standard mortgage product. African American and Latino borrowers and single persons were disproportionately affected by these bad loans.

This legislation would eliminate effective reforms that require lenders to verify a consumer's ability to repay and would allow lenders to once again steer families into the same risky mortgage products with the same predatory practices that destroyed the savings and investments of American families a few short years ago.

Today's rule also allows for consideration of H.R. 3189, the Fed Oversight Reform and Modernization Act. This bill will fundamentally change the way the Federal Reserve implements monetary policy. In doing so, this bill will change the current proven nonpartisan approach to monetary policy the Fed currently embraces and will replace it with a rule-based and politically partisan regime.

H.R. 3189 will tie the hands of the Federal Reserve whose objective with regard to monetary policy is to maximize employment, stabilize prices, and moderate long-term interest rates. This legislation will require the Fed to engage in a rulemaking to provide a ridged mathematical formula for setting the interest rate. This notion is not only bad policy that will prevent the Fed from acting swiftly and nimbly to address a potential financial crisis, but Fed Chair Janet Yellen has stated that it ''would be a grave mistake for the Federal Reserve to commit to conduct monetary policy according to a mathematical rule.''

Additionally, this bill will create a partisan commission, with twice as many Republican Members as Democrats, to review the Federal Reserve monetary policy and make changes to its current vital role in determining that policy. The objectives of the Fed and the policy behind our money supply are much too important to be subjected to political pressure from a partisan commission.

This legislation will do serious harm to the Federal Reserve, leading us down a path of politicizing monetary policy and hamstringing the agency with onerous and unnecessary rulemakings.

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

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

I would like to address, Mr. Speaker, a couple of the gentleman from Florida's points about the process.

Under our new Speaker, we have had five rules. Four have been structured, and let's look at today's rule.

All of the germane amendments were made in order. In fact, to H.R. 1210, there is one amendment, and it is a Democratic amendment; to H.R. 3189, there are six amendments, and four are Democratic amendments. That is 75 percent of the amendments are Democratic amendments. That is a pretty open process. I am leaving out the fact that we also allow for a motion to recommit to each of the bills.

Mr. HASTINGS. Will the gentleman yield?

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

Mr. HASTINGS. My question to you is, even though the germane amendments were made in order, under the structured rule, am I correct that

other Members of the House of Representatives who did not, at the time, file an amendment before the Rules Committee that you and I serve, that they are precluded? That is basically what I am arguing.

Mr. STIVERS. Mr. Speaker, to the gentleman from Florida's point, it is true that, with a structured rule, somebody can't walk in off the street, a Member of Congress, that didn't come to the Rules Committee, and come up with an amendment right now that they are writing on a napkin and bring it in here.

But we did have an open process. We published the deadline, and we accepted not only ones that met the deadline, but late amendments. In fact, I think, of the amendments that we made in order, five of the seven amendments made in order today were actually filed late, so we did allow late amendments. That is off the top of my head. We will double-check the facts on five, but it was several of the amendments that were even filed late, we allowed.

It is true, though, that somebody can't just walk right in here. It is not an open rule. It is a structured rule. So you can't just walk in the day of the floor hearing in about 45 minutes and offer an amendment that nobody has ever seen before. So I understand the gentleman's point.

Mr. HASTINGS. Will the gentleman continue to yield?

Mr. STIVERS. I yield again to the gentleman from Florida.

Mr. HASTINGS. I thank the gentleman for yielding.

My ultimate point was that in this year, we have had 45 closed rules and, clearly, Members are precluded. That 45, I might add, has been achieved in this year, and that is more than in the previous session of Congress. That is the point I wish to make.

Mr. STIVERS. I appreciate the gentleman making his point.

Mr. Speaker, my point is, under the new Speaker, we have only had one closed rule.

Will we occasionally have a closed rule? Yes. When the other party was in charge, they had closed rules all the time, too. Closed rules will happen occasionally, but we will have an open process. I think having four out of five as structured rules is a pretty good measurement for the brand-new Speaker in our new day that we are experiencing.

I appreciate the gentleman's point, but the point is we are making the process more open. It may not be to the gentleman's liking, Mr. Speaker, but we are attempting to make the process more open and will continue to work on that.

I do want to make a couple of points, and then I will reserve the balance of my time.

With regard to the charge that somehow in H.R. 1210 this will result in risky mortgage loans—and that is why I went through the history of the crisis where people took a fee, securitized the loan. They privatized gains and socialized losses for the taxpayers to cover. The only way this portfolio lending bill works is if these lenders hold these loans in their own portfolio and take 100 percent of the downside risk. That is not placing it on anybody else. That was one of the reforms that was put in place, and Dodd-Frank was skin in the game. I can't think of anything more than 100 percent skin in the game. We think that will ensure that nobody privatizes the gains and socializes the losses, and we think it is a reasonable step to allow people to get access to mortgages where somebody is willing to put their own money at risk.

With regard to the charge that this is going to somehow tie the Federal Reserve's hands in H.R. 3189, this bill is about transparency and accountability. It is making sure the Federal Reserve communicates whatever they use. If they want to use a Magic 8 Ball, they just have to tell everybody, ''Hey, we are using a Magic 8 Ball.''

I think there is nothing wrong with transparency. Transparency is great for the American economy, and it is great for the American people. The gentleman was just making the argument about how we need to be more open and transparent, and I think we need to demand it of the Federal Reserve.

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

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

Mr. Speaker, I include in the RECORD Statements of Administration Policy.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1210—PORTFOLIO LENDING AND MORTGAGE ACCESS ACT

(Rep. Barr, R–KY, Nov. 17)

As a result of the Ability-to-Repay rules issued by the Consumer Financial Protection Bureau, pursuant to the Truth in Lending Act, American consumers are protected against harmful mortgage products and abusive lending practices that were common in the run-up to the 2008 financial crisis. Among other protections, the Consumer Financial Protection Bureau's Qualified Mortgage (QM) rule requires a lender to make a good faith effort to determine that a borrower has the ability to repay a mortgage, and that the loan does not include excessive upfront points and fees. The final rule also contains special provisions and exemptions that are available only to small lenders or to small lenders that operate predominantly in rural or underserved areas.

H.R. 1210 would broaden the definition of qualified mortgages—those that qualify for the safe harbor—to include all mortgages held on a lender's balance sheet. Under the bill, depository institutions that hold a loan in portfolio would receive a legal safe harbor even if the loan contains terms and features that are abusive and harmful to consumers. The bill would limit the right of borrowers to file claims against holders of such loans and against mortgage originators who directed them to the loans. H.R. 1210 also would open the door to risky lending by allowing balloon loans made in any geographic area to qualify for the safe harbor as long as they are held in portfolio.

The Administration strongly opposes this bill because it would undermine critical consumer protections by exempting all depository financial institutions, large and small, from QM standards—including very basic standards like verifying a consumer's income—as long as the mortgage loans in question are held in portfolio by the institution. This bill would undermine the essential protections provided under the Qualified Mortgage rule. The Congressional Budget Office estimates that the mortgages offered legal protections under the bill would likely default at a greater rate than the qualified mortgages with current legal protections.

For these reasons, if the President were presented with H.R. 1210, his senior advisors would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3189—FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015

(Rep. Huizenga, R–MI, Nov. 17, 2015)

H.R. 3189 would establish requirements for policy rules, codify blackout periods of the Federal Open Market Committee, establish a cost-benefit requirement for other rulemakings by the Federal Reserve Board, and establish numerous, burdensome reporting requirements for the Federal Reserve Board and its members. The Administration therefore strongly opposes H.R. 3189.

The Federal Reserve is an independent entity designed to be free from political pressures, and its independence is key to its credibility and its ability to act in the long-term interest of the Nation's economic health. One of the most problematic provisions in the bill would require the Comptroller General to audit the conduct of monetary policy by the Federal Reserve Board and the Federal Open Market Committee. The operations of the Federal Reserve are already subject to numerous audit requirements that ensure it is accountable to the Congress and the American people. The only aspect of the Federal Reserve's operations not subject to audit is its monetary policy decision-making, and for good reason. Subjecting the Federal Reserve's exercise of monetary policy authority to audits based on political whims of members of the Congress—of either party—threatens one of the central pillars of the Nation's financial system and economy, and would almost certainly have negative impacts on the Federal Reserve's work to promote price stability and full employment.

H.R. 3189 also would impose numerous, burdensome requirements for the Federal Reserve Board rulemaking authorities, including the imposition of a duplicative requirement that the Federal Reserve Board undertake a proscriptive cost-benefit analysis and a post-adoption impact assessment when promulgating rules. When a Federal agency, including an independent agency such as the Federal Reserve, promulgates a regulation, the agency must adhere to the robust substantive and procedural requirements of Federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Paperwork Reduction Act, and the Congressional Review Act, among other statutes. Additionally, Executive Order 13579 encourages independent regulatory agencies to conduct reasoned cost-benefit analysis, engage in public participation to the extent feasible, and conduct a systematic retrospective review of regulations. The provisions in this bill, therefore, would create unnecessary, duplicative, and onerous requirements for an entity tasked with ensuring the financial safety and soundness of the Nation's financial system.

In addition, the bill would add a number of procedural hurdles that would impede the Federal Reserve's ability to engage with international regulatory bodies and divert its resources to unnecessary reporting requirements. These provisions, along with

provisions imposing parallel notification and consultation requirements on several other Executive Branch entities, could impair the President's exercise of his exclusive constitutional authority to conduct the Nation's diplomatic relations.

If the President were presented with H.R. 3189, his senior advisors would recommend that he veto the bill.

Mr. HASTINGS. Mr. Speaker, I am trying to help us to get to a time constraint and, unfortunately, on either side we don't have a lot of speakers. Therefore, I would not ordinarily have done anything other than include in the RECORD Statements of Administration Policy. But to try to help us meet our deadline, what is said in the Statement of Administration Policy, H.R. 1210, Portfolio Lending and Mortgage Access Act, is:

''As a result of the Ability-to-Repay rules issued by the Consumer Financial Protection Bureau, pursuant to the Truth in Lending Act, American consumers are protected against harmful mortgage products and abusive lending practices that were common in the run-up to the 2008 financial crisis. Among other protections, the Consumer Financial Protection Bureau's qualified mortgage rule requires a lender to make a good faith effort to determine that a borrower has the ability to repay a mortgage, and that the loan does not include excessive upfront points and fees. The final rule also contains special provisions and exemptions that are available only to small lenders or to small lenders that operate predominantly in rural and underserved areas.''

Skipping one paragraph, getting to the heart of what the administration says:

''The Administration strongly opposes this bill because it would undermine critical consumer protections by exempting all depository financial institutions, large and small, from QM standards—including very basic standards like verifying a consumer's income—as long as the mortgage loans in question are held in portfolio by the institution. This bill would undermine the essential protections provided under the qualified mortgage rule. The Congressional Budget Office estimates that the mortgages offered legal protections under the bill would likely default at a greater rate than the qualified mortgages with current legal protections.

''For these reasons, if the President were presented with H.R. 1210, his senior advisors would recommend that he veto the bill.''

Mr. Speaker, not to belabor the point that my good friend from Ohio and I were speaking about with reference to rules, I join him in saying that the new Speaker at least has had only one closed rule. But I would remind him, of the 45 closed rules that we had previously, the new Speaker voted for every one of those closed rules. So if it is a precursor of what is to come, we will have to judge that in the future.

Now, as to H.R. 3189, the administration says—and I will cut to the heart of the matter:

''H.R. 3189 also would impose numerous, burdensome requirements for the Federal Reserve Board rulemaking authorities, including the imposition of a duplicative requirement that the Federal Reserve Board undertake a proscriptive cost-benefit analysis and a post-adoption impact assessment when promulgating rules.''

□ 1300

When a Federal agency, including an independent agency such as the Federal Reserve, promulgates a regulation, the agency must adhere to the robust act—the Regulatory Flexibility Act—the Paperwork Reduction Act, and the Congressional Review Act, among other statutes. Additionally, Executive Order No. 13579 encourages independent regulatory agencies to conduct reasoned cost-benefit analyses, to engage in public participation to the extent feasible, and to conduct a systematic, retrospective review of regulations.

The provisions in this bill, referring to H.R. 3189, would therefore create unnecessary, duplicative, and onerous requirements for an entity tasked with ensuring the financial safety and soundness of the Nation's financial system. In addition, the bill would add a number of procedural hurdles that would impede the Federal Reserve's ability to engage within our national regulatory bodies and divert its resources to unnecessary reporting requirements.

In addition and at the heart of the matter, the bill would add a number of procedural hurdles that are too numerous for me to mention at this time. These provisions, along with provisions imposing parallel notification and consultation requirements on several other executive branch entities, could impair the President's exercise of his exclusive constitutional authority to conduct the Nation's diplomatic relations.

Again, if the President were presented with H.R. 3189, his senior advisers would recommend that he veto the bill.

As I have said time and again, far too much important work still remains. In fact, Congress has only 9 legislative days before the December 11 deadline to avert yet another Republican government shutdown and pass an omnibus spending bill. The clock is ticking. Quite frankly, this Nation cannot afford to shut down once again due to my friends'—the House Republicans—continued manufactured crisis.

The American people need and deserve better; so I urge my colleagues to vote ''no'' on the rule.

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

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

I thank the gentleman from Florida for this civil debate on the rule.

I will remind my colleagues that these two bills are about reform and transparency. H.R. 1210 is reform that will give more people access to mortgages and, at the same time, will require that these lenders have 100 percent skin in the game. H.R. 3189 is about transparency and accountability for the Federal Reserve to make sure they tell the American people how they make the decisions that they make. These are reasonable bills, important bills.

I urge my colleagues to support the rule and the underlying legislation.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 184, not voting 6, as follows:

[Roll No. 634]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
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Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
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King (IA)
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Kline
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LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
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Paulsen
Pearce
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Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert

Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
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Young (IA)
Young (IN)
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Zinke

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Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
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Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
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Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
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Pocan
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Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
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Takano
Thompson (CA)
Thompson (MS)
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Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

DeFazio
Fleming
Hoyer
Ros-Lehtinen
Ruppersberger
Takai

□ 1341

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

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

Mr. SESSIONS. Mr. Speaker, I will be sending around a Dear Colleague later this afternoon outlining the amendment process for H.R. 8, the North American Energy Security and Infrastructure Act of 2015. The amendment deadline will be Tuesday, November 24, 2015, at 12 p.m. Amendments should be drafted to the text posted on the Committee on Rules Web site. Please feel free to contact me or my staff if we may be of further assistance.

REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and submit extraneous materials on the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending.

The SPEAKER pro tempore (Rodney Davis of Illinois). Is there objection to the request of the gentleman from Texas? There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 526 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1737.

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

□ 1344

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

□ 1345

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

Mr. Chairman, I rise today in support of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act. It is an important, bipartisan bill cosponsored by 166 Members of the House, including 65 Democratic Members. It was approved by the Financial Services Committee that I chair with strong bipartisan support, including more than half of the committee's Democratic members who voted.

If Congress means what it says when we write a law, then the CFPB cannot be allowed to willfully ignore the law. Without this bill, the CFPB would have done a blatant end run around the Dodd-Frank Act as well as the Administrative Procedure Act.

I would like to thank Representative GUINTA of New Hampshire and Representative PERLMUTTER of Colorado for their leadership in providing the CFPB with an opportunity to live up to its claim of transparency and accountability. I want to thank the gentleman from Texas (Mr. WILLIAMS) as well for his outstanding work on this bill.

The CFPB's flawed bulletin on indirect auto lending attempts to regulate compensation paid to auto dealers despite the fact that auto dealers were specifically exempted in the Dodd-Frank Act from CFPB rulemaking.

By using this bulletin, the Bureau went far beyond merely clarifying existing law and instead, in trying to make new policy through this guidance, did this without using the normal rulemaking process and without public input.

This is an affront, Mr. Chairman, to due process. This is an affront to the rule of law and to basic fairness. Furthermore, the CFPB has not been transparent in revealing the methodology it used to determine whether fair lending violations existed in the auto finance market.

It took a year of constant pressure from Members of Congress and 13 different letters from 90 Democrat and Republican Members to get the CFPB to finally provide documentation regarding its disparate impacts.

In the white paper ultimately provided by the CFPB, they admitted that their own proxy methodology for determining racial disparities is flawed and overestimates the number of African Americans by perhaps as much as 20 percent. Outside statisticians at the well-respected Charles River Associates found the figure could be off by as much as 41 percent.

According to a series of three articles published this past September in the American Banker, internal agency documents show the CFPB was aware that their disparate impact methodology significantly overstates racial impact. In other words, Mr. Chairman, they knowingly used junk science and may have no evidence of unintentional discrimination based on the disparate impact theory.

In those same internal memos, the American Banker newspaper also found that unaccountable CFPB bureaucrats

chose to disregard the explicit exemption of auto dealers that Democrats, when they had a supermajority in both the Senate and the House and controlled the White House, put into Dodd-Frank.

They chose to disregard the formal rulemaking requirement set out by the Administrative Procedure Act and instead used high-profile enforcement actions against large auto lenders to pressure them to lower the caps they set on dealer reserve.

Now, not only does this call into question the CFPB's attempts to police the fairness of auto loans, its preferred outcomes will obviously increase costs for consumers.

As was noted earlier, the CFPB has pressured finance companies to lower the caps they set on dealer reserve or eliminate this discretion altogether. However, under this pricing model, The Wall Street Journal recently revealed that interest payments for some consumers could increase by as much as $580 over the life of the loan.

This shows the dire need for the CFPB to follow a transparent process when issuing any subsequent auto finance guidance. That is what H.R. 1737 will ensure.

The bill is a simple bill. It requires the Bureau to, number one, provide notice and an opportunity for public comment. Number two, it says the CFPB must make any studies, data, or analysis used in writing the bulletin public. Number three, it must consult with other relevant regulators. Four, it must study the impact of the guidance on consumers as well as women-owned businesses, minority-owned businesses, and small businesses.

To those who claim this bill somehow undermines the CFPB'S antidiscrimination efforts, let me quote from the views the Democrat members stated in our report:

H.R. 1737 does not alter the CFPB's examination or enforcement activity pursuant to ECOA. That is simply a red herring.

Mr. Chairman, I urge all my colleagues to support H.R. 1737.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman and Members, I rise today in opposition to H.R. 1737, which would impede the Consumer Financial Protection Bureau's important work of regulating discriminatory auto lending practices and protecting minority borrowers.

In spite of the fact that Chairman HENSARLING just talked about a study, what he didn't tell you is that was a study that was done by the automobile industry, who is supporting this bill.

H.R. 1737 would cancel important policy guidance the CFPB provided to lenders to help them comply with Federal fair lending laws.

The bill also imposes burdensome restrictions on the issuance of any future auto lending guidance by requiring that the CFPB undergo a public notice and comment period and conduct cost-benefit studies before issuing guidance, requirements that have historically only been applied to agency rulemakings.

These restrictions are clearly designed to substantially delay or effectively prevent the Bureau from issuing future antidiscrimination guidance to auto lenders, action that would undermine a lender's ability to comply with the law at the expense of minority borrowers. The long shadow of discrimination is still alive and well in some corners of the auto lending marketplace.

The CFPB has secured nearly $140 million in relief to minority borrowers since December 2013 in landmark settlements against Ally Financial, Fifth Third Bank, and American Honda Finance Corporation, finding in each case that undisclosed dealer markups caused minority borrowers to overpay for their auto loans by an average of $200 over the life of the loan compared to similarly situated White borrowers, even when considering the borrower's creditworthiness.

Mike Jackson, the CEO of the Nation's largest auto retailer, AutoNation, commended the CFPB's approach in its settlement with Honda, noting that other lenders should take a close look at the Honda settlement as a template for a solution.

Much like Mr. Jackson, I believe that the CFPB is doing a commendable job of tackling a decades-old problem of minority borrowers not getting a fair deal when they obtain financing from dealerships.

The Bureau's work in this regard should be supported, but instead, we are faced with H.R. 1737, yet another legislative proposal that would attempt to tie the Bureau's hands as it attempts to inform lenders of the steps that they can take to comply with Federal fair lending laws and to protect minority borrowers.

I wouldn't care if everybody were treated the same way—you charge everybody too much—but, when you single out a certain segment of our society that happens to be minorities and you charge them more than other borrowers, it is a problem.

H.R. 1737 follows a familiar script of industry-driven attempts to undermine the CFPB. Cost-benefit analysis, public notice and comment periods, outside rulemakings, unnecessary interagency consultation requirements are all designed to do the same thing, delay and undermine the important work of the CFPB.

Instead of addressing the underlying discrimination in indirect auto lending that the CFPB is seeking to address, H.R. 1737 takes away an important tool for lenders seeking to follow the law who have been relying on the guidance for almost 3 years to develop their compliance policies.

This is not a modest proposal designed to bring about transparency in the CFPB's oversight of auto lenders. Since issuing its guidance in March 2013, the CFPB has been transparent.

It has provided industry with its models for identifying potential fair lending violations. Its supervisory manual describes exactly what the Bureau is seeking when conducting fair lending exams and supervisory highlights that clearly set forth the kinds of business practices that the Bureau will focus on when it examines an indirect auto lender.

Furthermore, the CFPB's settlement agreements all follow a similar template that give lenders a glimpse into the kind of remediation that the Bureau will pursue should there be potential fair lending violations within a lender's portfolio.

H.R. 1737's supporters have yet to identify what information any additional transparency would yield or what additional information lenders need to comply with Federal fair lending laws.

If enacted, H.R. 1737 would actually place lenders at a disadvantage, just as scrutiny for fair lending violations from the CFPB and the DOJ intensifies. We should be working to support efforts to give industry as much information as possible so that they can comply with the law. H.R. 1737 does just the opposite, creating unnecessary uncertainty for lenders.

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

Mr. HENSARLING. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire (Mr. GUINTA), the author of H.R. 1737, a real champion for due process and auto buyers.

Mr. GUINTA. I thank Chairman HENSARLING for his leadership on this very, very important issue.

Mr. Chairman, it has been over 2 years since the Consumer Financial Protection Bureau issued flawed auto financing guidance that created much uncertainty in the auto lending market.

More than half of car buyers finance their purchase when they acquire an automobile. These consumers have the ability to receive great auto rates through dealer-assisted financing.

However, this flawed and unstudied guidance threatens to eliminate auto dealers' flexibility to discount the interest rates offered to their consumers, the customers.

My good friend across the aisle, Mr. PERLMUTTER of Colorado, and I have introduced H.R. 1737, along with 166 of our colleagues, both Republican and Democrat, to give the CFPB a chance to fix this faulty guidance. This bill was carefully written by Republicans and Democrats very simply and narrowly to provide clarity, fairness, and, most importantly, due process.

No Federal agency can set new policies through guidance. However, in March of 2013, the CFPB attempted to go outside the formal rulemaking process by blatantly disregarding consumers and small businesses, blatantly disregarding their ability and their

right to comment on guidance that will directly affect them.

Mr. Chairman, H.R. 1737 asks that the CFPB rescind their flawed guidance and reissue it under a more transparent process by consulting other regulators and allowing the public notice and comment.

I want to be clear. This bill does not strip the CFPB of any rulemaking authority it currently has. H.R. 1737 gives the CFPB the golden opportunity to correct and reissue their guidance that would take into account consumers and bring clarity to the market.

Mr. Chairman, again, I want to reiterate that my colleagues and I are merely trying to promote transparency, accountability, and due process.

There are a small number of critics that believe this bill is unnecessary because the CFPB already has the tools to correct their auto guidance. Well, the CFPB could have fixed this issue without legislation over 2 years ago, but they disregarded 13 bipartisan letters that were sent urging them to correct the fallacies in their guidance.

I find it ironic that the agency that is supposed to protect the consumer is, in fact, harming them with this guidance. In fact, this guidance impacts much more than car buyers. It harms auto dealers, RV dealers, motorcycle dealers, international dealers, and even manufacturers.

□ 1400

Congress created the CFPB to protect consumers, not hurt them by silencing the voices of thousands of consumers and small businesses.

On August 31 of this year, The Wall Street Journal reported: ''Some automakers have responded by overhauling their loan pricing in ways that will likely mean higher costs for some borrowers.''

If the CFPB really cares about developing policies that are truly in the best interest of consumers, they should amend their guidance to be more transparent and allow public participation.

Mr. Chairman, my bill is very simple and narrow, and, quite frankly, it is common sense. It only asks for five things: public notice and comment; make the data available to the public; consult with the Federal Reserve Board, the FTC, and the DOJ; create a consumer impact report; and conduct a study on women- and minority-owned businesses. That is the crux of the bill.

Mr. Chairman, I include in the RECORD letters of support from the National Automobile Dealers Association, the National Independent Automobile Dealers Association, the Recreation Vehicle Industry Association, American International Automobile Dealers Association, the National Auto Auction Association, Alliance of Automobile Manufacturers, the National RV Dealers Association, the Motorcycle Industry Council, American Financial Services Association, New Hampshire Automobile Dealers Association, and the Small Business and Entrepreneurship Council, the U.S. Chamber, and the U.S. Consumer Coalition.

I urge my colleagues to join the 166 Members in support of H.R. 1737.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
November 17, 2015.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 1737, the ''Reforming CFPB Indirect Auto Financing Guidance Act,'' and H.R. 1210, the ''Portfolio Lending and Mortgage Access Act.''

H.R. 1737 would change the Consumer Financial Protection Bureau's (CFPB) approach to the indirect auto lending market, and bring much-needed transparency. The CFPB has created enormous uncertainty in this market by issuing guidance without notice and comment, and undertaking enforcement and supervisory actions based upon post hoc statistical models—but has failed to share its analysis and assumptions, thus depriving lenders of the ability to anticipate the CFPB's analysis and to comply accordingly. H.R. 1737 would establish clear rules and put any guidance regarding indirect auto lending on a solid footing by eliminating any legal effect of the CFPB's 2013 guidance, and then imposing reasonable conditions on any future guidance on this topic.

The Chamber supports H.R. 1210, which would provide regulatory certainty to lenders—particularly small lenders such as community banks and credit unions—by allowing loans held on the books of a lender to be eligible for the safe harbor provided under the Qualified Mortgage (QM) rule. It would also correct the CFPB's ''one-size-fits-all'' approach for the mortgage market. H.R. 1210 would facilitate a robust underwriting process by lenders and would also help qualified borrowers obtain mortgages by alleviating some of the uncertainty that currently exists under the QM rule.

Collectively, these bills would provide clear rules and establish certainty in the marketplace benefiting consumers and businesses. The Chamber urges the House of Representatives to pass these bills as expeditiously as possible.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President, Government Affairs.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
November 17, 2015.

TO ALL MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The Small Business and Entrepreneurship Council (SBE Council) strongly supports H.R. 1737, the ''Reforming CFPB Indirect Auto Financing Guidance Act.'' We urge you to vote for this bipartisan legislation when it is acted upon by the full House this week.

This important piece of legislation rescinds the problematic guidance issued by the Consumer Financial Protection Bureau (CFPB) on indirect auto financing. The guidance is based on assumptions and analysis the CFPB has not made public. In the end, CFPB's action would prevent consumers from negotiating and selecting a financing method that makes the most sense for them. This guidance would also raise costs. Small firms and self-employed individuals who purchase vehicles to conduct businesses would be impacted by this unnecessary auto-financing rule. To compete and survive, small businesses need flexibility in choosing their best financing arrangement.

H.R. 1737 requires that the CFPB be more transparent on future rules or guidance by making those proposed actions available for public review and comment. The CFPB would also be required to study the impact of its actions on consumers.

Thank you for your consideration, and for your support of America's entrepreneurs and small business owners.

Sincerely,

KAREN KERRIGAN,
President & CEO.

MOTORCYCLE INDUSTRY COUNCIL,
Arlington, VA, November 17, 2015.

Hon. FRANK GUINTA,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE GUINTA: On behalf of the Motorcycle Industry Council (MIC), I write in support of H.R. 1737, the ''Reforming CFPB Indirect Auto Financing Guidance Act.'' This important legislation was voted out of Committee with overwhelming support and currently has 166 cosponsors. We are encouraged that this bipartisan legislative measure will be considered by the full House of Representatives this week and look forward to continuing to work with you as the bill moves through the legislative process and ultimate enactment.

The MIC is a not-for-profit national industry association with offices in Irvine, California and metropolitan Washington, D.C. The MIC seeks to support motorcyclists by representing manufacturers, distributors, dealers and retailers of motorcycles, scooters, ATVs, ROVs, motorcycle/ATV/ROV parts, accessories and related goods and services, and members of allied trades such as insurance, finance and others with a commercial interest in the industry.

H.R. 1737 is necessary as a result of 2013 Consumer Financial Protection Bureau (CFPB) guidance that threatens the ability of dealers to discount the annual percentage rate offered to consumers to finance vehicle purchases. The guidance was issued without adequate public input, consultation with sister agencies or study of the impacts of the guidance on consumers. Your legislation would address these issues by requiring the CFPB to provide notice and a period for public comment; make public any studies, data, and analyses upon which the guidance is based; consult with the Federal Reserve Board, the Federal Trade Commission and the Department of Justice; and study the cost and impact of the guidance on consumers as well as women-owned, minority-owned, and small businesses.

Thank you.

Sincerely,

DUANE TAYLOR,
Director, Federal Affairs.

NOVEMBER 18, 2015.

DEAR REPRESENTATIVE: We, the undersigned organizations who represent businesses that make, sell, finance, auction and service motor vehicles are writing to express our strong support for H.R. 1737, the ''Reforming CFPB Indirect Auto Financing Guidance Act.'' This bipartisan bill, introduced by Reps. Guinta (R–NH) and Perlmutter (D–CO), would rescind the Consumer Financial Protection Bureau's (CFPB) flawed 2013 auto finance guidance and allow the CFPB to reissue it under a more transparent and better informed process.

H.R. 1737, drafted by members of the House Financial Services Committee on a bipartisan basis, has 166 bipartisan cosponsors. On

July 29, the House Financial Services Committee passed H.R. 1737 by a vote of 47–10. In addition to rescinding the 2013 guidance, H.R. 1737 would require that, prior to issuing any new guidance related to indirect auto financing, the CFPB:

provide notice and a period for public comment;

make public any studies, data, and analyses upon which the guidance is based;

consult with the Federal Reserve Board, the Federal Trade Commission and the Department of Justice; and

study the cost and impact of the guidance on consumers as well as women-owned, minority—owned, and small businesses.

This is the entire scope of the bill. By design, H.R. 1737 does not impinge on the CFPB's structure, jurisdiction, or authorities.

H.R. 1737 is needed to produce a more informed guidance compared to the 2013 guidance, which lacked public input, transparency, consultation with the CFPB's sister agencies and, by the CFPB's own admission, any study of the impact of the guidance on consumers. As a consequence of being issued without these essential safeguards, the CFPB's guidance could potentially (1) eliminate a dealer's ability to discount credit in the showroom; (2) raise credits costs; and (3) push marginally creditworthy consumers out of the auto credit market entirely.

Apart from the fact that guidance should not be used as a means to make sweeping policy and market changes, the CFPB auto guidance does not effectively manage fair credit risk in the showroom, which is its purported goal. The Department of Justice (DOJ), however, has created a better approach to address fair credit risk without decreasing competition and harming consumers. The DOJ model was used as a template for a comprehensive compliance program that the National Automobile Dealers Association, National Association of Minority Automobile Dealers, and American International Automobile Dealers Association issued last year to their respective members. This compliance program addresses fair credit risk where it matters—in the showroom—while preserving a dealer's ability to discount credit.

Thirteen Congressional letters signed by over 90 Members and Senators on both sides of the aisle have been written to the CFPB asking questions and expressing concern regarding its auto guidance. Nonetheless, many essential questions still remain unanswered. The open and transparent process required by H.R. 1737 would provide a framework for those questions to be answered, and to ascertain whether the CFPB's new policy can withstand public scrutiny.

Since the 1920s, credit has been the lifeblood of America's auto industry. H.R. 1737 is a moderate, bipartisan process bill that does not direct a result or tie the CFPB's hands, but merely gives the public an opportunity to scrutinize and comment on the CFPB's attempt to change the auto loan market via ''guidance.''

We respectfully ask you to protect consumers and vote ''yes'' on H.R. 1737. Thank you for your consideration.

Sincerely,

PETER WELCH,
President, National Automobile Dealers Association.
CHRIS STINEBERT,
President and CEO, American Financial Services Association.
STEVE JORDAN,
CEO, National Independent Automobile Dealers Association.
CODY LUSK, *AIADA,*
President, American International Automobile Dealers Association.
MITCH BAINWOL,
President and CEO, Alliance of Automobile Manufacturers.
PHIL INGRASSIA,
President, The National RV Dealers Association.
FRANK HUGELMEYER,
President, Recreation Vehicle Industry Association.
FRANK HACKETT,
CEO, National Auto Auction Association.
TIM BUCHE,
President and CEO, Motorcycle Industry Council.

UNITED STATES CONSUMER COALITION.

Majority Leader MCCARTHY,
House of Representatives,
Washington, DC.

MAJORITY LEADER MCCARTHY: On behalf of the U.S. Consumer Coalition, I write in support of H.R. 1737, the ''Reforming CFPB Indirect Auto Financing Guidance Act.'' USCC thanks you for scheduling a House vote on legislation that would rescind flawed guidance from the Consumer Financial Protection Bureau (CFPB) that was designed to eliminate the ability of consumers to access auto financing discounts.

USCC would also like to thank Representative Guinta and Chairman Hensarling for prioritizing the needs of American consumers by introducing and shepherding this legislation through Committee.

The U.S. Consumer Coalition (USCC) is a grassroots advocacy organization that works to protect consumers' rights to access free-market goods and services, and we believe that all Americans benefit from a thriving free-market economy. Unfortunately, the CFPB is actively engaging in efforts to regulate, restrict, and diminish consumer choice. As an advocate on behalf of America's consumers, defending their right to make decisions for themselves and their families without burdensome government interference, USCC supports H.R. 1737.

H.R. 1737 would grant consumers continued access to auto financing discounts that can save them millions of dollars every year. To further protect the rights' of consumers, H.R. 1737 would also require more transparency in the CFPB's regulation and rule making process. Specifically, the bill would require the CFPB:

Provide a public notice and comment period before issuing any final guidance on indirect auto financing;

Make publicly available all information relied on by the CFPB for making such a rule;

Consult with other government agencies that share jurisdiction over the indirect auto lending market; and

Study the costs and impacts of the guidance to consumers and women-owned, minority-owned, and small businesses.

By the CFPB's own admission, the 2013 guidance was made without any study on the impact that it would have on consumers. It is imperative that such studies are done to show the direct, and indirect, impacts that the powerful CFPB can have on the every day lives of the American consumer.

USCC supports the reforms that H.R. 1737 seeks to make, as well as any effort to protect consumers' freedom and choice.

Sincerely,

BRIAN WISE,
President, USCC.

NEW HAMPSHIRE AUTOMOBILE DEALERS ASSOCIATION, INC.,
Concord, NH, November 16, 2015.

Hon. FRANK GUINTA,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GUINTA: On behalf of the 149 new car and truck dealers in New Hampshire, we are writing to express our strong support for H.R. 1737, the ''Reforming CFPB Indirect Auto Financing Guidance Act.'' This bipartisan bill was introduced on April 8 by you and Rep. Ed Perlmutter (D–CO). H.R. 1737 would rescind the Consumer Financial Protection Bureau's (CFPB) flawed 2013 auto finance guidance and allow the CFPB to reissue it under an open and transparent process.

In addition to rescinding the 2013 guidance, H.R. 1737 would require that, prior to issuing any new guidance related to indirect auto financing, the CFPB:

provide notice and a period for public comment;

make public any studies, data, and analyses upon which the guidance is based;

consult with the Federal Reserve Board, the Federal Trade Commission and the Department of Justice; and

study the cost and impact of the guidance on consumers as well as women-owned, minority-owned, and small businesses.

By design, H.R. 1737 does not impinge on the CFPB's structure, jurisdiction, or authorities.

H.R. 1737 is needed to produce a more informed guidance compared to the 2013 guidance, which lacked public input, transparency, consultation with the CFPB's sister agencies and, by the CFPB's own admission, any study of the impact of the guidance on consumers. As a consequence of being issued without these essential safeguards, the CFPB's guidance could potentially (1) eliminate a dealer's ability to discount credit in the showroom; (2) raise credits costs; and (3) push marginally creditworthy consumers out of the auto credit market entirely.

Apart from the fact that guidance should not be used as a means to make sweeping policy and market changes, the CFPB auto guidance does not effectively manage fair credit risk in the showroom, which is its purported goal. The Department of Justice (DOJ), however, has created a better approach to address fair credit risk without decreasing competition and harming consumers. The DOJ model is being used as a template for a comprehensive compliance program that the National Automobile Dealers Association, National Association of Minority Automobile Dealers, and American International Automobile Dealers Association issued last year to their respective members. This optional compliance program addresses fair credit risk where it matters—in the showroom—while preserving a dealer's ability to discount credit.

H.R. 1737 establishes an orderly, transparent process whereby the CFPB can identify the DOJ model as a viable means to address fair credit risk.

Since the 1920s, credit has been the lifeblood of America's auto industry. H.R. 1737 is a moderate, bipartisan process bill that does not direct a result or tie the CFPB's hands, but merely gives the public an opportunity to scrutinize and comment on the CFPB's attempt to change the auto loan market via ''guidance.'' Without this legislation, dealer-assisted financing remains at risk, along

with the threat that the CPFB's policy may eliminate our customers' ability to obtain lower interest rates at dealerships.

On behalf of all New Hampshire small business auto dealers, thank you for your leadership on this important small business and consumer issue.

Sincerely,

DENNIS GAUDET,
New Hampshire Director, National Automobile Dealers Association.

WILLIAM GURNEY,
Chairman, New Hampshire Automobile Dealers Association.

Ms. MAXINE WATERS of California. I yield 3 minutes to the gentleman from Texas (Mr. AL GREEN), who is the ranking member on the Oversight and Investigations Subcommittee.

Mr. AL GREEN of Texas. Mr. Chairman, I thank President Obama; I thank Mr. Cordray, who is the head of the CFPB; and I thank the ranking member for taking the position of protecting consumers.

Mr. Chairman, we live in a world where it is not enough for things to be right. They must also look right. And here is what doesn't look right and, in fact, is not right.

It doesn't look right and is not right for a person to go into an auto dealership, agree on a price, and then be sent to a finance department where this indirect lending takes place. It doesn't look right for that person to then be quoted an interest rate and agree to that interest rate, not knowing that the interest rate that the person has agreed to is higher than the one the person qualified for.

This is what we are dealing with, consumers not knowing that they are paying more for their interest rates than they have qualified for. We dealt with this with the yield spread premium, same thing, slightly different, in that it dealt with home mortgages, but we outlawed that in Dodd-Frank. The CFPB is now trying its very best to make sure all people are treated fairly and equally when they apply for auto loans.

It doesn't look right for this to happen, and studies consistently show that minorities, African Americans, Hispanics, Asians, are charged more for these loans than others are charged. The empirical evidence is there for those who wish to see it.

It is not enough for things to be right; they must also look right. This bill just doesn't look right, and it doesn't smell right, and it is not right, and we ought not continue this kind of behavior in this country.

In a righteous world, we would be debating the type of fraud that is being perpetrated on consumers.

Mr. Chairman, I ask that people vote their conscience. But I will tell you that I am not going to support this kind of procedure that makes it entirely possible for invidious discrimination to continue. I came here to fight invidious discrimination. This is a part of that fight.

We must not allow this kind of behavior to continue when we have got a CFPB that is willing to stand up for minorities, we have got a President who has appointed this man, and we have got a ranking member who is fighting hard to make sure minorities are treated fairly.

To this end, I would say, consumers have no greater friend in the Congress of the United States of America than the Honorable MAXINE WATERS, who goes to bat every day to make sure that consumers, regardless of race, creed, color, national origin, or sexuality, are treated fairly.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT), chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee of our committee.

Mr. GARRETT. Mr. Chairman, it was just back in 2013, the CFPB, the Consumer Financial Protection Bureau, issued something called a bulletin.

What did it do? It tried to eliminate auto dealer discounts, essentially helping consumers, on the grounds that these discounts create a fair credit risk.

Now, there are two major problems with what they did. First, the CFPB's actions will actually raise costs, raise credit costs for families—these very same families that are having a tough time, as it is, in this economy because this is a bad economy right now—and make it harder for these family to purchase a car.

Secondly, the CFPB's action is expressly prohibited by law from regulating auto dealers by the authorizing statute in Dodd-Frank.

You see, the CFPB acted behind closed doors, without any transparency or input from the general public that they are supposed to be protecting, to circumvent, to go around the law, and found an indirect way to alter an industry that the CFPB is prohibited by law from doing.

If that is not the very definition of an out-of-control agency, I don't know what it is.

Mr. Chairman, it is time that we defend the rule of law in this country and defend transparent government against these unaccountable bureaucrats down the street at the CFPB.

That is why I am proud to sponsor the Reforming CFPB Indirect Auto Financing Guidance Act. And by doing so, by repealing their improper, unlawful actions and denying the ability to provide dealers discounts, denying the ability to provide them the discounts to the customers, and requiring a transparent process for all future actions, this bill will preserve the consumers' ability to get a discounted auto rate and preserve the ability to adhere to the principles of open, honest, transparent, lawful government.

So I urge my colleagues from both sides of the aisle to support H.R. 1737.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

We must realize that what Mr. GARRETT just shared with us is certainly not what the CFPB has done. As a matter of fact, what the CFPB has done, it has said: Lender, you cannot say that I will take X amount of percentage of interest; I will take 5, 10 percent interest; and, dealer, you can mark it up another 3, 4, 5 percent.

So he has not exactly shared with you what happens with the CFPB.

I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON), a member of the Financial Services Committee.

Mr. ELLISON. I want to thank the gentlewoman for the time. The ranking member has been an outstanding advocate for American consumers, and I thank her.

I rise today to ask people to vote ''no'' on this piece of legislation and to alert the American people of another attempt to make it easier to overcharge you when you make a purchase.

Today's threat to Americans' wallets occurs when you try to buy a car. Most people need to take out a loan to buy a car or a truck. They frequently get their financing through an auto dealer.

Car buyers don't realize that some dealers can raise the price or the interest rate offered by the partnering bank to make an additional profit.

For years, there has been a concern that African Americans and Latinos, despite negotiating harder and having good credit scores, pay a higher interest rate than white car buyers, charging some people 2 or 2.5 more percent than others, based on skin color.

It is also a violation of the law. The Equal Credit Opportunity Act prohibits discrimination in the financial marketplace. Lenders who partner with auto dealers have a responsibility to ensure that borrowers receive fair treatment. That is what the Consumer Financial Protection Bureau is trying to do.

The CFPB issued guidance recommending that the auto industry establish flat-rate pricing and some other approach to ensure that they are not discriminating against their customers. This makes sense to me and would be beneficial to consumers.

This bill, on which I urge a ''no,'' nullifies the CFPB's guidance. It requires the bill to jump through a number of hoops that open the Bureau up to litigation before the CFPB can establish new guidance.

The National Association of Minority Auto Dealers opposes this bill. They say: ''To date, the recent consent orders between the CFPB, DOJ and financial institutions and captive finance companies to settle discrimination claims have not resulted in any negative outcomes or loss of revenue for minority dealers. We are convinced that this matter should and, more importantly, can be resolved with a nonlegislative fix.''

Mr. Chairman, I say thank you to them.

When people are overcharged or treated unfairly in the marketplace, it

harms their ability to build wealth and fully participate in this economy. If you want to do something about income inequality, you must say ''no'' to this bill.

Join the National Association of Minority Auto Dealers, the National Association for the Advancement of Colored People, the Center for Responsible Lending, the Consumers Union, Consumer Action, the National Council of La Raza, Americans for Financial Reform, American Association for Justice, ColorOfChange, Leadership Conference on Civil Rights and Human Rights, the Urban League, and more to vote ''no'' on this legislation.

I include in the RECORD the National Association of Minority Automobile Dealers' letter opposing this legislation and the NAACP's letter opposing this legislation.

I just want to point out that discrimination in this country has been fought long and hard for centuries. Let's not stop now.

NATIONAL ASSOCIATION OF
MINORITY AUTOMOBILE DEALERS,
Largo, MD, November 13, 2015.

Hon. G.K. BUTTERFIELD,
RHOB,
Washington, DC.

DEAR CONGRESSMAN BUTTERFIELD: The National Association of Minority Automobile Dealers (NAMAD) is not in support of H.R. 1737, ''Reforming CFPB Indirect Auto Financing Guidance Act'', as we believe this issue can and should be resolved non-legislatively. This legislation does nothing to alter the Consumer Financial Protection Bureau's (CFPB) authority to enforce, or lenders' obligations under the Equal Credit Opportunity Act (Act).

We support the CFPB's mission to ensure that consumers are protected and treated fairly. Reversing guidance to lenders at a time of heightened regulatory scrutiny could delay lenders' efforts to comply with the Act.

Looking back on the great financial crisis of 2008, legislation enacted to bail out financial institutions and to aid General Motors and Chrysler through bankruptcy was not beneficial for minority dealers. Minority-owned dealers were disproportionally affected with a 40% (400 dealers) decline in its dealer body in comparison to non-minority dealers, who suffered only a 6% decline. Today, out of the 18,000 new automobile dealerships, only 1,100 are minority owned.

NAMAD finds that, to date, the recent consent orders between the CFPB, DOJ and financial institutions and captive finance companies to settle discrimination claims have not resulted in any negative outcomes or loss of revenue for minority dealers.

We are convinced that this matter should, and more importantly, can be resolved with a non-legislative fix. In particular, NAMAD believes that the Fair Credit Compliance Policy & Program it instituted in 2014 along with NADA and AIADA achieves this goal, as the program is designed to prevent any discriminatory practices for all consumers.

We do not support H.R. 1737, as the solution to discrimination in auto lending, but rather urge you and your colleagues to assist us in coming up with and implementing a non-legislative answer.

Sincerely,

DAMON LESTER,
President.

NOVEMBER 18, 2015.

Re NAACP Strong Opposition to H.R. 1737, The Reforming CFPB Indirect Auto Financing Guidance Act.

MEMBERS,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE ELLISON, On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I strongly urge you to oppose and vote against H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act. If enacted, this legislation will allow racial and ethnic minorities to continue to be discriminated against by auto lenders. Discrimination based on race or ethnicity in the financial services or any other arena must be stopped, and this bill goes in the opposite, and wrong, direction.

Financial regulators have known for more than 20 years that the full price you may pay for an auto may not be based solely on the make, type, and model of the car; some of the less scrupulous car dealers would offer higher loan rates to people based on the color of their skin, their last name, or what they look like. In the mid–1990's, this trend of discrimination became apparent and a series of lawsuits were filed against the largest auto finance companies in the country. The data from those lawsuits showed that borrowers of color were twice as likely to have their loans marked up, and paid markups twice as large as similarly situated white borrowers with similar credit ratings. Thus, on March 21, 2013, the Consumer Financial Protection Bureau (CFPB) issued a bulletin providing guidance for indirect auto lenders who may fall within the CFPB's jurisdiction on ways to limit fair lending risk under the Equal Credit Opportunity Act, or ECOA.

This CFPB bulletin explained that certain lenders who offer auto loans through dealerships are responsible for any unlawful, discriminatory pricing, which may occur and that they should take actions to eliminate the discrimination. In other words, dealers could continue to mark up loans, and they could continue to be compensated for such mark-ups; simply, they should not discriminatorily mark-up loans based on race. And the financial servicers which underwrote the loans should do what they could to ensure that discrimination based on race or against any other protected class was not perpetuated.

The NAACP commends the CFPB on this guidance on indirect auto lending. It is an important step in the Bureau's enforcement of fair lending laws and regulations, and it is clearly within the jurisdiction of the CFPB to ensure that there is not discrimination in lending.

The CFPB has authority to examine large banks, and credit unions—and their affiliates—that have assets over $10 billion. The CFPB supervises more than 150 of the nation's largest financial institutions. Furthermore, existing law, ECOA, makes it illegal for a creditor to discriminate in any aspect of a credit transaction on prohibited bases including race, color, religion, national origin, sex, marital status, and age. Under ECOA, and not to mention under the rules of basic fairness and a moral sense of right and wrong, lenders have an obligation to monitor and eradicate discrimination, and to change those practices that lead to the discrimination. In its bulletin, the CFPB reiterated that certain lenders which may offer auto loans through dealerships are liable for unlawful, discriminatory pricing.

Racial and ethnic minorities have long been victims of high priced, often-unsustainable, predatory, loans. This is true when we are discussing almost every financial transaction: whether it be a mortgage, an auto loan, or a short-term loan just to make ends meet, including a payday loan. These high cost, predatory, loans have been a staple in our community for decades. Study after study has clearly demonstrated that even when credit history is taken into account, African Americans and Latinos are regularly charged more for home or auto loans than white customers. While dealer markups affect all consumers, research has shown that Latino and African American borrowers are more likely than White borrowers to receive an unnecessary markup in their interest rate, and the markup is typically higher for Latinos and African Americans than Whites, regardless of creditworthiness.

H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act'' would undermine the ability of the CFPB to root out discrimination, something that has no place in our lending markets, yet has, unfortunately, been proven to exist. The role of the CFPB is to protect consumers, and with their 2013 guidance, they have done just that. We should be applauding and encouraging the agency's measured, yet affirmative, steps to stop discrimination. Yet H.R. 1737 attacks the Bureau's attempts to protect us.

Auto dealers and auto dealer financing agencies who play by the rules and do not discriminate should have no problems with the CFPB guidance. In fact, they should welcome it as it helps clean up an industry which has been tainted by discrimination for too long. An auto is too prevalent, too necessary, and too much of a family investment for us to allow discrimination to exist in the cost of the car.

Thank you in advance for your attention to the NAACP position. Should you have any questions or comments on the NAACP position, please feel free to contact me.

Sincerely,

HILARY O. SHELTON,
Director, NAACP Washington Bureau & Senior Vice President for Policy and Advocacy.

PREVENT DISCRIMINATION IN AUTO LENDING
OPPOSE H.R. 1737: THE REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

H.R. 1737 is opposed by the National Association of Minority Auto Dealers, Center for Responsible Lending, NAACP, Consumers Union, Consumer Action, National Council of La Raza, Americans for Financial Reform, American Association for Justice (AAJ), Color of Change, Leadership Conference on Civil and Human Rights, National Consumer Law Center, National Urban League, U.S. PIRG, the Woodstock Institute and more.

DEAR COLLEAGUE: We urge you to oppose H.R. 1737, the so-called ''Reforming CFPB Indirect Auto Financing Guidance Act.'' This legislation would prevent the Consumer Financial Protection Bureau (CFPB) from enforcing laws against discrimination in auto lending. This bill nullifies CFPB's guidance to lenders on how to avoid practices that may lead to discriminatory pricing.

Automobiles are the most common financial assets owned by American households, and are a prerequisite for many jobs. When people buy cars with dealer financing, they can be charged an interest rate mark up. This mark up can be set by the individual car dealer. Such variable pricing can lead to discrimination. Even though current U.S. law prohibits lending discrimination based on unrelated background traits, African Americans, Latinos and others could be charged a higher interest rate, regardless of credit scores or income.

In recent years, the CFPB and the Department of Justice took actions resulting in

more than $176 million in fines and restitution to people who paid higher interest rates for auto loans based not on their credit risk but on their ethnicity.

There is no reason why the CFPB should not be able to continue to enforce these rules for indirect auto lenders. When people are overcharged, they have less money to spend and invest which slows our economy. We urge members to support, not weaken, the CFPB's effort to fight discrimination in auto lending. Oppose H.R. 1737.

Sincerely,

KEITH ELLISON,
Co-Chair, Congressional Progressive Caucus.
RAÚL GRIJALVA,
Co-Chair, Congressional Progressive Caucus.

SUPPORT FAIR LENDING, OPPOSE H.R. 1737

STAND WITH NEARLY 70 CIVIL RIGHTS AND CONSUMER ADVOCACY ORGANIZATIONS IN OPPOSITION TO H.R. 1737

DEAR COLLEAGUE: This week, the House will consider H.R. 1737, the ''Reforming CFPB Indirect Auto Lending Guidance Act.'' This legislation sends a clear message to the CFPB that they should back down from enforcing our fair lending laws against auto lenders. The CFPB has recovered $140 million in fines and penalties against auto lenders for engaging in discriminatory auto lending practices in two years—more than other regulators in the 40 years since the Equal Credit Opportunity Act (ECOA) was enacted. Now is not the time to tell the Bureau to back away from their mission in ensuring lending free from discrimination on the basis of race, ethnicity or other protected characteristics or to introduce unnecessary uncertainty to ongoing lender efforts to comply with fair lending laws.

Over the course of several investigations, the CFPB has found that auto lenders have failed to appropriately monitor practices that allow African-American, Hispanic, and Asian and Pacific Islander borrowers to be charged more than their white counterparts through undisclosed interest-rate markups. These additional markups are charged without regard to the borrower's credit history and have displayed a clear pattern of discrimination. Several large auto financers have already settled with the CFPB and pledged to reform their practices, while at least seven additional investigations are still ongoing.

Dealers should be fairly compensated for their work, but it should not be at minority borrowers' expense. Fair compensation for dealers can co-exist with affordable and equitable access to credit, and the CFPB's approach to date reflects this recognition. Even the CEO of the largest auto retailer in the country, AutoNation's Mike Jackson, has commended the CFPB's approach stating that ''[t]he goal [of the Honda Settlement] is to reduce the variability in loans without hurting the dealer economically . . . [t]h[e] [Honda agreement] is a very viable method of doing both of those things, and I'm saying the industry should look at this as a template for moving forward.''

The CFPB is tackling decades of discrimination in the auto lending marketplace, and they have done it in spite of various attempts to undermine their authority to do so directly through familiar attacks on the Bureau's structure and funding and indirectly through proposals like H.R. 1737. This legislation would tie the Bureau's hands at the very time that they are making progress in reining in decades-old practices that have left far too many borrowers overpaying for their auto loans.

Supporters of H.R. 1737 contend that the proposal is modest because it is not a direct attack on the Bureau's structure, budget or enforcement authority under ECOA. This is misleading, as it undermines lenders' attempts to comply with ECOA. Lenders have used the guidance H.R. 1737 nullifies for nearly three years to develop compliance policies designed to protect consumers. As the Administration notes in their opposition to H.R. 1737, ''[t]he bill would create confusion about the existing protections in place to prevent discriminatory auto loan pricing, and effectively block [the] CFPB from issuing related guidance in the near-term.''

Further, while H.R. 1737 does not expressly prohibit the reissuance of future guidance, the restrictions it places on the Bureau concerning any future guidance ensures that it will be substantially delayed or never reissued. No other agency is required to undergo requirements similar to a rulemaking for simply issuing guidance to regulated entities, and no other type of guidance from the CFPB is subject to these burdensome restrictions except guidance to auto lenders. Indeed, H.R. 1737's supporters have yet to demonstrate why guidance to auto lenders requires that the Bureau jump through so many bureaucratic hoops when the guidance is there to help lenders comply with the law.

Contrary to H.R. 1737's supporters' claims that the proposal is necessary to maintain affordable auto financing, the CFPB's oversight of potentially discriminatory lending practices has not led to higher borrower costs or restricted access to credit. Outstanding auto loan balances reached $1 trillion dollars in the second quarter of 2015—the first time in U.S. history. Industry experts predict that the number of vehicles sold in 2015 will exceed 17 million for the first time since 2001. The National Association of Minority Auto Dealers have confirmed this, noting in their opposition to H.R. 1737 that the CFPB's activity, ''ha[s] not resulted in any negative outcomes or loss of revenue'' for their member dealers. There is simply no evidence that the Bureau's oversight has caused prices to increase or led to fewer borrowers being able to get financing.

Make no mistake, H.R. 1737 leaves consumers more vulnerable to unfair or discriminatory business practices. This is why the Administration, the nation's minority auto dealers, the largest auto dealer in the country, and nearly 70 civil rights organizations and consumer advocacy groups oppose H.R. 1737—it does nothing to move the ball forward on the important work of eliminating potentially discriminatory lending practices.

The people best positioned to address discriminatory lending practices are the lenders themselves, and H.R. 1737 denies lenders vital information they need to ensure that they are not underwriting loans that contain potentially discriminatory interest rate markups that harm borrowers.

For the foregoing reasons I would urge a NO vote on H.R. 1737.

Respectfully,

MAXINE WATERS.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds just to say that the exact same group the gentleman quoted, the National Association of Minority Auto Dealers, says in their letter: ''This legislation does nothing to alter the Consumer Financial Protection Bureau's authority to enforce, or lenders' obligations under the Equal Credit Opportunity Act.''

Again, that is a red herring.

I yield 1½ minutes to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Chairman, if it ain't broke, don't fix it.

Ignoring this simple wisdom, the CFPB issued a guidance bulletin, without public notice and comment, threatening to eliminate a car dealer's ability to discount interest rates for their customers.

This so-called guidance was offered with no study of the impact on consumers or small businesses, and it was issued with no proof that current industry standard discount practices were harming consumers.

Let me repeat. Despite the rhetoric, the guidance was issued with no evidence of any discrimination.

This much is clear: the regulatory burden imposed by this guidance will be bad for car dealers because it eliminates a car dealer's ability to provide lower interest rates for their customers, and it is bad for consumers because they will inevitably pay more.

H.R. 1737 is commonsense legislation that stops the CFPB's solution in search of a problem. It nullifies the CFPB's current guidance bulletin restricting discounts on auto loan interest rates, and it requires the CFPB to allow for public notice and comment before any further restrictions can be imposed.

It also requires a study of the costs and impacts of interest rate deductions on consumers.

It is a good bill, and I urge my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this business about consumers not being able to negotiate down, that somehow the car dealers can't give a discount is absolutely not true, absolutely not true.

I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE), the ranking member on the Subcommittee on Monetary Policy and Trade of the Financial Services Committee.

Ms. MOORE. I thank the ranking member.

Mr. Chairman, I do rise to oppose H.R. 1737. I have listened very carefully to my colleagues, and I am very sympathetic and empathetic to their desire to help their auto dealers. Too bad this legislation doesn't do that.

I also agree with the proponents of this bill that the CFPB can't directly regulate auto dealers, and I don't think the CFPB wants to regulate auto dealers.

□ 1415

The problem with this bill is that it doesn't help auto dealers, and it is not a response to CFPB regulatory overreach. What the CFPB does have jurisdiction over is the Equal Credit Opportunity Act.

A few years ago, the Bureau noticed a funny thing: that minorities were paying higher markups on auto loans, even when you control for credit risk and other factors, discounts. They noticed if you were Jesus Rodriguez or Barack Obama Jones that somehow you paid a higher price for the car.

Now, the problem is that this legislation attempts to free the auto dealers from discrimination. Of course, discrimination is a violation of the Equal Credit Opportunity Act. The CFPB and the Department of Justice brought actions against these lenders for violations of ECOA.

We heard from the other side that there was no evidence that these car dealers had done anything wrong. No, because it didn't go to court. That is why there was no evidence. It went to settlement, and they settled for $140 million.

Pretty simple, the CFPB protected borrowers from discrimination and then put out helpful guidance.

So why are we here today, Mr. Chairman? We are here considering this legislation so that auto dealers can violate the ECOA.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, I thank the chairman for his yielding and his work on this issue. I also thank Mr. GUINTA for bringing this bill forward.

Mr. Chairman, ever since the CFPB introduced its 2013 bulletin on indirect auto lending, the need for this legislation has been clear.

First, the CFPB issued its bulletin in order to get around the rulemaking process for indirect auto lending. This kind of guidance is traditionally used as a mere restatement of law or to provide further explanation of rulemaking. It is not traditionally used to make a major policy like fundamentally altering the auto loan market.

Second, it is clear that the CFPB is unwilling to publish online all of the data and assumptions it has relied upon for this guidance. Providing these details should be an obvious and easy step to implement for any credible government agency.

Unfortunately, because the CFPB is not subject to the appropriations process, they seem unwilling to comply with even the most commonsense oversight by Congress. Therefore, H.R. 1737 is necessary to require the CFPB to provide for a notice and comment period before it can reissue any related guidance.

Mr. Chairman, this compromise legislation represents fair and reasonable adjustments to the CFPB's regulatory guidance process intended to promote transparency and accountability for regulators. This legislation is truly a bipartisan effort that was supported in committee by 13 Members on the minority side of the aisle.

I am also glad to see widespread support for this legislation from a range of groups, including the U.S. Chamber of Commerce, the National Automobile Dealers Association, the national RV Dealers Association, the Independent Community Bankers Association, and the Credit Union National Association.

Mr. Chairman, last year I was proud to introduce legislation similar to Mr. GUINTA's after hearing from so many auto dealers in my State the frustrations they had with this particular rule. I am proud to support this legislation, and I urge my colleagues on both sides of the aisle to help us promote greater transparency and accountability and bring common sense back to the marketplace.

Again, I thank the gentleman from New Hampshire (Mr. GUINTA).

Ms. MAXINE WATERS of California. Mr. Chairman, what Mr. STUTZMAN is doing is trying to confuse people between a rule and a guidance. This is a guidance, and they are trying, through this legislation, to make guidance comply with the same kind of rules that the rules have to go through. So don't pay any attention to that. He is just trying to confuse people.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), a member of the Financial Services Committee.

Ms. VELAZQUEZ. Mr. Chairman, I rise in strong opposition to H.R. 1737.

Mr. Chairman, this legislation is yet another attempt to obstruct the most important watchdog working on behalf of U.S. consumers, the CFPB.

Since its creation, the agency has returned over $11 billion to more than 25 million consumers harmed by unfair and deceptive practices. Its work is absolutely essential for everyday Americans, giving them the security of knowing that there is someone on their side.

One area where the CFPB's role is increasingly important is auto finance, where outstanding car and truck loan balances now reach $1 trillion, the highest in history.

Unfortunately, discrimination is still alive and well in the indirect auto lending marketplace. In the three settlements to date against Ally Financial, Fifth Third Bank, and Honda, the CFPB secured nearly $140 million in borrower relief and penalties. It found that minority borrowers paid $200 more over the life of a car loan than White borrowers, even when controlling for borrowers' creditworthiness.

The CFPB's findings are consistent with decades of litigation and research that confirm that discretionary markups in indirect auto lending cause millions of dollars in overpayments from minority borrowers. To further their work in this area, the CFPB issued specific guidance regarding auto lending practices.

Unfortunately, H.R. 1737 will repeal this guidance and place absurd restrictions on the reissuance of any new guidance. These new restrictions would be unique to the CFPB and would place an unprecedented burden on the agency's issuance of guidance designed to help lenders comply with Federal fair lending laws. This undermines the basic role of the CFPB and will create uncertainty regarding the application of Federal lending laws in the auto finance sector.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield the gentlewoman from New York an additional 30 seconds.

Ms. VELÁZQUEZ. Doing so is a raw deal for car buyers, especially minorities, who continue to fall victim to deceptive and unfair practices.

Let's let the CFPB do what it is supposed to do—protect the millions of consumers that will buy cars this year—and reject H.R. 1737. I urge a ''no'' vote on this misguided legislation.

Mr. HENSARLING. Mr. Chairman, might I inquire how much time is remaining on each side.

The Acting CHAIR. The gentleman from Texas has 15 minutes remaining. The gentlewoman from California has 13½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), my Democratic colleague.

Mr. HINOJOSA. Mr. Chairman, I rise today in support of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act.

I am proud to say that in my 19 years in Congress, I have been a champion of the consumer and have fought for their protection. As a member of the Financial Services Committee, I strongly supported the creation of the Consumer Financial Protection Bureau and continue to be a strident defender and proponent of CFPB.

I support this bill to correct the CFPB's guidance with respect to indirect auto lending, which would increase the cost of consumer financing. In our effort to find discrimination in the marketplace, we must be careful not to push for policy solutions that hurt the very consumers we are trying to protect.

This bill does not prevent nor hinder the CFPB or any agency from enforcing fair lending laws. Rather, it provides an opportunity to reissue the guidance in a more inclusive and transparent manner.

As part of our mission to protect consumers, I urge the CFPB to work closely with stakeholders to improve the guidance in this important area. I also encourage the Bureau to develop and implement a financial literacy program aimed at teaching consumers the skills necessary to make informed financial decisions regarding the purchase of an auto through the use of financing. We need to do everything we can to ensure Americans have the basic financial literacy skills to enable them to navigate our increasingly complex financial system and make good, informed decisions.

Mr. GUINTA. Will the gentleman from Texas yield?

Mr. HINOJOSA. I yield to the gentleman from New Hampshire so that he may express support for financial literacy and offer to work with us to encourage the Bureau to develop a financial literacy program aimed at auto financing.

Mr. GUINTA. I would like to reiterate that the CFPB has the authority and the tools to increase financial literacy skills to consumers. I would be more than happy to work with the gentleman personally to make sure that they better educate consumers when they are purchasing a car. That is something that is important and critical. I value the interest that the gentleman has on this component of the bill, and I plan to work with the gentleman.

Mr. HINOJOSA. I thank the gentleman. I gladly accept his offer, and I look forward to working together to promote financial literacy, especially with respect to auto financing.

Mr. Chairman, I urge my colleagues to support H.R. 1737.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this is not about financial literacy. This is about raw discrimination.

I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Oversight and Government Reform Committee. He is a real fighter for freedom and justice.

Mr. CUMMINGS. Mr. Chairman, I thank the gentlewoman for yielding, and I thank the gentlewoman for her strong leadership.

Mr. Chairman, I rise today to oppose H.R. 1737. If this bill is enacted, it will cost minority auto purchasers millions of dollars.

Car purchases are extremely complicated transactions. Most Americans make only a few in a lifetime, and they are not familiar with the many detailed terms and procedures of these transactions. One thing that is not complicated is that charging a markup just because a buyer is a minority is simply illegal.

The Consumer Financial Protection Bureau protects minority purchasers against auto dealers that seek to charge abusive and predatory markups. The purpose of the bill before us today is to eliminate this protection—that is exactly what it is—leaving minority consumers at risk of being charged abusive and predatory interest rates.

In 2013, the CFPB ordered Ally Bank to pay $80 million in damages and $18 million in penalties for imposing higher interest rates on 235,000 minority borrowers. Just this year, the Bureau ordered Fifth Third Bank to pay $18 million in damages for permitting markups of as much as 2.5 percent for minorities.

Because this bill would prevent the CFPB from carrying out its duty to protect minority borrowers, the administration has announced they would veto this bill.

This House should reject H.R. 1737 and every repeated effort to undermine—and that is exactly what it is, to undermine—the CFPB.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. DAVID SCOTT), my Democratic colleague.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, ladies and gentlemen, I want to take a moment to point out why I am supporting this and am a cosponsor of this bill.

First of all, to our leader, the ranking member who does an excellent job, she is absolutely right. We must go at discrimination with lenders. But, Mr. Chairman, the unintended consequence of this is not punishing the lenders who may or may not be doing discrimination. If we show it, they should. Unfortunately, this guidance goes directly at dealers and low- and moderate-income customers, African Americans and other minorities who will be denied, because it takes away the dealers' ability to discount interest rates and be flexible.

Now, Mr. Chairman, there are 55 million unbanked and underbanked people in the United States. They don't have the bank. They are not going to Ally Bank.

□ 1430

But when they want, they have to buy a car. Some of them don't even have a credit card, but they have that dealer that can walk through the door. And if that dealer has the flexibility to be able to discount the interest rate, bringing a lower price to the car, they shouldn't be denied from having that opportunity to do it.

Now, let me go to the racial issue. When you play the race card, you have got to make sure you play it right. That is all I am saying.

When we looked at the CFPB and we looked at the methodology that they used to determine who the Black people were, they said: Hey, the best way of doing this is to go by the last names: Jackson, Williams, Johnson, Robinson.

Yeah. A lot of Black people are named that, but there are an awful lot of White people that are named that, too.

So is there any wonder, when the checks went out, that there were some happy White people, looking: Where did I get this money? Where did I get this $200 or $300 from?

Now, ladies and gentlemen, I take a backseat to nobody when it comes to standing up and fighting for racial equality. My life's story is that. I integrated the school systems in Scarsdale, New York, where not only was I just the only Black kid in the school or in my class, but I was the only Black kid in the whole city of Scarsdale.

My office mate in the Senate was Julian Bond. We went all across this country speaking for 40 years as a State representative, as a State senator, and now as a Congressman. My whole life has been for fighting this.

But when you deal with racial discrimination, it has got to be right. The methodology that the CFPB used is flawed. It is absolutely flawed. In the process, the CFPB itself is being charged with racial discrimination.

Now, all I am saying is what is fair is fair.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman from Georgia an additional 1 minute.

Mr. DAVID SCOTT of Georgia. We are not asking to discontinue this. We are asking to go after where the discrimination is. But don't hurt the lower middle-income people who don't have the credit or don't have a credit card.

They have to go in there and work with that dealer. If you take that out of the way of the dealer, you are hurting the very people that some of the people who are opposing our bill want to help.

So, Mr. Chairman, let's get clarity here. Let's get truth here. All we are doing is asking the CFPB to come back, start over, get the right methodology, so you are getting the right people that you are sending the checks to, and also call in the Justice Department, the Federal Trade Commission, and the Federal Reserve, who are the ones under Dodd-Frank that regulate the auto dealers and not auto lenders.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members, all of the arguments that are used by the other side simply are not true.

They claim that the CFPB does not have the authority. They do have the authority under the Equal Credit Opportunity Act.

They claim that they didn't use the right methodologies, the same that is used by the Justice Department.

They claim that the dealers can't give discounts. That is absolutely not true. They can.

I yield as much time as he may consume to the gentleman from New York (Mr. JEFFRIES), a young man that has been leading an effort on the floor of Congress for justice for minorities and women consistently.

Mr. JEFFRIES. Mr. Chairman, I thank the distinguished gentlewoman from California for yielding and for her leadership.

Let's be clear. The opponents of this legislation are not playing the race card. America for centuries has played the race card—slavery, Jim Crow, lynchings, the Black Codes, institutional racism, unconscious bias—that continues to this day.

Yes. Of course we have come a long way in the United States of America, but we still have a long way to go. Everyone should have recognized the fact a few months ago when those souls were killed in Charleston, South Carolina, that racism in many corridors in this country is still functional, in existence, and poisoning our society.

So when we take a situation where African American consumers are paying higher interest rates for the same financial product when controlling for creditworthiness put in the context of history in this country, we are concerned.

All we are simply saying is that, if we really believe in a country where

everyone, regardless of color, has the opportunity to robustly pursue the American Dream, we need a level playing field. We need rules of engagement that apply to everyone, regardless of the color of their skin. We need equal opportunity.

That doesn't exist right now in the automobile lending context. That is why I urge a ''no'' vote against this legislation. Let the CFPB do its work.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. WILLIAMS), one of the outstanding workers for H.R. 1737.

Mr. WILLIAMS. Mr. Chairman, in full disclosure, my name is WILLIAMS, as Mr. DAVID SCOTT had said. I am also an auto dealer, but my colleagues here in the House already know that. It is not something I am ashamed of. In fact, it is something I am very proud of.

But Mr. GUINTA's bill isn't just about auto dealers. It is about an agency that continues to act not in the best interest of the consumer, but bigger government.

Well, Mr. Chairman, I am here this afternoon to give you a little perspective on that. As many small-business owners can tell you, the financial crisis of 2008 was the worst they had ever seen. Millions of Americans and thousands of small-business owners never recovered.

In response, Congress passed the Dodd-Frank Act, which, in turn, created the CFPB. The CFPB was given broad jurisdiction over the financial services sector: banks, insurance companies, mortgage lenders, credit card companies, payday lenders. The list goes on and on and on.

Dodd-Frank consisted of 2,300 pages of new laws and regulations. Mr. Chairman, I want to take a second and read from one of the sections of Dodd-Frank that has particular importance to us today. Section 1029 says:

The Bureau may not exercise any rulemaking, supervisory enforcement or any authority, including any authority to order assessment, over a motor vehicle dealer that is predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both.

So how did we get here today? In 2013, the CFPB didn't propose a new rule or a new regulation. In fact, they didn't seek comments from industry, consumers, or even Congress. But, instead, they offered guidance.

Since releasing this guidance in 2013, the CFPB has acknowledged that they did not analyze or estimate the economic impact it would have on customers. In addition, an independent study commissioned by the American Financial Services Association found several significant flaws in the Bureau's methodology, which led to inaccurate, incomplete, and unreliable conclusions about pricing disparities in the auto finance market.

In addition, recent settlements from the CFPB and lenders have highlighted the Bureau's strong-arm tactics and inability to prevent fraudulent claims. At a hearing a few months ago, the Committee on Financial Services heard testimony about the lack of oversight implemented by the CFPB when paying claims to those who were potentially discriminated against.

Mr. Chairman, what most don't understand is that auto dealers—I repeat—auto dealers—are driven by competition. We are driven by protecting our reputation, providing service to our customers, and serving our communities.

When the CFPB issues fines on auto lenders for alleged discriminatory practices, they don't punish the dealers. They punish the consumer, the very people they are trying to supposedly protect, just as most government involvement does.

Mr. GUINTA's bill would finally bring transparency and clarification to a process that has had neither.

Mr. Chairman, I know Director Cordray and all those at the CFPB think they can control my industry by controlling the lenders we do business with. But let's not lose sight on what the law says.

I urge passage of H.R. 1737. Let your conscience be your guide.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI), a former insurance commissioner of California who has dealt with a lot of these issues.

Mr. GARAMENDI. Mr. Chairman, I thank the gentlewoman.

My colleague from California has raised a very significant issue here. It kind of helps to actually read the guidelines.

I have spent 8 years of my life as a regulator trying to protect the consumers from unfair practices in the insurance industry, some of which dealt with the issue of credit.

What we have here is an effort by the CFPB to give guidance—not a law, not a regulation, but guidance—to auto dealers and to indirect lenders on what they should do—not must do, but what they should do—to obey the Equal Credit Opportunity Act, which the CFPB actually does have the power to enforce.

By extension, an indirect lender stands in the place of an auto dealer in developing the terms of credit. That then makes the indirect lender subject to the Equal Credit Opportunity Act.

It is pretty simple here. This is guidance about how you could monitor what you should do as a dealer or as an indirect lender in obeying the Equal Credit Opportunity Act.

It is pretty simple. And when you don't do it, there are outlines about what you should do to deal with any problem that is found.

I am going: What is the problem here? The problem here is obeying the law as an indirect lender where you actually have the power to direct and to determine what the loan is.

Now, my history in regulating the insurance industry is that there is a pernicious and continuing discrimination that takes place, not necessarily Black, not necessarily Hispanic, but it exists in the poorer communities and keeps those communities down because they wind up paying a whole lot more for insurance, for credit, and for other economic policies. Pretty simple.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. I yield the gentleman an additional 30 seconds.

Mr. GARAMENDI. Let me wrap up very quickly, then.

This is about being fair in the practices of lending. I understand the auto dealers and the indirect lenders would rather not, but there is a history here, as has been stated in the debate, of where lenders have been found to be out of compliance with the Equal Credit Opportunity Act.

So what we are trying to do here with this opposition to this bill is saying to follow the guidance, follow the guidance and stay out of trouble. Pretty simple.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Chairman, I rise today in support of my colleague from New Hampshire on his bipartisan bill to reform and assist our Nation's auto dealers and consumers and increase the oversight and transparency of the Consumer Financial Protection Bureau.

Dodd-Frank explicitly prohibited the CFPB from regulating auto dealers, but their guidance on indirect auto lending is an end around to indeed do just that, regulate auto dealer sales.

Not only is the CFPB's guidance inherently flawed, but the agency has not provided the opportunity for public comment or input, nor have they shared any of their analysis or assumptions on which they based their model.

This guidance is another example of emerging government price regulation and fee setting in the financial services industry. We have always, as a part of our financial regulation, tried not to set price by regulatory directive. Instead, we have operated on a consumer disclosure and consumer education model.

But price regulation is clearly what this guidance does. It is softer and more delicate in its language, but it clearly is leading towards price regulation.

Consumer lending in banking is down among community banks. It has been cut in half over the past few years. One reason for that, one key reason for that, is the inability of a consumer bank to price for risk.

Today's legislation is not about discrimination. It is about giving access to credit to people who need it and giving access to credit to them in the right way, particularly those families with limited resources.

This bill in no way ties CFPB's hands. It merely gives the public an opportunity to comment on the Bureau's

attempt to reshape the auto loan market.

Whether it is in a rural area or an urban area, this pernicious expansion of price regulation in financial services by the Federal Government will have a negative effect on credit allocation in our communities.

Mr. Chairman, I include in the RECORD a letter from the Independent Community Bankers of America.

INDEPENDENT COMMUNITY BANKERS OF AMERICA,
Washington, DC, July 27, 2015.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.
Hon. MAXINE WATERS,
Ranking Member, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: On behalf of the more than 6,000 community banks represented by ICBA, I write to thank you for scheduling a markup for July 28 on important regulatory reform bills. We are particularly pleased that a number of the bills scheduled for markup reflect community bank regulatory relief advanced in ICBA's Plan for Prosperity. We strongly encourage all committee members to vote YES on the bills noted below:

The Financial Institution Customer Protection Act (H.R. 766). Sponsored by Rep. Blaine Luetkemeyer, H.R. 766 is designed to curtail the abuses of Operation Choke Point. The bill would prohibit the federal banking agencies from suggesting, requesting, or ordering a bank to terminate a customer relationship unless the regulator put the order in writing and specified a material reason for the action, among other provisions.

The Portfolio Lending and Mortgage Access Act (H.R. 1210). Sponsored by Rep. Andy Barr, H.R. 1210 would provide that any residential mortgage held in portfolio by the originator is a ''qualified mortgage'' for the purposes of the Consumer Financial Protection Bureau's ''ability to repay'' rule. H.R. 1210 will help preserve access to credit for customers of community banks and other lenders.

The Small Bank Exam Cycle Reform Act of 2015 (H.R. 1553). Sponsored by Rep. Scott Tipton, H.R. 1553 would allow a highly rated community bank with assets of less than $1 billion to use an 18 month exam cycle. ICBA supports a 24 month exam cycle for highly rated community banks. Because examiners have more than sufficient information to monitor a community bank from offsite, we believe that this change would not compromise supervision, and would actually increase safety and soundness by allowing examiners to focus their limited resources on the true sources of risk.

The Reforming CFPB Indirect Auto Financing Guidance Act (H.R. 1737). Sponsored by Rep. Frank Guinta, H.R. 1737 would effectively nullify the CFPB's guidance on indirect auto lending. In proposing and issuing guidance primarily related to indirect auto financing, the CFPB would be required to provide for a public notice and comment period, make available all studies, data, and other information on which the guidance is based, and meet other requirements intended to ensure the process is open, transparent, and responsive to public input. The CFPB would also be required to consult with the Board of Governors of the Federal Reserve System, the Federal Trade Commission, and the Department of Justice. ICBA suggests strengthening H.R. 1737 by requiring the CFPB to also consult with the Federal banking regulators, the Federal Deposit Insurance Corporation and the Office of the Comptroller of the Currency.

Financial Institutions Examination Fairness and Reform Act (H.R. 1941). Sponsored by Reps. Lynn Westmoreland and Carolyn Maloney, H.R. 1941 would go a long way toward improving the oppressive examination environment that many community banks experience during and following an economic downturn.

Among other other provisions, H.R. 1941 would create an Office of Independent Examination Review within the Federal Financial Institutions Examination Council and give financial institutions a right to an expedited, independent review of an adverse examination determination before the Office's Director or before an independent administrative law judge.

ICBA also supports the provisions of H.R. 1941 that would create more consistent and commonsense criteria for loan classifications and capital determinations. Establishing conservative, bright-line criteria will allow lenders to modify loans, as appropriate, without fear of being penalized. If these standards become law, they will give bankers the flexibility to work with struggling but viable borrowers and help them maintain the capital they need to support their communities.

The Homebuyers Assistance Act (H.R. 3192). Sponsored by Rep. French Hill, H.R. 3192 would provide a critical safe harbor from enforcement actions for compliance errors arising from the implementation of the Consumer Financial Protection Bureau's Truth in Lending Act/Real Estate Settlement Procedures Act Integrated Disclosures, provided the lender has acted in good faith to implement and comply with new regulations. Without this safe harbor, consumer mortgage closings are likely to be delayed due to the enormous complexity of the new rules and fear of excessive enforcement actions for minor errors.

Taken together, the bills noted above would provide significant regulatory relief for community banks to the benefit of the customers and communities they serve. We will continue to press lawmakers to enact these sensible regulatory relief measures into law.

Thank you again for bringing these bills before the committee.

Sincerely,

CAMDEN R. FINE,
President & CEO.

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Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), a true champion for consumers.

Mr. SARBANES. I thank the gentlewoman for yielding.

Mr. Chairman, I oppose H.R. 1737.

The title of this legislation, the Reforming CFPB Indirect Auto Financing Guidance Act, is misleading. The legislation is not about ''reforming'' the guidance of the CFPB. It is about erasing and undermining CFPB's guidance altogether and suspending the Bureau's good work when it comes to monitoring and identifying discrimination in auto lending. Both the CFPB and the Department of Justice have found repeatedly that dealer discretion in determining the interest rates on auto loans leads to systemic discrimination against minority borrowers.

Supporters have argued that this legislation would bring clarity and transparency to the auto loan market, but we must ask ourselves: Clarity and transparency for whom? It sure doesn't bring transparency for the American public when it comes to auto dealers who have been found to have been targeting minority communities with discretionary interest rate markups, increasing the carrying costs of car ownership for individuals who too often cannot afford the increased financial burden.

Of course, not all auto dealers engage in such practices, and we must be careful in painting with a broad brush. In fact, I believe the CFPB's guidance is a useful tool to protect the reputation of auto dealers who do the right thing by their customers—many of whom are leaders in their communities—against the predatory practices of a select few who tarnish the industry.

We should have clarity and transparency—clarity and transparency in how interest rates are determined so as to prevent discriminatory lending practices—but let the CFPB do its job, the Consumer Financial Protection Bureau.

Wall Street, the lenders, the mortgage companies, the big banks blew up our economy in 2009. They were exploiting a lot of consumers across the country. We set up the CFPB to protect financial consumers across the country. Let the CFPB do the job that it was given, which it is doing very well.

I urge my colleagues to reject H.R. 1737 and support the CFPB's ongoing work on behalf of American consumers.

Mr. HENSARLING. Mr. Chairman, may I inquire as to how much time is remaining on both sides.

The Acting CHAIR. The gentleman from Texas has 3½ minutes remaining, and the gentlewoman from California has 4½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the gentleman.

Mr. Chairman, I stand in strong support of H.R. 1737, and I will tell you why. It is because it is what I have done and what my family has done for almost 60 years. We are a third-generation automobile dealer.

I can tell you that it is a people business, not a White person business, not a Black person business, not a Brown person business, not a Red person business, or a Yellow person business. It is a business that is done face-to-face. I have sat across the desk from many people, lower income people, who cannot afford to get a car because they don't have the ability to negotiate the auto loan.

It is our business, and I am stunned by people who have never done what we have done who have somehow decided that we are racist and that we are overcharging people. We are doing exactly the opposite, and you are doing exactly the opposite. You are discriminating against the very people who need our help to buy cars. We negotiate the deal

for them. We negotiate the cost down. So to stand here today and think that somehow this is racist—if I were a person of color, I would be offended that you would even begin to suggest that I do not understand how to negotiate and that I do not understand who to trust and who not to trust.

Three generations of Kellys have sold over 150,000 cars. You don't do that by cheating people. You don't do that by being a racist. You don't do that by discriminating against people. You do that by working with people. It is stunning in this House—America's House—that we would reduce this down to an issue of color and not of cooperation. The ability to get these people transportation—private transportation—falls on the shoulders of those who are the dealers. We negotiate in their best interest.

How stunning to think that somehow we are these predators who are just taking advantage of these poor people who don't have any financial literacy. That, my friends, ultimately, is the biggest insult you could give people of color or people of gender. It is absolutely incredible to me that we would bring it to this issue.

If you don't understand our business, please learn about it. I don't have to have a book of talking points in order to talk about what we have done our whole life.

I stand in strong support of H.R. 1737 and in strong support of common sense and the American way.

The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, no one on this side of the aisle mentioned the word ''racist.'' It is only coming out of the mouths of the people on the opposite side of the aisle.

I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER), a member of the Financial Services Committee.

Mr. PERLMUTTER. I thank the gentlewoman from California, my ranking member. I appreciate the emotionally charged conversation that we are having here on the House floor today.

Mr. Chairman, I rise in support of H.R. 1737.

In the 14th Amendment to the Constitution of the United States, there are two basic principles among the others that are noted. One is that no one shall be deprived of life, liberty, or property without due process of law. The other one is that no one shall be denied equal protection under the laws of the United States of America.

We have kind of a collision of these two principles today. One is that there is the potential for the disparate treatment of people—discrimination—which all of us abhor and that we want to see rooted out by root and branch. The other is that, before you do a major policy in this country, there is always notice and an opportunity to be heard. That is where the collision comes in today.

The Consumer Financial Protection Bureau issued a bulletin without, really, notice and an opportunity to be heard to determine whether or not there was disparate treatment or whether methodologies that indicate there is are accurate. In fact, what we have seen is, 4 out of 10 times, it can be inaccurate based on this bulletin.

So H.R. 1737, with as much emotion as it has raised, asks the CFPB to go back and check what they have done. At no time is there any limitation to CFPB's or to the Department of Justice's rights under the Equal Credit Opportunity Act to go after discriminating individuals, to go after bad actors.

I would suggest to the CFPB that, while they are looking at their bulletin again, if they see evidence of discrimination, they refer it to the Justice Department and that it be condemned loudly and roundly.

Mr. HENSARLING. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman and Members, this discussion today has been about discrimination. This discussion today is about the very powerful automobile dealers who come to the Congress of the United States and use their considerable influence to get the Members of Congress to get rid of a guidance that was put together by the Consumer Financial Protection Bureau.

They don't want the guidance because they don't want to be guided in how not to discriminate. They have gotten away for years with markups, and they have gotten away for years with targeting certain communities. For those who say that this has not happened, you are absolutely wrong. Minority communities, poor communities are targeted by every scheme and every fraudulent operation that you can think of.

Whether we are talking about this markup that causes minorities to pay more for automobiles or payday loans or whether we are talking about these private, postsecondary rip-off schools, communities of color are not only targeted in these ways, but we discovered in the 2008 subprime meltdown that communities have been targeted and that minorities who have the same credit ratings as others who are given loans—minorities who pay their bills—were charged more in interest rates for their mortgages than others.

This is not something that we are making up. The people on the opposite side of the aisle will have you believe they are working in the best interest of these minorities who continue to be ripped off. I don't have to say much, if anything, to prove that that is not true. Just take a look at who is supporting them. We are supported by the NAACP, the National Council of La Raza, the National Association of Minority Auto Dealers, the Center for Responsible Lending, the National Consumer Law Center, the Center for Working Families, the Consumers Union. There are 67 consumer organizations who are sick and tired of seeing minorities being ripped off.

We are often counseled by those who say we are not pulling ourselves up by our bootstraps, that we are not doing enough. Why do you think a wealth gap exists? It exists because these fraudulent schemes are supported by people like those on the other side of the aisle.

I urge everyone in Congress to vote ''no'' on this discriminatory legislation.

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

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

It is fascinating to me how often the ranking member talks about discrimination, but she didn't seem to talk about the discrimination coming out of the CFPB. She knows good and well, Mr. Chairman, that we have had witness after witness not come up with junk science about some disparate impact methodology that is proven wrong, but we have had actual witnesses come and talk about discrimination at the CFPB, which, apparently, the other side is now holding up as a paragon of virtue to enforce our civil rights laws.

We have had the inspector general come and say, at the CFPB, minorities are underrepresented in upper pay bands. The inspector general says minority applicants are not hired in proportion to qualifications. The inspector general says minority employees receive lower performance ratings. We have had one division of the CFPB that employees refer to as the ''plantation.'' This is in the 21st century? Now the ranking member wants to hold up the CFPB as some paragon of virtue because they use junk science—a methodology they admit themselves overrepresents minority populations?

This is about due process, Mr. Chairman, due process for every American. We can't have some rogue agency putting out guidance and not allowing any public comment. We cannot allow this agency, regardless of what its motivations may be, to ultimately take away the credit opportunities of hard-working Americans who are trying to get ahead. We cannot let this rogue agency increase prices.

It is time for us to support the legislation. I encourage all Members to support it.

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

Ms. NORTON. Mr. Chair, I join many of my Democratic colleagues, as well as the NAACP, the Leadership Conference on Civil and Human Rights, the National Council of La Raza, the National Association of Minority Automobile Dealers, and many other civil rights groups, in opposing H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act, a bill that would significantly diminish the Consumer Financial Protection Bureau's (CFPB) ability to protect consumers

from racial discrimination in the auto lending market and give auto dealers a leg up in charging higher interest rates, and, as studies have shown, in discrimination. In 2013, the CFPB issued guidance that was aimed at combatting these biases in the auto lending industry—because of a practice used by car dealers known as "markups," people of color were paying more for car loans than their white counterparts with similar or identical credit histories.

As the former chair of the Equal Employment Opportunity Commission, I am dismayed by the practice of "markups," which allows discriminatory car dealers, who get a cut of the additional charges and fees that markups provide, to profit from their bad behavior. The CFPB has done important work toward eradicating discriminatory lending practices. I oppose this bill, and I urge my colleagues to do the same.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 1737

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 ''Reforming CFPB Indirect Auto Financing Guidance Act''.

SEC. 2. NULLIFICATION OF AUTO LENDING GUIDANCE.

Bulletin 2013–02 of the Bureau of Consumer Financial Protection (published March 21, 2013) shall have no force or effect.

SEC. 3. GUIDANCE REQUIREMENTS.

Section 1022(b) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5512(b)) is amended by adding at the end the following:

''(5) GUIDANCE ON INDIRECT AUTO FINANCING.—In proposing and issuing guidance primarily related to indirect auto financing, the Bureau shall—

''(A) provide for a public notice and comment period before issuing the guidance in final form;

''(B) make available to the public, including on the website of the Bureau, all studies, data, methodologies, analyses, and other information relied on by the Bureau in preparing such guidance;

''(C) redact any information that is exempt from disclosure under paragraph (3), (4), (6), (7), or (8) of section 552(b) of title 5, United States Code;

''(D) consult with the Board of Governors of the Federal Reserve System, the Federal Trade Commission, and the Department of Justice; and

''(E) conduct a study on the costs and impacts of such guidance to consumers and women-owned, minority-owned, and small businesses.''.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 114–340. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–340.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 11, insert ''veteran-owned,'' after ''minority-owned,''.

The Acting CHAIR. Pursuant to House Resolution 526, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1500

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment to H.R. 1737.

This simple amendment ensures that any costs or potential impacts to any and all veteran-owned businesses are considered and included in the study required by this bill for any future auto financing guidance that may be put forth by the Consumer Financial Protection Bureau.

The three main categories that the SBA utilizes for set-aside government contracts are women-owned, minority-owned, and veteran-owned businesses. The base bill requires a report that would include any cost or impacts associated with new guidance for minority-owned businesses and women-owned businesses.

I think we should all agree that it only makes common sense, then, to also consider any costs or implications for our Nation's heroes and veteran-owned businesses that may arise from any future guidance being considered.

Our servicemen and -women already face tough challenges finding work when they return from service. In recent years, veterans' unemployment numbers have been some of the highest in the country and, at times, have been in double digits. Earlier this year, post-9/11 veterans faced unemployment numbers north of 7.2 percent. We shouldn't let any potential future guidance from an already rogue agency created under Dodd-Frank exacerbate employment hurdles for our Nation's veterans.

One week ago today, we celebrated Veterans Day and the patriotic service that so many men and women have given to this great Nation. We have asked these heroes to risk their lives for this country, and many of our veterans have answered that call time and time again, including multiple tours overseas. Most veterans return from service seeking not only to reintegrate and establish normal lives, but to continue serving their country by contributing to the workforce, finding jobs, and even creating jobs for others by starting small businesses.

My amendment is a simple measure and will help ensure veteran-owned businesses are not harmed by any future auto financing guidance put forth by CFPB.

Chairman HENSARLING supports this amendment. I thank the chairman for his support and also for bringing forth this commonsense bill that rejects this misguided guidance. I also applaud the chairman and committee for everything they do to advocate for small businesses and job creators throughout the country.

I ask that all my colleagues support our veterans and the businesses they own by voting in favor of my commonsense amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Mr. Chairman, this amendment compounds one of the underlying problems that I have expressed in my opposition to H.R. 1737.

While I have been and continue to be one of Congress' most vocal supporters of minority-owned businesses, further expanding an already unnecessary cost-benefit study concerning the impacts of nonbinding policy guidance is unproductive and only increases the likelihood that future guidance designed to actually help lenders comply with the law is further delayed or never issued.

Mr. Chairman and Members, I want you to understand what is being said by the opposite side of the aisle. They basically are saying: Help me to look out for our veterans and make sure that they don't have any guidance that would impede their ability to do business. Well, I mean, that is kind of a made-up problem.

This is not a problem. Simply, what is happening by the attempt to throw veterans into this is to get Members thinking ''perhaps I want to support this amendment because I don't want to be thought of as not supporting veterans.'' When you talk about cost-benefit analysis and studies, what you are talking about is: How do I tie up the agency? How do I create impediments to the agency being able to do its job.

This Congress supports veterans in so many ways. We support them in their quest to do business, and we have laws on the books that will help them to successfully get into business. We support them in housing. We support them with better health care.

I don't want any Members of Congress to think somehow this kind of made-up amendment is something that really they should be supporting if they want to help veterans. This is simply a way by which to get you to do something, making you think you are supporting veterans and thinking you cannot oppose it.

This is an unnecessary amendment, and it gets in the way of good guidance coming out of the Consumer Financial

Protection Bureau, so I would ask you to vote ''no'' on this amendment.

I reserve the balance of my time.

Mr. GOSAR. I can't believe, Mr. Chairman, what I just heard. I just can't believe it. I hope that veterans who are watching C–SPAN today are listening carefully, listening very carefully about this amendment.

The three divisions which it oversees, the veterans were left out, and we just want to make sure that our veterans are included in any study that CFPB would go forward with.

That is sad. That is sad.

When we talk about the Veterans Administration being so pristine, when we look at their healthcare system, it is 50 percent worse than it was a year ago. Many of the veterans that I have in rural Arizona are struggling to find anybody that will even hear from them.

What a sad shame. What an absolute shame.

So I actually would ask my colleagues to vote for this amendment. It is pretty straightforward. I think America gets it.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, I urge all Members to adopt this amendment.

I must admit, if people all over America are wondering why it is so difficult to get something done on a bipartisan basis, traditionally, the least controversial thing we do here is study something. What is even less controversial is coming together on behalf of our veterans, yet we have the ranking member of this committee opposing both. I hope the American people are watching closely.

Again, I think this is a very commonsense, modest amendment by the gentleman from Arizona. I encourage all Members to vote for it.

Mr. GOSAR. Mr. Chairman, once again, I ask all Members to vote for this.

I yield back the balance of my time.

The Acting CHAIR (Mr. BYRNE). The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–340.

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 12, strike the first period and insert '', including consumers and small businesses in rural areas.''.

The Acting CHAIR. Pursuant to House Resolution 526, the gentleman from Missouri (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, the American people have been misled. They were incorrectly told that Dodd-Frank was meant to go after big banks and Wall Street. However, in my rural congressional district, the effects of this law and its close to 500 regulations have been devastating.

The total economic cost of Dodd-Frank-based regulations has eclipsed $35 billion and over 60 million hours of paperwork burdens. That is the equivalent of 30,000 employees a year dedicated solely to regulatory paperwork. A new army of regulators aren't the kind of jobs that Americans were promised.

The biggest and most costly regulation to come out of Dodd-Frank is the deceptively named Consumer Financial Protection Bureau, an unconstitutional, uncontrollable, and unaccountable agency whose total negative impact on our economy won't be known for decades.

The CFPB was supposed to protect consumers from the predatory practices of financial institutions. Instead, it has limited Americans' access to credit, the ability to be financially independent, and impeded the availability of homes and, in this case, cars. The CFPB achieved this by hiring big, spending big, and regulating big.

The CFPB started with a staff of 178 in 2011 but now has close to 2,000 employees. In that same period, its annual spending grew from $10 million to, now, $600 million. The safest place to find a job in this government economy is with a Federal financial regulator. In the last 5 years, those regulators have seen a 16 percent increase in job growth.

The CFPB still has more regulations and guidance in its pipeline just ready to roll out and crush rural America. That is why this amendment is so important.

In the endless search for a job in this economy, many Americans are forced to migrate to urban areas. In 2013, over half of all the rural counties in the United States actually shrank in population. In 2014, according to the Department of Labor, rural counties lost 330,000 jobs, while metropolitan counties gained over 3 million jobs. The last thing Washington should be doing is authoring regulations which further enable this trend.

With adoption of H.R. 1737 and this amendment, we are telling the CFPB that, when you issue regulations like this, in addition to analyzing the impact on women-owned, minority-owned, and small businesses, you must also take a look at those regulations' impact on rural businesses and rural consumers.

My amendment is a simple one, but it would go a long way to providing some clarity for the folks of Missouri's Eighth Congressional District and all of those Americans living in rural communities across the Nation. While 1600 Pennsylvania Avenue might be looking at ways to make their life harder, this body, this Chamber, will continue to fight to make sure the Federal Government stays out of their way.

I thank my friend and colleague from New Hampshire for introducing this legislation. Burdensome regulation is a problem that hits rural America the hardest. I urge adoption of the amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Mr. Chairman and Members, I am in opposition to this bill because it is simply another study, another cost to government, another unnecessary cost. While my friends on the opposite side of the aisle always claim that they are reducing the cost of government, these studies do very little.

As a matter of fact, instead of a study, some of these Members who represent rural areas ought to become real advocates for their constituencies. They charge many of us as being advocates for health care, education, housing, and transportation, all of which they lack in their communities, but you never see them fighting for it. If it were not for some of us who are out there demanding better health care, better transportation systems, better education, and fighting for those who get ripped off by these fraudulent businesses every day, they wouldn't have any protection because they send too many Members to Congress who mislead them on other kinds of issues, but when it comes to their economics, you cannot find them anywhere.

So, instead of a study, another study, another cost to government, why don't they become real advocates for their constituency? Why is it that we don't have transportation systems in rural communities? Why is it they have to travel miles for health care? It is because they have Representatives whom they send to Congress who are really not representing their real interests. They may get their colleagues to vote for yet another study because they don't do anything that is real and substantive for their communities.

I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–340.

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk listed as Sewell Amendment No. 3.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

SEC. 4. RULE OF CONSTRUCTION.

Nothing in this bill shall be construed to apply to guidance issued by the Bureau of Consumer Financial Protection that is not primarily related to indirect auto financing.

The Acting CHAIR. Pursuant to House Resolution 526, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chairman, I rise today in support of my amendment to H.R. 1737.

My amendment is a commonsense and straightforward amendment. It simply states that nothing in this bill shall be construed to apply to guidance issued by the CFPB that is not primarily related to indirect auto financing.

This amendment is intended to help ensure that the underlying bill in no way prohibits, disrupts, or affects the enforcement of other fair lending laws or guidance that protects millions of Americans from unfair or discriminatory lending practices.

The underlying bill, H.R. 1737, provides the CFPB with criteria to consider when issuing further guidance on indirect auto lending. While I agree that the CFPB should reevaluate its recent guidance, we should also ensure that the scope of this legislation stays narrow and applies only to indirect auto financing.

Mr. Chairman, I applaud the CFPB's efforts to protect consumers from discriminatory lending practices. We can all agree that no one supports or should condone abusive or discriminatory practices in auto lending or in any area of the marketplace. However, it is our job as Members of Congress to offer guidance and constructive critique to our regulatory agencies to enforce and ensure that regulations are pragmatic and workable.

This noncontroversial amendment simply clarifies that the other valuable tools possessed by the CFPB are not infringed upon and ensures that there is no room for ambiguity. The CFPB plays a critical role in protecting consumers and buyers. My amendment helps ensure that laws like the Equal Credit Opportunity Act and other fair lending laws are not inadvertently or directly affected by this bill.

□ 1515

My amendment helps ensure that the Bureau continues to play this role while hardworking Americans continue to have access to the necessary credit to purchase any central mode of transportation. I urge support of this amendment.

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

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR (Mr. SMITH of Missouri). Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. HENSARLING. Mr. Chairman, the gentlewoman from Alabama is a valued member of the Committee on Financial Services. The absolute worst thing I could say about her amendment is it might be redundant. Hopefully it is. But if it is not, we want to simply clarify, again, that the underlying bill from the gentleman from New Hampshire only deals with this auto finance guidance.

Again, absolutely nothing in the underlying bill to H.R. 1737 in any way, shape, or form affects the CFPB's ability to enforce the Equal Credit Opportunity Act. If this clarification is needed, I am happy that the gentlewoman is offering it, and I would urge its adoption.

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

Ms. SEWELL of Alabama. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. WATERS), the ranking member of the committee.

Ms. MAXINE WATERS of California. Mr. Chairman, I thank the gentlewoman for yielding time.

As Mr. HENSARLING said, it may be redundant, but that is okay. It reinforces basically what we have been talking about in relationship to 1737.

I will just take a moment to say how proud I am of the Consumer Financial Protection Bureau, how proud I am of Mr. Cordray, how pleased I am that this is the centerpiece of the Dodd-Frank reform, how pleased I am that we now have an agency that is looking out for consumers.

Prior to the Consumer Financial Protection Bureau, our regulatory agency said their job was for safety and soundness. They forgot about the consumers; they were dropped off the agenda.

Now we have a Consumer Financial Protection Bureau that is challenging the practices of many who claim they are in legitimate businesses. They are challenging them. They are saying to them: No longer can you rip off our consumers. No longer can you target minorities. No longer can you have discriminatory practices.

Thank God for the Consumer Financial Protection Bureau.

Ms. SEWELL of Alabama. Mr. Chairman, I want to thank the ranking member, Congresswoman WATERS, for her diligence on this committee. She serves as a model for all of us in her vigor and fervor for making sure that we are not discriminating against average Americans. All of us agree that nothing we do should be about discriminating or adding to the effects of discrimination.

I ask for support of this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The amendment was agreed to.

The Acting CHAIR. There being no further amendments, under the rule the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BYRNE) having assumed the chair, Mr. SMITH of Missouri, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending, and, pursuant to House Resolution 526, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

PORTFOLIO LENDING AND MORTGAGE ACCESS ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 529, I call up the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 529, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–34 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1210

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 ''Portfolio Lending and Mortgage Access Act''.

SEC. 2. SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.

(a) IN GENERAL.—Section 129C of the Truth in Lending Act (15 U.S.C. 1639c) is amended by adding at the end the following:

''(j) SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.—

''(1) SAFE HARBOR FOR CREDITORS THAT ARE DEPOSITORY INSTITUTIONS.—

''(A) IN GENERAL.—A creditor that is a depository institution shall not be subject to suit for failure to comply with subsection (a), (c)(1), or (f)(2) of this section or section 129H with respect to a residential mortgage loan, and the banking regulators shall treat such loan as a qualified mortgage, if—

''(i) the creditor has, since the origination of the loan, held the loan on the balance sheet of the creditor; and

''(ii) all prepayment penalties with respect to the loan comply with the limitations described under subsection (c)(3).

''(B) EXCEPTION FOR CERTAIN TRANSFERS.—In the case of a depository institution that transfers a loan originated by that institution to another depository institution by reason of the bankruptcy or failure of the originating depository institution or the purchase of the originating depository institution, the depository institution transferring such loan shall be deemed to have complied with the requirement under subparagraph (A)(i).

''(2) SAFE HARBOR FOR MORTGAGE ORIGINATORS.—A mortgage originator shall not be subject to suit for a violation of section 129B(c)(3)(B) for steering a consumer to a residential mortgage loan if—

''(A) the creditor of such loan is a depository institution and has informed the mortgage originator that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan; and

''(B) the mortgage originator informs the consumer that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan.

''(3) DEFINITIONS.—For purposes of this subsection:

''(A) BANKING REGULATORS.—The term 'banking regulators' means the Federal banking agencies, the Bureau, and the National Credit Union Administration.

''(B) DEPOSITORY INSTITUTION.—The term 'depository institution' has the meaning given that term under section 19(b)(1) of the Federal Reserve Act (12 U.S.C. 505(b)(1)).

''(C) FEDERAL BANKING AGENCIES.—The term 'Federal banking agencies' has the meaning given that term under section 3 of the Federal Deposit Insurance Act.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by this Act may be construed as preventing a balloon loan from qualifying for the safe harbor provided under section 129C(j) of the Truth in Lending Act if the balloon loan otherwise meets all of the requirements under such subsection (j), regardless of whether the balloon loan meets the requirements described under clauses (i) through (iv) of section 129C(b)(2)(E) of such Act.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

I rise today in support of H.R. 1210, the Portfolio Lending and Mortgage Access Act, a bill approved by the Committee on Financial Services, which I chair, on a bipartisan vote of 38–18.

First, I want to thank the gentleman from Kentucky (Mr. BARR), an outstanding member of our committee, for his leadership in finding simple ways to allow aspiring home buyers across the Nation to obtain mortgages more easily, absent the onerous regulations that are presently being applied so that they can qualify a mortgage through market competition.

The aim of H.R. 1210 is simple. Banks and credit unions should be free to originate mortgages as long as they keep them on their books, as long as they keep the risk. This is responsible lending, Mr. Speaker, and it helps more qualified borrowers obtain mortgages so that perhaps they can get their piece of the American Dream.

H.R. 1210, again, does this by allowing lenders, particularly hometown community banks and credit unions, to treat mortgages held on their balance sheets as ''qualified mortgages'' for purposes of the CFPB's mortgage lending rules.

As we know, the Dodd-Frank Act made significant changes to our mortgage lending marketplace. One specific provision in section 1411 of Dodd-Frank requires mortgage lenders to determine at the time a loan is made that the borrower has a reasonable ability to repay it. The ability to repay requirements are intended to ensure a lender takes into account the borrower's capacity to actually repay the loan.

Section 1412 of Dodd-Frank creates a legal safe harbor for compliance with the ability to repay rule for lenders who issue so-called qualified mortgages, or QMs.

Now, Mr. Chairman, it seems obvious that loans that are held by a lender should be regulated differently than loans that are originated and then sold to a third party. They have completely different characteristics.

Again, lenders that hold the loans on their own books in their own portfolio assume all—all—of the exposure of risk to nonperformance and default. Lending 101 tells us that when the borrower is unable to repay the loan, the bank that made the loan, if it keeps it on its books, is the one that is going to lose the money and any future profit that would be derived from the loan.

Portfolio lenders with poor underwriting thus will not stay in business very long. In this sense, mortgages that are held in portfolio are already prudently regulated by market discipline. Yet without a safe harbor from the threat of litigation, which H.R. 1210 would provide, lenders will not make loans to otherwise creditworthy individuals.

We hear this from community banks and credit unions every day. If they don't meet the QM standards, the loans simply aren't going to get made as a practical matter.

So let me stress, the CFPB's restrictions on mortgage lending will have a disproportionate impact on low- and moderate-income home buyers, especially those from rural and certain urban areas.

According to the Federal Reserve, within a few years under this QM rule, roughly one-third of Black and Hispanic borrowers may find themselves disqualified from obtaining a mortgage because of the qualified mortgage rule. This is based simply on a rigid debt-to-income requirement.

A recent survey tells us that 73 percent of community bankers have actually decreased their mortgage business or completely stopped, Mr. Speaker, completely stopped their mortgage business or providing mortgage loans due to the expense of complying with the QM, qualified mortgage, regulatory burden. That is why a lot of community banks and credit unions across the country say that QM doesn't stand for ''qualified mortgage''; it stands for ''quitting mortgages.''

It should not be the job of Congress or unelected and unaccountable Washington regulators to decide who gets a mortgage and who does not or to force community banks and credit unions to function like regulated utilities, issuing only plain vanilla mortgages, rubberstamped in Washington for select groups.

Now, opponents of this bill will attempt to derail it in branding it some kind of gift to Wall Street. Let me be clear. H.R. 1210 is a gift to home buyers, all home buyers looking for a more transparent and competitive market.

When it comes to loans that are held on the books, the size of the institution does not matter. A loan held in portfolio will carry the exact same amount of risk and profit regardless of the size of the bank that holds it.

The commonsense legislation that is before us recognizes that the most effective way to ensure a borrower has the ability to repay is not one-size-fits-all, top-down regulation from Washington.

Let's, again, remember that the financial crisis was primarily caused by misguided Washington policies helping put people into homes they could not afford to keep, hurting underwriting standards. Portfolio lending did not cause the crisis.

I urge all of my colleagues to support the legislation of the gentleman from Kentucky. Support the American Dream.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise today in opposition to H.R. 1210. Today we are again wasting time on the floor discussing a bill that President Obama has already pledged to veto because it would undermine important financial reforms and put consumers and the economy at risk.

H.R. 1210 would allow lenders to deal in the same kind of risky loans that sank Washington Mutual, Wachovia, Countrywide, and eventually the entire economy in 2008. The bill undermines the antipredatory lending provisions of the Dodd-Frank Act and virtually eliminates one of the most significant consumer protection rules implemented by the CFPB.

The bill also revives an industry practice under which mortgage brokers can earn hefty bonuses by steering borrowers into riskier, more expensive loans regardless of whether they qualify for better rates. My colleagues seem to forget that we went through a terrible financial crisis.

While we did spend hundreds of billions of dollars to rescue the banking system, millions of victims of predatory lending were left to fend for themselves as they were displaced from their homes and saw their life savings disappear.

□ 1530

Many reforms in the Dodd-Frank Act ensure that the financial industry will never again be allowed to take the kinds of risks that drove us to national crisis, but the mortgage lending rules are designed specifically to protect families from financial crisis.

The fact is that many banks, whether they held loans on their books or sold them off to investors, were able to profit from loans they knew borrowers could not repay. Rather than perform careful underwriting, many banks demanded high upfront fees and relied on rising home prices and private mortgage insurance to protect them from losses when borrowers inevitably defaulted.

Banks also targeted families in financial trouble that owned their homes free and clear, offering them cash-outs, refinancing with high origination fees and unaffordable terms.

Refinances accounted for 70 percent of subprime lending in the 3 years before the crisis and ended up sapping the life savings from many families who relied on these products to pay for unexpected medical bills or financial hardships.

Department of Justice investigations found that lenders specifically targeted, again, minorities with predatory loans, destroying a generation's worth of wealth in many communities of color.

Under the new mortgage rules, it is illegal to pay bonuses to brokers for steering borrowers into loans with bad terms. CFPB rules establish sensible underwriting standards so lenders are incentivized to design products that perform over the long run and make sense for consumers.

In cases where banks want to make riskier loans with higher fees, they are allowed to do so, but the consumer will have extra protections if the loan goes bad. These include the right to sue for financial harm and a defense against foreclosure.

The mortgage rules make good sense by protecting consumers while still allowing them access to credit and ensuring the economy can grow. These are exactly the types of regulations we should want from our regulators, and the CFPB should be commended for its success.

Republicans continue to declare that the Dodd-Frank Act and the CFPB have been bad for the economy. During the last Republican Presidential debate, a rightwing group aired a commercial painting the CFPB as a communist bureaucracy and claiming the CFPB staff were responsible for denying loans to consumers. The facts show a much different picture.

Even the conservative Wall Street Journal recently reported that industry analysts and experts agree that compliance costs aren't the greatest challenge facing community banks. The same article notes that loan balances at community banks grew twice as fast as their large counterparts over the last year and that their profitability is much closer to larger banks than it was prior to the passage of the Dodd-Frank Act.

The Mortgage Bankers Association recently revised their expectations for 2016 and 2017 to expect even more growth in housing credits. And this week, at the National Association of Realtors' annual conference, industry economists pointed to a strong housing market, with high prospects for continued growth.

It is time for Republicans to realize that Dodd-Frank and the CFPB are not the problem. They are the solution.

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

Mr. HENSARLING. I yield myself 30 seconds to say I am fascinated to hear the specter of discrimination continually waved by the other side, yet the Federal Reserve says, when the qualified mortgage rule is fully implemented, fully one-third of all Blacks and Hispanics won't be able to qualify for a mortgage. Yet we hear silence from the other side.

The reason we had the meltdown is because so many of my friends on the other side of the aisle wanted to roll the dice on so-called affordable housing goals of Fannie and Freddie. It turned out to be the largest bailout in American history.

If people are going to make bad loans, here is an idea: Let's not bail them out with taxpayers' money, but give everybody a fair shot at home ownership. That means, if a bank makes the loan, they hold it on their books. Let them keep it. Let it be a qualified mortgage.

I yield 5 minutes to the gentleman from Kentucky (Mr. BARR), the sponsor of the bill.

Mr. BARR. I thank the gentleman from Texas, the chairman of our committee, for his leadership and support of this legislation.

Mr. Speaker, the best policies serve both the interests of the individual and the broader national interests. In this case, it is in the interest of the borrower to have an affordable, right-sized mortgage. It is also in the interest of the Nation to have a sound financial system safe from the excesses that led to the crisis in 2008. It is possible to satisfy both objectives, but it will require the Federal Government to acknowledge that changes must be made to the Consumer Financial Protection Bureau's interpretation of the Dodd-Frank law.

The ability to repay requirements in Dodd-Frank are designed to ensure that a lender takes into account the borrower's ability to repay a loan. Simple enough. But the CFPB has implemented the ability to pay rule provision by promulgating a one-size-fits-all, top-down, Washington-directed qualified mortgage rule.

Under the CFPB's approach, mortgages have been made safer by effectively making them unavailable to a substantial number of would-be home buyers. According to the Federal Reserve, 22 percent of those who borrowed to buy a home in 2010—one out of every five borrowers—would not have met the underwriting requirements for a qualified mortgage.

There is no debating that for the benefit of a mortgage borrower or his or her lender and the financial system, a borrower should have a demonstrable ability to repay that loan. The only question is who is in the better position to determine whether that borrower is able to repay the loan. Is it a Washington bureaucrat without any relationship with the borrower, or is it a lender with a full view of the customer's finances and a bank or credit union that must bear 100 percent of the downside risk of default?

Dodd-Frank answered that question by taking sides with the Washington bureaucrats. The result has been a housing market struggling to recover as a result of scarce mortgage credit, impacting job creation and affordable housing, and the loss of the consolidation of community banks and credit unions.

It is time to try something different. H.R. 1210, the Portfolio Lending and Mortgage Access Act, is the solution. This legislation would treat mortgages held on the balance sheets of financial institutions as qualified mortgages for purposes of the Bureau's mortgage lending rules.

Because mortgage lenders retain all of the risk of the loans held on portfolio, they have a strong incentive to

ensure that the loan is repaid. Such a policy would drive private sector risk retention—a goal of the Dodd-Frank Act itself—and mark a return to relationship lending where a bank or credit union can tailor products to a customer's needs and credit risk without running afoul of the one-size-fits-all government requirements.

Small banks and credit unions have been disproportionately impacted by these rules. It is no coincidence that Harvard researchers have found that, since Dodd-Frank's passage, community banks have lost market share at a rate double that experienced prior to Dodd-Frank's passage in 2006 to 2010, a period including the entirety of the financial crisis.

By bearing the risk, financial institutions have every incentive to make sure that the borrower can afford to repay that loan. And no less than Chairman Barney Frank endorsed this concept at a hearing before the Financial Services Committee last year, saying he would like the main safeguard against bad loans to be risk retention because that leaves the decision in the hands of whoever is making the loan.

The Bureau, itself, made this key point in its own rulemaking where it recognized that portfolio lenders have a strong incentive to carefully consider whether a consumer will be able to repay a portfolio loan, at least, in part, because the small creditor retains the risk of default.

This bill also importantly provides a viable alternative to the originate-to-distribute mortgage lending model that contributed to the bubble in residential real estate and massive taxpayer bailouts. Indeed, this legislation embraces an approach that more effectively ensures that borrowers have the ability to repay than the CFPB's restrictive rule. The result will be expanded access to mortgage credit without additional risk to the financial system or the taxpayer.

I would just note that the ranking member talks about putting taxpayers at risk again. But the cause of the financial crisis was not portfolio lending by community banks and credit unions; it was government policy: Fannie Mae and Freddie Mac buying billions of subprime, improperly underwritten mortgages.

This policy, the GSE exemption to the qualified mortgage rule, continues to do this day. My bill offers an alternative to this risky practice of incentivizing origination without underwriting and distribution to taxpayer-backed GSEs. This is particularly important because the commonsense bill that is before the Congress recognizes that the most effective way to ensure that a borrower has an ability to repay is not one-size-fits-all Washington mandates.

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

Mr. HENSARLING. I yield the gentleman an additional 30 seconds.

Mr. BARR. Just to conclude, instead, the most effective way to ensure that a borrower has the ability to repay is to restore the traditional relationship banking that ensures that financial institutions bear the downside risks associated with their business decisions.

H.R. 1210 has the support of the American Bankers Association, the Independent Community Bankers of America, the Credit Union National Association, the National Association of Federal Credit Unions, the National Association of Home Builders, and the U.S. Chamber of Commerce.

The housing sector represents a third of the economy, and the lack of available mortgage credit is impacting our recovery. I encourage my colleagues to join me to expand access to mortgage financing and support economic growth.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker and Members, I just heard that these bankers have the ability to understand and know whether or not the consumers have the ability to repay. That is what they told us before 2008. Unfortunately, they are the same ones now that are telling us that they can determine ability to repay. They didn't do it then, and they won't do it in the future.

I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Financial Services Committee.

Mr. KILDEE. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, I appreciate the efforts of my colleague and classmate Mr. BARR in attempting to address this issue. I appreciate the impact that the qualified mortgage rule has had in terms of mortgage lending for consumers and access to credit. It is especially true for our local and community bankers who have longtime personal relationships with individuals and families. It is these types of relationships that we need to encourage: the personal knowledge of people that banks and financial institutions lend to.

I also appreciate the aspects of the bill intended to increase access for consumers that are just shy of the strict qualified mortgage standards, and I support the policy of allowing otherwise non-QM-compliant individuals having access to qualified mortgage products if lenders are willing to keep the loans on their books.

My concern with this legislation, among others, is that it does not explicitly disallow the exotic mortgage products that were so much a part of the housing crisis.

There are consumer protections that could improve this legislation in terms of how we allow safe borrower protections for banks and mortgage originators. I do think we should focus on consumer protection and allow non-QM loans to be non-QM only in terms of the borrower—those individuals that fall just outside QM standards—and not open up to non-QM products, particularly because this is not applicable only to those small community banks or credit unions that we are so familiar with, but to all institutions.

Portfolio lending is an important opportunity to find bipartisan agreement. I hope we can continue to work on this.

One other issue that I raise—and it was included in the amendment that I offered that the Rules Committee did not make in order—is that I would have preferred that the legislation require that the institutions making loans under this title collect data on how these loans are being made and how they are performing, and get us the information to determine whether or not the effect that we are trying to create with this sort of approach is actually being met or if, in fact, it is not.

I appreciate the efforts of my friend and colleague. I wish I could work with him if, in fact, this moves forward in a way that it is open to suggestion.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), the distinguished chairman of the Monetary Policy and Trade Subcommittee of our committee.

□ 1545

Mr. HUIZENGA of Michigan. Mr. Speaker, I appreciate the opportunity.

I want you to imagine with me. Imagine a single mom moving out of a trailer. She has had some tragedy in life. She has got two kids that are watching very, very closely, though, what she is doing and how she is handling it.

Imagine, as a former realtor, the joy that I took in being able to get her into her own home, the first thing that she had felt like was truly hers and something that her kids could be proud of.

Well, that is the type of scenario that we are trying to promote, I would think, as a country. Unfortunately, with the rules that have been promulgated under this qualified mortgage rule, lenders determine a borrower's ability to repay using, really, an arbitrary standard set by a formula.

They don't look at the character. They don't look at the background. They don't look at the history of that person because it is outside the formula. If a lender does not adhere to this bureaucratically established formula, a borrower can actually sue the lender.

This has caused 73 percent of community bankers, those who know their customers best, to cut back their mortgage business or simply stop providing mortgages altogether. That is the worst-case scenario.

The Portfolio Lending and Mortgage Access Act removes bureaucrats from the equation and allows lenders to work directly with borrowers to provide them with loans that they can afford. That is a key element here: loans that they can afford.

How do we know that they are going to do this?

Well, by keeping the loan on their own portfolio, on their own books, the

lender assumes the full risk of the loan. Let me repeat that. The lender retains the full risk of those loans. If they didn't think that that borrower could pay back the loan, they would not lend it to them.

Now, in my mind, that is the definition of what a qualified mortgage test really ought to be. So this bill is going to allow those mortgage lenders to extend and cover those loans and really offer those services to those people who are looking for that.

I have heard on the other side of the aisle a claim, as the White House did in its veto threat, that this bill would ''open the door to risky lending by undermining consumer protections under the rule and expanding the amount of loans that would be exempt from it.''

As was pointed out by my friend from Kentucky, portfolio loans had nothing to do with the financial crisis that we went through.

In addition, loans sold to Fannie Mae and Freddie Mac and insured by the Federal Housing Administration, which make up the vast majority of the market, are already exempt under the QM rule.

So who exactly are we protecting? Who exactly are we maybe not servicing the way that this Congress ought to be servicing and ought to be advocating for?

The originate-to-distribute model incentivized predatory and subprime lending, and, because those loans would be readily securitized, moved off of their books, they no longer had any responsibility. All they had to do was meet kind of a blush of a requirement, and they could move it right on off of their books.

I can tell you this: as a former realtor, I understand that nobody has a greater incentive to ensure that a borrower can repay their loan.

I just pray that my colleagues on both sides will support this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from Alabama (Ms. SEWELL), a member of the Financial Services Committee.

Ms. SEWELL of Alabama. Mr. Speaker, I thank Ranking Member WATERS.

Today I rise in opposition to H.R. 1210. During the financial crisis of 2008, predatory subprime lending was far too prevalent and underwriting standards were not adequately adhered to by lenders.

In response to these practices, the Dodd-Frank Act created a new set of mortgage underwriting rules. These qualified mortgage rules are critically important to helping ensure that all American consumers are protected against harmful mortgage products and abusive lending practices. These commonsense rules now require a lender to make a good faith effort to determine that a borrower has the ability to repay a mortgage.

Additionally, the final rule contains critically important and special provisions and exemptions that are available only to small lenders and to lenders that operate predominantly in rural and underserved areas, exceptions that are critically important for districts like mine.

The QM rules simply state that, if banks make risky loans, like interest only, or adjustable mortgage loans, consumers can hold them accountable if those mortgages go bad. Lenders are also responsible for accurately researching and documenting borrowers' incomes and their ability to repay.

Unfortunately, as currently drafted, H.R. 1210 would undermine these critically important consumer protections by exempting all depository financial institutions, large and small, from QM standards as long as the mortgage loans in question are held in portfolios by those institutions.

H.R. 1210, broadly defined, would broaden the qualified mortgages to include all mortgages held on a lender's balance sheet.

Under the bill, depository institutions that hold a loan in portfolios could arguably receive legal safe harbor, even if the loan contains terms and features that are abusive and harmful to consumers.

Essentially, the bill would limit the rights of borrowers to hold harmful those banks that do bad practices.

We all know that no regulation or law is perfect. We must work together to strike a delicate balance and ensure that regulations are pragmatic and workable without placing undue harm on financial institutions that provide critically important access to capital for potential homebuyers.

Home ownership remains an important goal for most Americans and one of the most traditional gateways to the middle class. However, the financial crisis of 2008 reminds us that we must have in place sensible safeguards to protect consumers against harmful mortgage products.

I want to thank the ranking member for her leadership on this matter.

I urge my colleagues to oppose H.R. 1210.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I thank the chairman for yielding.

I would like to thank my good friend from Kentucky, the sponsor of this legislation, for leading on this important issue.

Mr. Speaker, for many western Pennsylvanians, home ownership is a significant aspect of realizing the American Dream. Moving from paying rent to owning a home is an investment in the future for these families and an investment in their local communities.

Unfortunately, today that dream is being threatened unnecessarily by the Consumer Financial Protection Bureau's qualified mortgage rule, or QM. The QM rule is a Washington-knows-best approach to mortgages that is hampering access to home loans across this country and hurting potential homebuyers and their communities.

As with many complicated and one-size-fits-all regulations, the QM rule has brought substantial unintended consequences. The rule's strict arbitrary standards have made it more difficult for many deserving consumers to get a mortgage and, as a result, has stalled much-needed investment in distressed and recovering communities.

Notably, a significant amount of low-to-moderate-income borrowers now do not qualify for a mortgage based on the rule's 43 percent debt-to-income ratio requirement. In fact, according to the Federal Reserve, 22 percent of those who borrowed to buy a home in 2010, after the financial crisis, 1 out of every 5 borrowers would not have met this requirement.

Mr. Speaker, these are hardworking, everyday people we are talking about. These are the people we are fighting for today.

It is our local community banks and credit unions that have longstanding relationships with these everyday people, and they are in the best position to judge creditworthiness and ability to repay.

But the QM rule effectively takes that opportunity away from these community institutions and subjects them to an increased potential liability should they ever decide to stray outside the regulation. This is why, as the American Banker and others have put it well, for community financial institutions, QM means quitting mortgages.

Thankfully, Mr. Speaker, this commonsense legislation that we are considering today offers a real opportunity to change this. In short, the bill provides a very reasonable tradeoff for financial institutions.

Should an institution decide to hold a mortgage in portfolio and retain the risk of default on its balance sheet, the institution receives the legal protections that are otherwise afforded by the QM rule.

On the other hand, if that institution decides not to hold the mortgage in portfolio, sells it in the secondary market and does not retain the risk, the institution does not receive those legal protections.

By providing this option, the legislation will allow institutions to meet the credit demands of their consumers while incentivizing them to ensure that potential borrowers can meet the monthly obligations of a mortgage.

In other words, it properly realigns the risk, facilitates effective underwriting by lenders, and ensures that mortgages will be readily available for deserving homebuyers.

Mr. Speaker, let's pass this legislation so we can help transform community through home ownership.

I urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the vice chair of the Congressional Progressive Caucus and a member of the Energy and Commerce Committee.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership to protect consumers.

H.R. 1210 would allow the largest banks in the country to deal in the types of predatory and risky loans which brought down Washington Mutual, Wachovia, Countrywide, Lehman, Bear Stearns and, eventually, the entire economy.

It undermines one of the most important titles of the Dodd-Frank Act and one of the most significant consumer protection rules implemented by the Consumer Financial Protection Bureau.

Furthermore, this bill contains a provision which explicitly allows mortgage brokers to steer borrowers to riskier, more expensive loans, regardless of what they qualify for.

Some supporters of this bill think that, if banks hold these loans and, therefore, their risks in their own portfolios, they will be careful not to originate bad loans, but this isn't true. It is not true.

Several portfolio lenders went under during the crisis due to a failure to underwrite loans because they were focused on short-term benefits of upfront fees rather than the long-term performance of the mortgages that they originated.

Investment banks also chased these short-term profits and bought up risky derivatives based on loans that were poorly underwritten without due diligence.

More importantly, this bill does not change what types of loans a bank is allowed to make. It just removes consumer protections from the riskiest subprime loans.

The CFPB's ability to repay rule is the only line of defense against predatory mortgage practices that brought down the economy and destroyed billions in homeowners' wealth, and it is working.

Under the new mortgage rules, defaults are down and lending to minorities is up. Last quarter had the most loan originations since the third quarter of 2007. The rules are protecting consumers while also fostering competition among banks and growing the economy.

We should not change a rule that is working. If it ain't broke, don't fix it.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Texas has 12½ minutes remaining. The gentlewoman from California has 17 minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I thank the gentleman for yielding.

The great American philosopher Ron White has a saying, and it says, ''You can't fix stupid.'' So I guess that is the reason we can't fix the QM rule that has come from the CFPB because it is stupid.

Here is the reason why. Why would we not want to give a bank or a credit union the ability to loan somebody money when they are taking 100 percent of the responsibility for the person to pay back that loan?

That is exactly what H.R. 1210 does. It says that a small bank, a community bank, or credit union—I don't really care who it is—is willing to put up their own money to somebody that they may know in their community that might not have the ability to have credit otherwise to be able to buy a house.

I had that personal experience. Before I went in the building business, the only thing that I had was a home. So I went and I paid about 13 percent interest. I probably paid a number of points at closing to be able to open up my building business. In doing that, I was able to do that and I was able to pay back that loan. But had these rules been in effect, that would not have been possible to do.

There are other Americans and there are other people out there waiting to get their foothold in society by buying a house, becoming part of the American Dream. And, to me, part of that dream is home ownership.

So the philosopher is right. You can't fix stupid.

The CFPB has come up with many stupid rules, but I have got to give this one the crown, because why we would want to keep people from having credit and the ability to prosper and to move on and to grow in their life and provide shelter for their family is beyond me.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield as much time as he may consume to the gentleman from Minnesota (Mr. ELLISON).

□ 1600

Mr. ELLISON. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, I just want to say that the fact is that 2008 was a horrendous time here in Congress, but it was even worse across America. You can go into neighborhoods not just in my district in Minnesota but all over the country—Florida, Arizona, and California—all over the country, and the foreclosure crisis was wreaking havoc from sea to shining sea. Why? Because of poor underwriting standards. Why else? Because we didn't require much of anything to prove that people could pay a loan back.

I remember these days, and I remember them so well that I am not really one to want to return to them right away. I think Congress has a duty to protect homeowners and protect consumers from predatory lenders. I vividly recall panic. I vividly recall the loss in property values, and I vividly recall the exploding unemployment numbers. I remember the calls from homeowners in my district facing foreclosure.

In Hennepin County, which is the county in which Minneapolis is located, we had more than 35,000 foreclosures since 2007. In many cases, these home buyers were sold loans with predatory terms even though they qualified for better mortgages. They were literally steered to bad mortgages.

I have talked to people both young and elderly, people who had English as a second language, and people who have been born speaking English their whole lives, in fact, a diverse group of people who were steered to cash-out refinancing that stripped them of their wealth and left them homeless.

We acted to stop these predatory practices, and I am proud that we did. Dodd-Frank was good legislation to try to stop these irresponsible practices. We passed the Dodd-Frank Wall Street Reform and Consumer Protection Act and created a standard mortgage, one that we call a qualified mortgage. This is a good step. It was wise to create a nice, boring mortgage loan product. It was a good idea.

Qualified loans must not at the time of origination be interest only or negatively amortizing, have a term longer than 30 years, be a no-income, no-documentation loan, also known as liar loans, be a balloon loan, have a cap on fees and points, and leave the borrower with a debt-to-income ratio of greater than 43 percent.

These are commonsense requirements, and if you get a loan like this, it is probably going to be fine. These commonsense requirements are going to enable sustainable homeownership and allow people to maintain that American Dream that they have been hoping for and saving for for so long.

The fact is, we remember when we had yield spread premium. We remember no-doc, NINJA loans. We remember these interest-only loans and negative amortization. These things were ruinous and harmed the American working and middle classes. These commonsense requirements—these commonsense requirements—are what we should do.

Here we are today. H.R. 1210 seeks to repeal these protections. They want to take us back in time. They want to put us at risk and tender mercies again. The fact is, it is a huge mistake.

H.R. 1210 would allow banks with assets up to $1 trillion to seek mortgage brokers to issue the kinds of exotic products which caused the financial collapse.

Even before the ink on the Dodd-Frank Wall Street Reform bill was dry, there were people trying to undermine it. Even before we even implemented the rules, all the rules from Dodd-Frank have not even been in place yet, we are trying to change it and undermine it, really to kick the door open so that the American working and middle class can be at the tender mercies of unscrupulous lenders again. That is not to say that all home lenders are unscrupulous. Many are good. But it doesn't take that many to really ruin the industry.

These changes that H.R. 1210 proposes would encourage lenders to make

loans that are not in the best interest of the home buyer, and this I have to stand against. But I am not by myself. Not only does our ranking member know that this is a bad idea—and many Members of this body—but also the National Association for the Advancement of Colored People, the NAACP, is well aware this is bad legislation. The Leadership Conference on Civil and Human Rights knows it. Americans for Financial Reform knows it. And the Consumer Federation of America and dozens more are opposing this piece of legislation.

Some argue that because these loans will be held in the portfolio of the lender, they will be high quality loans. This is not true. This is a faulty assumption, and it is wrong. They miss the whole point of the qualified mortgage rule enacted in the Dodd-Frank Wall Street Reform and Consumer Protection Act. Mortgage rules are designed to provide safeguards that would create a safer mortgage product for the borrowers. Simply keeping a loan in a portfolio is not necessarily a substitute for the type of sound underwriting mortgage rules are designed to establish.

There is ample evidence that predatory loans can and have been held in portfolio. Some of the largest mortgage lenders that failed during the financial crisis were large portfolio lenders like Countrywide, Washington Mutual, and Wachovia. These lenders can still make money on defaulted loans. During the 3 years before the crisis, 70 percent of subprime loans were refinanced loans, Mr. Speaker, not purchased loans. With refis, borrowers bring the equity to the table. If the bank charges upfront fees and recovers the money from a foreclosure, predatory loans can be profitable even if they default. The same is true for predatory purchase loans when home values aren't falling. And that is why we are going to stand here and protect home buyers.

Mr. Speaker, I want to urge all Members of this body to vote ''no'' on H.R. 1210. And just remember, it has only been a few years since we passed Dodd-Frank. It has only been not even a decade since the financial crisis that really, really caused tremendous havoc to the American working and middle classes. After the Great Depression of the 1930s, at least it took them a couple of decades before they tried to dismantle all the financial protections. They haven't even taken a single decade. They are back at it again and fighting tooth and nail to leave the American working and middle class at the tender mercies of people who have nothing but the profit motive in mind.

Mr. Speaker, I urge Members to vote ''no'' on this piece of legislation. It is not worthy, and I urge a strong ''no'' vote.

Mr. HENSARLING. Mr. Speaker, I yield 30 seconds to the gentleman from Kentucky (Mr. BARR), the sponsor of the bill.

Mr. BARR. Mr. Speaker, it is important to respond to the rhetoric from the other side because I don't think they are really understanding what we are trying to do here. What we are not talking about are the predatory, abusive, and risky loans that they are referring to. That is not what we are talking about here. We are not talking about opaque subprime securitizations. We are not talking about the GSE exemption to the qualified mortgage rule.

By the way, Mr. Speaker, where is the outrage with the FHFA, the regulator of Fannie Mae and Freddie Mac, for not prohibiting Fannie Mae, Freddy Mac, and the GSEs from buying these non-QM mortgages that they are complaining about? What we are talking about are portfolio loans where the risk is on the shareholder, not on the taxpayer.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. Mr. Speaker, I congratulate my good friend from Kentucky (Mr. BARR) for his leadership on this important bill for consumers.

Mr. Speaker, I rise in support of H.R. 1210, the Portfolio Lending and Mortgage Access Act. Since the creation of the Consumer Financial Protection Bureau, it seems that all they have done is make it more difficult for businesses to grow and create jobs and to restrict choices for consumers. America needs an opportunity economy not hampered with massive bureaucratic regulations.

The CFPB's qualified mortgage rule is anti-opportunity. It does nothing but force overly burdensome underwriting requirements on hardworking American families and community financial institutions, making it harder for creditworthy individuals to buy a home they can afford to keep.

The Independent Community Bankers Association reports that 73 percent of community bankers have decreased their mortgage business or completely stopped providing mortgage loans due to the expense of complying with this regulatory burden.

Mr. Speaker, I sat on a community bank board for over 10 years. We knew who was creditworthy. We had personal relationships with our customers. We knew their character. Today, Mr. Speaker, it is one size fits all.

We understand the nature of loans and extending credit. Yet what is required today is a box to check. If you can't check all the boxes, you won't get a loan. The regulators today, just like they did before the crisis, are putting mandates on community financial institutions, whom you can loan money to and whom you can't loan money to. This type of excessive regulation is what is killing the opportunities and choices for the American consumers.

Since I have been in Congress, I regularly hear how Washington's red tape prevents community financial institutions from serving their customers' needs. H.R. 1210 goes a long way to ensure community banks and credit unions, who know their customers and communities, are able to serve hardworking American families, and they should not be impeded by needless and misguided meddling of Washington bureaucrats.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank the chairman.

Mr. Speaker, I would like to thank my colleague from Kentucky, Representative BARR, for offering this piece of legislation.

This bipartisan Portfolio Lending and Mortgage Access Act responsibly expands access to mortgage credit without creating additional risk to the financial system or to the taxpayer. By allowing insured depository institutions to hold residential mortgage loans in portfolio and have them treated as qualified mortgages, this bill encourages strong underwriting standards for lenders while also giving access to credit for young families and first-time home buyers. These are people who may not otherwise be able to meet the ability to repay requirements.

Existing mortgage rules are overly restrictive and have made it difficult and, in some cases, impossible for banks to be able to make otherwise safe and sound loans to creditworthy borrowers. This bill puts the ''community'' back in community lending.

Mr. Speaker, in my district and many others across the U.S., access to mortgage credit is crucial. Unfortunately, many smaller community banks have been forced to stop mortgage lending since they could not afford the expensive compliance and personnel associated with those costs. They simply made too few mortgage loans to be able to cover their costs. In rural areas, this is a significant problem because customers often do not have the alternative to find a lender to be able to approach for mortgage products.

Thankfully, this legislation promotes the type of lending that will boost the housing market in a safe and responsible manner without taxpayer exposure. Portfolio lending is among the most traditional and lowest risk lending in which a bank can engage. Loans held in portfolio are well underwritten and conservative by their very nature since the lender retains 100 percent of the credit and interest rate risk on their own books.

Mr. Speaker, I am happy to lend my support to this bill and encourage my colleagues to be able to support this commonsense measure. Again, I thank the gentleman from Kentucky for his efforts on this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. I thank the chairman.

Mr. Speaker, I rise in support of H.R. 1210, the Portfolio Lending and Mortgage Access bill, designed by my good friend from Kentucky.

We have seen in Arkansas loan approval rates decline significantly since the QM rules were put in place. One bank noted a 40 percent decline in eligible borrowers.

Today, I just want to tell a story. A community banker in my district called this week and said that he has a customer that from time to time just needs catch-up money, money to catch up on bills, medical expenses, or to help out her kids. But her credit score is in the low range of acceptable, and therefore, she doesn't qualify for unsecured credit, and therefore, she uses the equity in her house. She has been doing it for years and paid back those lines over and over again with no problems.

Now she has to go through the ability-to-repay process, which is long and arduous and, unfortunately for her, leading to mistrust between a long-term client and her hometown bank.

As a former chairman, CEO, and president of a community bank in Arkansas, I can assure you that members of our boards of directors across this country scrutinize all portfolio loans, both those that are sold and those kept on the books. But there is no better incentive than to have good underwriting and to ensure the customer has the ability to repay the loan held on the balance sheet of one of our financial institutions.

That is what we are talking about here today.

Community institutions know best how to serve their communities and their clients—not Washington.

Mr. Speaker, I urge my colleagues to support this commonsense bill.

□ 1615

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, I thank the chairman.

Mr. Speaker, I am still scratching my head. I am still scratching my head at some of the folks on the other side of the aisle. I have no idea why they do not want to help those folks that are less fortunate than others in this country.

This is an opportunity, Mr. Speaker, for all of us in this Chamber, Republicans and Democrats, to step forward and show some compassion for folks that want to live in their own home.

I urge all of my colleagues right here today to support H.R. 1210, and I salute Mr. BARR from Kentucky for the hard work that he did to put this Portfolio Lending and Mortgage Access Act together. I also thank Chairman HENSARLING for his leadership in bringing this out of the committee and to the floor.

I enjoy, Mr. Speaker, traveling through my Second District in Maine, the most beautiful part of the world, and I love talking to our small credit unions and community banks. I talk to the folks up at the Maine Family Credit Union in Lewiston or the Bangor Savings Bank, and they tell me how difficult it is to navigate through this huge, complex, 2,300-page Dodd-Frank law that is preventing them from lending money to families who are creditworthy and who deserve these loans.

One specific part of the Dodd-Frank law, Mr. BARR's bill addresses. It is called the qualified mortgage rule, or QM. This is a one-size-fits-all rule that does not work for many of the families in Maine.

Now, let's say you are a lobster fisherman in the down east part of our State and you want to borrow money from the Machias Savings Bank to buy a new home because you have a couple of new kids and you need a new bathroom, but your monthly income, Mr. Speaker, may vary depending on when you set your traps, when you pull your traps, and when you sell your catch to a dealer. Now, what the regulators want is they want to see a smooth, equal 12 mortgage payments to repay that loan; but that might not be the case, Mr. Speaker, because your job doesn't work that way.

The SPEAKER pro tempore (Mr. YODER). The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman from Maine an additional 10 seconds.

Mr. POLIQUIN. In addition to that, Machias Savings Bank may have known your family for 50 years. Now, on top of this, Mr. Speaker, the bank takes all the risk. They own the load. So, God forbid, if a storm comes up and sinks your traps and your boat in the harbor and you can't make those loan payments, there is no risk to the market because the bank owns the loan.

I ask everybody, Mr. Speaker, to stand up and show compassion for the folks around this country who want to buy a home and do qualify for these loans.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Proponents of H.R. 1210 argue that if banks keep loans in portfolio, they have every incentive to make sure those mortgages are sustainable and good for both the bank and the borrowers. Therefore, loans held in portfolio should automatically receive the CFPB's legal safe harbor under the qualified mortgage rule. This simply ignores the history of the recent crisis. How can banks benefit from loans that are unsustainable in the long term?

Let's look at how it really works:

Step one, underwrite a mortgage with high, up-front fees. Though an honest broker may charge a 1 percent fee, a Better Business Bureau study from just before the crisis showed mortgage brokers often making 5 percent in up-front fees. On a $200,000 mortgage, that is $10,000 just for one loan. Other examples are appraisal fees, escrow fees, settlement fees, homeowners insurance. These fees could go back to the loan originator on an unlimited basis, and originators could still have legal protection under H.R. 1210.

Step two, protect your bank from consumer defaults by requiring expensive private mortgage insurance.

Step three, underwrite a large number of loans so that the fees add up—volume churn, volume churn. This has the added benefit of keeping regional home prices high by flooding the market with buyers.

Step four, refuse to offer loan modifications. Banks can divest from loss mitigation processes and keep the profits from the high up-front fees and mortgage volumes.

Step five, foreclose on the borrower and prevent them from suing the lender for lending violations. Once the borrower defaults, the lender can then repossess the collateral. If home prices have risen, they can sell the home for a profit all the while keeping their up-front fees. Meanwhile, H.R. 1210 would provide the lenders with a legal shield against CFPB enforcement or private fair lending litigation.

Over and over, Republicans have attacked the CFPB and the important protections it provides to American consumers. Yet again, we are wasting time on the floor considering a bill the President has already pledged to veto when we could be doing other important business.

What this bill does is very simple. It forgets all of the lessons of the financial crisis of 2008 and allows the country's biggest banks to put consumers and the economy at risk by bringing back complex, high-cost mortgages. The bill resurrects a practice that allows mortgage brokers to receive bonuses from the big banks in exchange for steering consumers into expensive, risky loans.

After the financial crisis, the Department of Justice investigated these practices and found that minority communities were sought out by mortgage brokers and targeted for risky loans, even in the cases where the borrowers were qualified for prime loans. These are the same types of loans that destroyed the life savings of millions of Americans that ended up in foreclosure.

And then when I studied foreclosure practices at the largest banks, I discovered that the same banks that made these mortgages were also guilty of robo-signing. Remember that? Robo-signing, wrongfully foreclosing on families that were up to date on their payments and fabricating paperwork to defraud consumers.

The Dodd-Frank Act and the CFPB have reined in these predatory practices, yet I have had to come down to the floor over and over again to defend our work eliminating fraud in the financial system. We have already seen what happens when regulators do not do their jobs: consumers are left on the hook. We must defend the work we have done in the Dodd-Frank Act and the important work that CFPB continues to do. So certainly I urge a ''no'' vote on this legislation.

It has been said over and over again by this side of the aisle that it appears that my colleagues on the opposite side of the aisle are forgetting the lessons of 2008, forgetting what happened when we brought this country to a recession, almost a depression, forgetting the communities that have been destroyed with these foreclosures, forgetting these lessons, and coming back to the Congress of the United States disregarding all of the harm that we have caused to families and communities and presenting legislation that could put them back in the same position.

Well, we wonder why our constituents and consumers don't trust us anymore. They don't trust us because of these kinds of attempts to present public policy that again could harm our economy and harm these families and these communities. They wonder why it is we continue down this path.

We bailed out the biggest banks in America. We bailed out big insurance companies in America. We took the taxpayers' money, and we literally said to the people who had caused the harm: We forgive you. It is okay. We are going to make sure you stay in business. We are going to make sure that you have the ability to make money.

And while the taxpayers watch this, still many are reeling from the loss of their homes. And homelessness has increased in my own city of Los Angeles, over 12 to 15 percent increase in homelessness. Some of those families are there because they are victims of the predatory practices that we allowed our regulators to turn their heads and bring harm to these families and these communities.

I don't understand why you don't understand simply ability to repay. I don't understand why you would simply say let the biggest banks in America have portfolio loans if they don't have to be worried about qualified mortgages. I don't get it.

Why don't you err, if you are going to err, on the side of the consumer? What is it about the biggest financial institutions in America that can promote this kind of public policy and have so many Members, particularly on the opposite side of the aisle, doing their bidding? I don't get it. I don't understand, and I don't understand why many of your constituents don't really know what is going on.

Mr. Speaker, this is not easy work. As you know, working on the Financial Services Committee is extremely difficult and time-consuming work.

Here we are divided: one side of the aisle going back to the risky days, another side of the aisle protecting the Consumer Financial Protection Bureau and saying that we have to protect that Bureau no matter how much you attack it.

Again, I want to remind you, before Dodd-Frank and this centerpiece that was organized for reform, where we created the Consumer Financial Protection Bureau, think about the name—Consumer, Financial, Protection, Bureau—protecting those who had been dropped off the protection agenda by our own regulators.

So we created something, and we named it in such a way that consumers and our constituents would understand that we are sorry for what happened to them and we don't like the fact that we almost destroyed this economy. We support the Consumer Financial Protection Bureau. We will not go back to those days prior to 2008; and, whether you like it or not, this Bureau is here to stay, and we are going to defend it with every ounce of energy that we have.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 2¼ minutes remaining.

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

Mr. Speaker, I find it fascinating that the ranking member says ''we have to protect the CFPB,'' the very same CFPB that the Federal Reserve's inspector general says, ''minorities underrepresented in upper pay bands''; the very same CFPB, ''minority applicants not hired in proportion to qualifications.'' She wants to protect the CFPB where ''minority employees receive lower performance ratings,'' wants to protect a qualified mortgage rule which the Federal Reserve says one-third of Blacks and Hispanics will no longer be able to qualify for mortgages. Yet the ranking member says we have to protect CFPB.

No, we have to protect the American people from CFPB, the CFPB that is trying to take away their mortgages.

I hear almost every week from some credit union or community bank, like the First Arkansas Bank and Trust, who wrote:

''Our bank has a long history of helping consumers, especially those who, for some reason, cannot qualify for secondary market financing at the time. Due to the fact that this type of financing is now overly burdened by the qualified mortgage standards, we have ceased this type of financing.''

This includes for mobile homes. That is low-income people, Mr. Speaker.

We hear from the Reading Cooperative Bank, ''We have experienced a spike in loan declines to women,'' for their investigation identified that women attempting to buy the family home to settle their divorce and stabilize their family were being declined at a high rate due to the Dodd-Frank qualified mortgage rules and ability to pay.

□ 1630

We hear this stuff all the time. We have to protect the consumer, and we protect the consumer by having competitive, transparent, innovative free markets that are vigorously policed for force and fraud and deception. It is not by having this vaunted CFPB. I am shocked that we have the ranking member again talking about discrimination, but, apparently, it is okay if the CFPB practices it. That is outrageous, Mr. Speaker. It is simply outrageous. The American people will not abide by it.

We have to protect the American consumers in their opportunity for the American Dream of homeownership. That is why every single Member should vote for the legislation from the gentleman from Kentucky, which is so simple. It says, if you make the loan and you keep your books, it is a qualified mortgage, and you have your shot at the American Dream. I urge the adoption of the legislation.

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

The SPEAKER pro tempore. All time for debate on the bill has expired.

The Chair understands that the amendment made in order pursuant to the first section of House Resolution 529 will not be offered.

Pursuant to the rule, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. THOMPSON of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of California. I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of California moves to recommit the bill H.R. 1210 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 2, line 5, strike ''and'' at the end.

Page 2, line 8, strike the period at the end and insert ''; and''.

Page 2, after line 8, insert the following:

''(iii) the consumer is not a veteran or a member of the Armed Forces.''.

Page 3, line 3, strike ''and'' at the end.

Page 3, line 7, strike the period at the end and insert ''; and''.

Page 3, after line 7, insert the following:

''(C) the consumer is not a veteran or a member of the Armed Forces.''.

Mr. THOMPSON of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

Mr. HENSARLING. Mr. Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. THOMPSON of California. Mr. Speaker and Members, the bill on the floor before us is a rotten deal for all consumers, but it is especially bad for our servicemembers.

When you are a servicemember, you are often forced to relocate with little notice. That puts our men and women in uniform under tremendous pressure to obtain housing for themselves and for their families, all the while managing the enormous duties that military service requires. It is a lot to handle. We know this and so do the financial predators. That is why we often see them setting up shop around our military bases.

If a servicemember is targeted and sold a bad mortgage, why don't the authors of this bill want to allow them some recourse to make things right?

As a combat veteran, I understand the pressures placed on our military. Our men and women in uniform often don't have the time to investigate mortgages in detail. They have to trust that no one is taking advantage of them. The problem is people often do take advantage of them. It is a despicable practice that is matched only by the majority's bill, which denies them the opportunity to sue the predatory lender to make things right.

My amendment would change this. It would allow any servicemember or veteran to sue a predatory lender regardless of who holds the loan. The mere fact that a predatory lender holds a bad mortgage shouldn't prevent servicemembers from being able to take action to make things right.

I know my colleagues on the other side are going to vote to deny protections to your average, hard-working American family who had the bad fortune of being sold a bad mortgage; but at the very least, let's exempt servicemembers from this bill. We ask enough of them already.

Reports from the Department of Defense have noted that financial stress can affect a servicemember's performance and combat readiness. And a DOD report specifically states: ''Forty-eight percent of enlisted servicemembers are less than 25 years old, have little experience managing their finances, and have little in savings to help them through emergencies.''

Yet, on the heels of Veterans Day, when Member after Member came to the floor to praise our veterans, this majority wants to return 7 days later and put predatory lenders ahead of our men and women in uniform. Their bill limits consumer protections for servicemembers. It hurts our Armed Forces, and it hurts their families. It increases strain on people who already volunteer for a stressful, dangerous job; and it reduces combat readiness.

Let's not forget all we pledged just a week ago on Veterans Day. Let's put our policy in line with our rhetoric. Let's protect our troops. Let's protect their families. Let's protect our country. I urge my colleagues to vote ''yes'' on this motion to recommit.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition to the gentleman's motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I certainly salute the gentleman for his service to our country in uniform and for his service to our country in Congress.

Although I applaud his service, I do not applaud what he is bringing before the House in this motion to recommit, because what his motion to recommit will do, regardless of what he says it will do, is hurt veterans. It will hurt their homeownership opportunities.

I don't know if the gentleman was on the floor when I shared with the House correspondence from just two community financial institutions that were saying that they can't make mortgage loans anymore under this QM rule. We know for a fact that, when fully implemented, 20 percent of the people who qualified for mortgages just 5 years ago—after the financial crisis—would no longer qualify, many of them veterans. We know the Federal Reserve has said that, when the QM rule is fully functional, one-third of all Blacks and Hispanics, many of them veterans, will not be able to qualify for mortgages.

Again, it is why so many in the industry are calling ''QM'' not ''qualified mortgage,'' Mr. Speaker, but ''quitting mortgages.'' We don't want banks and credit unions to be quitting on mortgages for our brave men and women in uniform. They deserve the same homeownership opportunities. Frankly, they deserve better homeownership opportunities than the rest of the population.

I would urge that the House reject this motion to recommit because, at the end of the day, what is going to be best for our veterans—what is going to be best for the American people—is more competition in the mortgage market, not less, not taking away their financing opportunities, particularly those who are of low income and particularly our veterans. No. We want to have competitive, transparent, innovative markets. They need to be policed for force and fraud and deception. We want as many different financial institutions creating as many opportunities for homeownership for the American people and for our veterans as possible. I would urge the House to reject this motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. THOMPSON of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and passage of H.R. 1737.

The vote was taken by electronic device, and there were—yeas 184, nays 242, not voting 7, as follows:

[Roll No. 635]

YEAS—184

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

Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—242

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

NOT VOTING—7

Calvert
DeFazio
Foster
Hurt (VA)
McCollum
Ruppersberger
Takai

□ 1707

Messrs. FARENTHOLD, CARTER of Georgia, KELLY of Mississippi, FRANKS of Arizona, and DOLD changed their vote from ''yea'' to ''nay.''

Mr. BECERRA, Ms. KAPTUR, Mrs. KIRKPATRICK, Ms. LOFGREN, and Mr. RUSH changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCOLLUM. Mr. Speaker, on rollcall No. 635, had I been present, I would have voted "yes."

Mr. FOSTER. Mr. Speaker, on rollcall No. 635, had I been present, I would have voted "yes."

Stated against:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 635, a recorded vote on the Motion to Recommit with instructions on H.R. 1210. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 255, nays 174, not voting 4, as follows:

[Roll No. 636]

YEAS—255

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

NAYS—174

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

NOT VOTING—4

DeFazio Takai
Ruppersberger Webster (FL)

□ 1714

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE FOR VICTIMS OF BOMBINGS IN BEIRUT, LEBANON

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

Mr. ISSA. Mr. Speaker, I join fellow Members of the Lebanon Caucus to request a moment of silence for the victims of the bombings in Beirut, Lebanon, on November 12, 2015, that claimed the lives of at least 43 people and injured over 200.

In addition to those lost in France on November 13, and in Egypt on October 31, almost 400 murders have been claimed by ISIS in the period of less than 2 weeks.

I invite my colleagues to join the gentleman from New York (Mr. HANNA), my friend, who introduced the resolution today condemning the attack and showing our support for Lebanon.

I thank the Chair for this opportunity to remember the innocent lives lost at the hands of ISIS terrorists, and I urge the administration to do everything in its power to bring those responsible to justice.

Mr. Speaker, I ask for a moment of silence.

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 332, nays 96, not voting 5, as follows:

[Roll No. 637]

YEAS—332

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lawrence
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McDermott
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—96

Adams
Bass
Becerra
Blumenauer
Bonamici
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DeSaulnier
Deutch
Doggett
Edwards
Ellison
Engel
Farr
Fattah
Frankel (FL)
Fudge
Garamendi
Green, Al
Grijalva
Gutiérrez
Himes
Honda
Hoyer
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Langevin
Larson (CT)
Lee
Levin
Lewis
Lofgren
Lowenthal
Lowey
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Moore
Moulton
Nadler
Napolitano
Neal
Pallone
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Rangel
Richmond
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Scott (VA)
Serrano
Takano
Thompson (MS)
Van Hollen
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—5

DeFazio Ruppersberger Whitfield
Eshoo Takai

□ 1726

Ms. FRANKEL of Florida changed her vote from ''yea'' to ''nay.''

Mr. TONKO and Ms. SLAUGHTER changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons. Had I been present on rollcall vote 634, I would have voted ''no.'' Had I been present on rollcall vote 635, I would have voted ''yes.'' Had I been present on rollcall vote 636, I would have voted ''no.'' Had I been present on rollcall vote 637, I would have voted ''yes.''

HOUR OF MEETING ON TOMORROW

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. tomorrow.

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3403

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 3403.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

COMMUNICATION FROM DISTRICT DIRECTOR, THE HONORABLE SUSAN DAVIS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jessica Poole, District Director, the Honorable SUSAN DAVIS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2015.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a non-party subpoena, issued by the Superior Court of California, County of San Diego, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JESSICA POOLE,
District Director, Congresswoman Susan Davis.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON H.R. 3189, FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 3189 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

□ 1730

FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill, H.R. 3189, to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 529 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3189.

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

□ 1730

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise in strong support of H.R. 3189, the FORM Act, to reform the Federal Reserve. It is sponsored by the gentleman from Michigan (Mr. HUIZENGA).

To paraphrase an old automobile advertising campaign, Mr. Chairman, this is not your father's Fed.

Since the financial crisis, the Federal Reserve has morphed into a government institution whose unconventional activities and vastly expanded powers would hardly be recognized by those who drafted the original act. Regrettably, commensurate transparency and accountability have not followed.

Since the financial meltdown of 2008, the Fed has carried out unprecedented rounds of asset purchases, known as quantitative easing; and its balance sheet has swollen to almost $5 trillion, equal to one-fourth of the U.S. economy and almost five times its pre-crisis level.

We have had almost 7 years of near-zero interest rates, and the Fed's so-called forward guidance provides almost no guidance to investors on when rates might finally be normalized.

This ongoing uncertainty is a significant cause of businesses hoarding cash and postponing capital investments and community banks conserving capital and reducing lending.

Adding to the economic uncertainty, the Dodd-Frank Act granted the Fed sweeping new regulatory powers to directly intervene in the operations of large financial institutions. This is totally separate and apart from its monetary policy responsibilities, Mr. Chairman.

The Fed now stands at the center of Dodd-Frank's codification of too big to fail. With respect to these firms, the Fed is authorized to impose heightened prudential standards, including capital and liquidity requirements, risk management requirements, resolution planning, credit exposure report requirements, and concentration limits.

The Fed is even authorized on a vague, faint finding that if a financial institution poses a grave threat to financial stability, to actually break up the firm.

In other words, Mr. Chairman, the Fed can now literally occupy the boardrooms of the largest financial institutions in America and influence how they deploy capital.

The Fed's monetary policy must be made clear and credible, and its regulatory activities must comport with the rule of law and bear public scrutiny. To accomplish this, the Fed Oversight Reform and Modernization Act, again, the FORM Act, authored by Congressman HUIZENGA, should be enacted into law.

Reform accountability and transparency, on the one hand, and independence in the conduct of monetary policy, on the other, are not mutually exclusive concepts.

The main reforms of the FORM Act are as follows: Number one, on monetary policy, the Fed must publish and explain with specificity the strategy it is following.

The FORM Act allows the Fed to chose any monetary policy, strategy, or rule it prefers, and it has the power to amend or depart from that rule whenever the Fed decides economic circumstances so warrant.

Whether the Fed chooses to conduct monetary policy based upon the Taylor rule developed by Stanford Economist John Taylor or whether they choose to conduct monetary policy based on a rousing game of rock-paper-scissors or any other rule or method, the Fed will retain the unfettered discretion to do that.

The FORM Act simply requires the Fed to report and explain its rule and its deviations from the standard benchmark to the rest of us.

Economic history clearly shows that, when the Fed employs a more predictable, rules-based monetary policy, more positive economic results will occur.

Some have opined that such a provision will compromise the Fed's monetary policy independence. It does not. The Fed again will retain unfettered discretion in the exercise of monetary policy.

Given that members of the Fed Board of Governors enjoy 14-year terms, second only to lifetime judicial appointments, and the Fed's budget is independent of congressional appropriations, it is almost inconceivable that

Congress could impose upon the Fed's monetary policy independence.

On regulatory policy, as distinct from monetary policy, the format compels the Fed to conduct cost-benefit analysis for all its regulations. This is also known as common sense.

Under Dodd-Frank, the Fed is directed to publish upwards of 60 new regulations, some in conjunction with other agencies, but a cost-benefit analysis is not required. The Fed's failure to carry out these studies results in excessive regulatory burdens on our small banks and businesses, which harms the economy.

Furthermore, under the FORM Act, the Fed will be required to issue formal regulations after providing for notice and comment for Dodd-Frank stress test scenarios and disclose resubmitted stress tests.

The Fed's authority to use stress tests to direct operations of financial institutions it deems systemically important puts government bureaucrats in a position of essentially dictating business models and operational objectives of private businesses. Yet, the Fed's implementation of stress testing is marked by a lack of transparency and a total disregard for the rule of law.

Given the secrecy surrounding the stress test, it is difficult for Congress and the public to assess either the effectiveness of the Fed's regulatory oversight or the integrity of their findings.

Again, under Dodd-Frank, vast powers have been expanded of the Fed. The Fed is not using a transparent monetary policy. Because of this, greater transparency, greater accountability is necessary. Otherwise, we may soon awake to discover that our central bankers have morphed into our central planners.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise today in strong opposition to H.R. 3189, a bill that would undermine the Federal Reserve's monetary policy independence, politicize its decisionmaking, curtail its ability to respond to a wide range of dynamic economic data, and weaken its ability to effectively carry out its regulatory responsibilities to promote the safety and soundness of our financial system.

Mr. Chairman, H.R. 3189, the Fed Oversight Reform and Modernization Act, should more appropriately be called the Eliminate the Federal Reserve's Ability to Support the American Economy and Promote Full Employment Act.

While no Federal agency is perfect and should be reflectively shielded from reform, this bill does not reflect a good faith effort to strengthen the Federal Reserve or hold it accountable to its mission, to keep inflation low and stable, and to promote full employment.

Rather, this bill is designed to put monetary policy on autopilot under a strict, rules-based approach subject to reviews and audits by the GAO.

This approach seeks to discourage monetary policymakers from considering the wide range of ever-changing economic data that is relevant to effective decisionmaking and would discourage the Fed from engaging in the types of bold and forceful actions that have been so critical to our economy's recovery over the past 6 years.

As the largest economy in the world that is increasingly interconnected to a vast and complex global economy, the notion that we should be putting blinders on our central bank strikes me as a recipe for disaster. In fact, had the Federal Reserve taken the approach called for in the underlying bill during and in response to the recent financial crisis, economic performance would have been substantially worse.

As Federal Reserve Chair Janet Yellen put it in a letter to congressional leadership earlier this week, had the FOMC been compelled to operate under a simple policy rule for the past 6 years, the unemployment experience of that period would have been substantially more painful than it already was and inflation would have been even further below the FOMC's 2 percent objective.

But the straitjacket approach to monetary policy isn't the only reason to oppose this bill. H.R. 3189 includes a host of provisions that represent the latest Republican effort to block financial regulators from fulfilling their responsibility to promote the safety and soundness of our financial system as part of the Dodd-Frank Act.

In particular, this bill would impose unworkable cost-benefit analysis requirements that are designed to slow new rulemaking to a screeching halt and ensure the few that do get issued are tied up in court.

The bill also requires the Federal Reserve to make public and solicit comments on its stress test scenarios, a move that, while popular with the biggest banks, would undermine the effectiveness of the test, turning this valuable regulatory tool for assessing the health of the financial system into a useless exercise.

Finally, the Rules Committee print adds to the end of H.R. 3189 the text of H.R. 2912, a bill that would establish a partisan commission, with twice as many Republicans as Democrats, to review the Federal Reserve's conduct of monetary policy and recommend changes to its mandate as well as the specific instruments and operational regime to be used in achieving it.

The fact is, the Federal Reserve's current dual mandate and operational monetary policy independence have served the economy well. Such independence ensures that policy decisions are empirically driven rather than motivated by short-term political pressures while its clear objectives allow Congress to hold it accountable.

Operating under the current model, the Federal Reserve played a major role in ending the panic that gripped the financial sector in 2008 and, through its sustained efforts, has supported the creation of more than 13.3 million private sector jobs and cut the unemployment rate in half since the height of the crisis, all while keeping inflation well below the target.

Frankly, I think it is a terrible idea to put those who thought shutting down the government was a good idea and who thought fiscal austerity would grow the economy in a position to micromanage our monetary policy, also.

Finally, I would be remiss if I failed to note that the Congressional Budget Office estimates that this bill will cost $109 million over 10 years by forcing the Federal Reserve to jump through new rulemaking and administrative hoops.

To pay for this cost, the Rules Committee adopted an amendment that would raid $60 billion from the Federal Reserve's surplus account, a buffer that inspires confidence in the central bank itself. Ironically, this is the very same fund that Republicans voted to eliminate just 2 weeks ago.

□ 1745

For all of these reasons, I would urge Members to join me in opposing this terrible legislation that would do enormous damage to our economy and the American people. I can't believe this bill is before us.

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

Mr. HENSARLING. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. HUIZENGA), the author of the FORM Act and chairman of the Monetary Policy and Trade Subcommittee of the Financial Services Committee.

Mr. HUIZENGA of Michigan. Mr. Chairman, I rise today in support of H.R. 3189, a wonderful bill called the Fed Oversight Reform and Modernization Act, the FORM Act.

Mr. Chairman, Marriner Eccles, Chairman of the Federal Reserve under President Franklin Roosevelt, once began testimony to Congress by stating: ''I am speaking for the Board of Governors of the Federal Reserve System, an agency of Congress.''

Chairman Eccles recognized what many seem to have forgotten over the Federal Reserve's 100-plus-year history, that the Fed was created by Congress; the Board of Governors are all appointed for terms of 14 years by the President and confirmed by Congress; and it operates per its charter and laws set out by, yes, Congress. Therefore, the Federal Reserve is actually or, theoretically, is supposed to be accountable to Congress.

Today, the Federal Reserve is one of the most powerful institutions in the world. It is past time to restore transparency at the Fed and hold it accountable to the American taxpayers.

The U.S. Federal Reserve System, or the Fed, as it is known, was created in 1913 in response to a series of economic crises early in the 20th century. Although the Fed was created as an independent agency deriving its power from Congress, over the past 100 years, the Fed's power has significantly expanded.

While originally created to provide stability to the banking business, the Federal Reserve has gained unprecedented power, influence, and control over the financial system while remaining shrouded in mystery to the American people. At the same time, the American people have continued to suffer through a financial crisis, at least once per generation. With such a poor record, the Fed should not be free to carry on without accountability to the institution that created it.

Mr. Chairman, we will not fully realize robust economic growth until the Fed changes the conduct of its monetary policy. Six years have passed since the recession officially ended, but the U.S. economic opportunity remains well short of its potential.

The Fed must be accountable to the people's Representatives as well as to the hardworking taxpayers themselves. We need to modernize the Federal Reserve, restore accountability, and bring it into the 21st century. That is why I introduced H.R. 3189, the FORM Act of 2015. The FORM Act makes two fundamental changes to improve how the Federal Reserve conducts monetary policy.

Now, I know my colleagues on the other side of the aisle tend to kind of like to pass bills before they know what is in those bills. That is one of the ways that they discover what is in those bills. But if they actually read this bill, they would see that it protects the Fed's ability to develop what it believes is the best course of action on monetary policy—the exact opposite of what my colleague was saying. It requires them to then give the American people a greater accounting of its actions.

My bill directs the Federal Reserve to transparently communicate its monetary policy decisions to the American taxpayers—not what it must do, as is being asserted. Rather, they must simply explain what they are doing and why they are doing it. By requiring the Fed to regularly communicate how its policy choices compare to a benchmark guideline instead of continuing the ad hoc strategy currently being employed, the FORM Act will help consumers and investors make better decisions in both the present and create more sound expectations about the future.

Even Chair Yellen once championed the merits of this approach, stating that ''the framework of a Taylor-type rule could help the Federal Reserve communicate to the public the rationale behind policy moves.'' The FORM Act does not dictate any particular monetary policy course; it simply ensures that the Fed transparently communicates its monetary policy decisions. I can't agree more with Chair Yellen.

Second, the FORM Act reforms the Federal Reserve's emergency lending powers under section 13(3) of the Federal Reserve Act, closing a glaring loophole and preventing the likelihood of future bailouts, as we have seen in the past. During the last financial crisis, the Fed used extraordinarily broad powers to provide trillions of dollars in low-cost loans to a handful of massive financial institutions.

The FORM Act raises the bar from the current trigger, permitting the Fed to invoke its emergency lending powers only upon finding that—and this is from the text of the bill—''unusual and exigent circumstances exist that pose a threat to the financial stability of the United States.''

Responsibly limiting the Federal Reserve's lending authority has support from across the ideological spectrum, ranging from conservatives to liberals, such as Senator ELIZABETH WARREN.

The FORM Act also does the following: It requires the Fed to conduct cost-benefit analysis for all regulations it promulgates. Failure to conduct cost-benefit analysis results in excessive regulatory burdens on small banks and businesses, which harm the economy and I believe have slowed our recovery.

It also requires transparency about the Federal Reserve's bank stress tests as well as the international financial regulatory negotiations conducted by the Federal Reserve, the Treasury Department, the Office of the Comptroller of the Currency, the Securities and Exchange Commission, and the Federal Deposit Insurance Corporation.

Mr. Chairman, I am afraid that we are sliding into a much broader area of regulation that is not U.S. regulation but is actually European and world regulation. It requires the Federal Reserve to review the salaries of highly paid employees. It provides for at least two staff positions to advise each member of the Board of Governors independent from the Chair, and it requires Fed employees to abide by the same ethical requirements as other Federal financial regulators.

That sounds like an excellent idea in my mind.

It clarifies the blackout period governing when Federal Reserve governors and employees may publicly speak to Congress as well as to the public on certain matters, and it ends automatic seats at the Federal Open Market Committee table, which provides a more balanced representation of votes on Federal policy at the FOMC.

It requires the full FOMC to decide policy rates on excess balances maintained at a Federal Reserve Bank by a depository institution. It removes restrictions placed on the Government Accountability Office's ability to audit the Fed, and it directs the GAO to conduct an audit of the Fed within 12 months of enactment and report back to Congress.

Finally, the FORM Act establishes a bipartisan monetary commission, as proposed by Chairman Brady, to identify other opportunities for improvement.

Mr. Chairman, we can no longer afford to have an entity with so much power as the Federal Reserve by operating on a whim with ad hoc policy. The reforms in this legislation strike the right balance between holding the Fed accountable to Congress and the American people while still affording it its independence to make monetary policy decisions free from political pressure of all stripes.

Mr. Chairman, the Federal Reserve System is an agency of Congress. As such, it is not infallible, and its independence should not be unlimited. Let's restore proper congressional supervision and provide the American people with transparency. I urge my colleagues to vote in support of H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015.

Ms. MAXINE WATERS of California. Mr. Chairman, despite what my colleague on the opposite side of the aisle, Mr. HUIZENGA, has said about our not knowing what is in the bill, we know what is in the bill, and this Congress should be frightened about what you are attempting to do with establishing this simple monetary policy rule that is unworkable. This is dangerous.

Mr. Chairman, I yield 4 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY). She is the ranking member of the subcommittee on Capital Markets and Government Sponsored Enterprises of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlewoman for yielding and for her leadership.

Mr. Chairman, I rise today in opposition to H.R. 3189.

Mr. Chairman, I include in the RECORD an article from The Wall Street Journal written by Alan Blinder, a former Vice Chair of the Federal Reserve, a professor at Princeton, and the author of a book on the financial crisis, the response, and the work ahead. This is his strong article in opposition to this bill which he feels is extremely disruptive, problematic, and just plain wrong.

[From the Wall Street Journal, July 17, 2014]

AN UNNECESSARY FIX FOR THE FED

(By Alan S. Blinder)

The House Financial Services Committee held a hearing on Federal Reserve reform on July 10. The hearing didn't get much press attention. But it was remarkable. While the House can't manage to engage on important issues like tax reform, immigration reform and the minimum wage, it's more than willing to propose radical ''reform'' of one of the few national policies that is working well.

The bill under consideration is called the Federal Reserve Accountability and Transparency Act. (That's right: FRAT.) To be fair to an otherwise dreadful bill, accountability and transparency are worthy objectives, and FRAT does include some reasonable ideas, such as trimming the news blackouts before and after meetings of the Federal Open Market Committee. But it also includes some

corkers, such as requiring public disclosures—in advance—before entering into international negotiations, disclosures that could make such negotiations next to impossible. How would you like to play your poker hand open?

But the meat-and-potatoes of the House bill has little to do with either transparency or accountability. Instead, it seeks to intrude on the Fed's ability to conduct an independent monetary policy, free of political interference.

As the title of Section 2 puts it, FRAT would impose ''Requirements for Policy Rules of the Federal Open Market Committee.'' A ''rule'' in this context means a precise set of instructions—often a mathematical formula—that tells the Fed how to set monetary policy. Strictly speaking, with such a rule in place, you don't need a committee to make decisions—or even a human being. A handheld calculator will do.

In the debate over such rules, two have attracted the most attention. More than 50 years ago, Milton Friedman famously urged the Fed to keep the money supply growing at a constant rate—say, 4% or 5% per year—rather than varying money growth to influence inflation or unemployment.

About two decades ago, Stanford economist John Taylor began plumping for a different sort of rule, one which forces monetary policy to respond to changes in the economy—but mechanically, in ways that can be programmed into a computer. While hundreds of ''Taylor rules'' have been considered over the years, FRAT would inscribe Mr. Taylor's original 1993 version into law as the ''Reference Policy Rule.'' The law would require the Fed to pick a rule, and if their choice differed substantially from the Reference Policy Rule, it would have to explain why. All this would be subject to audit by the Government Accountability Office (GAO), with prompt reporting to Congress.

In a town like Washington, the message to the Fed would be clear: Depart from the original Taylor rule at your peril. Federal Reserve Chair Janet Yellen understands this and, as she made clear in her semiannual testimony to the House Financial Services Committee on Wednesday, opposes the bill.

So what is this rule that FRAT would turn into holy writ? It's a simple equation, which starts by establishing a baseline federal-funds rate that is two percentage points higher than inflation; that's about 3.5% now. It then adds to that baseline one-half of the amount by which inflation exceeds its 2% target (that ''excess'' is now roughly minus 0.5%). Next, it adds one-half the percentage amount by which gross domestic product exceeds an estimate of potential GDP (that gap is controversial but is perhaps minus 4% today). Thus Taylor's mechanical rule wants the current fed-funds rate to be about 3.5 − 0.25 − 2.0 = 1.25%—which is vastly higher than the actual near-zero rate.

Fed staff could no doubt concoct an alternative rule that instructed the FOMC to set the fed-funds rate close to zero today, and the committee could pretend it was using that rule. That's transparency?

But there is a deeper problem. The Fed has not used the fed-funds rate as its principal monetary policy instrument since it hit (almost) zero in December 2008. Instead, its two main policy instruments have been ''quantitative easing,'' which is now ending, and ''forward guidance,'' which means guiding markets by using words to describe future policy intentions. If words are the Fed's main policy instrument, how is the FOMC supposed to set them according to a rule? And how can the GAO determine whether that rule resembles the ''Reference Policy Rule''?

The Taylor rule probably would give the Fed sensible instructions in normal times. But what about when the world is far from normal? The Fed claimed to be using Friedman's money growth rule during the tumultuous disinflation of 1979–82—with miserable results. Luckily for all of us, the Taylor rule wasn't tried during the 2008–09 financial crisis. That could have been disastrous, effectively tying the Fed's hands just when extraordinary monetary stimulus was most needed. Should we now bet the ranch that the world will remain placid forever?

Conservatives distrust concentrated government power—an idea embraced by our Constitution. They worry that human beings, who are fallible and maybe not even trustworthy, will make poor policy choices. Yes, to err is human. But humans can often recognize extraordinary events and try to adapt. Mechanical rules can't.

There is another conservative principle in which I've always believed: If it ain't broke, don't fix it. Monetary policy is one of the few things in today's Washington that ''ain't broke.'' The mischievous FRAT wouldn't fix it.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, this bill would significantly undermine the Federal Reserve's independence by requiring the Fed to adopt a rules-based approach to monetary policy. While it is true that this bill doesn't force, by law, the Fed to follow a particular formula for interest rates, it does attempt to bully the Fed into following the Republicans' preferred monetary policy by hauling the Fed Chair up to testify in front of Congress every time the Fed deviates from the monetary policy rule dictated by this statute. This would have a significant chilling and killing effect on the Fed's deliberations over interest rates and inappropriately interferes with the Federal Reserve's independence.

Let's also remember that the Taylor rule, which this bill would codify, would have performed disastrously in the financial crisis that we are still suffering from. Federal Reserve Chair Yellen testified that, during the crisis, the Taylor rule ''would have performed just miserably'' and would have led to a ''dreadful'' economic recovery.

But this is not the only troubling provision in this bill. Section 4 of the bill also needlessly overhauls the membership of the Federal Open Market Committee, or FOMC. The current makeup of the FOMC, which is responsible for setting monetary policy, has served this country well for the past 100 years. So if it isn't broken, don't try to fix it, and in this case, don't make it worse.

The New York Fed is responsible for implementing monetary policy; and this special role gives the New York Fed a unique understanding of monetary policy, of how markets will react to changes, and what actions are both feasible and effective.

I think that it is important to remember why the regional Fed president, with responsibility for implementing monetary policy, serves as the Vice Chairman of the FOMC.

Mr. Chairman, monetary policy does not end when the FOMC announces a target interest rate. Short-term interest rates do not magically move to the FOMC's desired level. It is not that easy. Someone has to implement monetary policy by pushing short-term interest rates toward the official target rate, and that someone is the New York Fed.

As Richmond Fed President Jeff Lacker said just last week, raising interest rates is ''pretty clear. You just write the statement and you must send it to'' the New York Fed in New York. The New York Fed does this primarily by buying and selling Treasury securities in the markets, which influences the supply of money in the system. Because the interest rate is a function of the supply and demand for money, the New York Fed controls short-term interest rates by influencing the supply of money in the system. This is an incredibly important job.

The CHAIR. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield the gentlewoman an additional 30 seconds.

Mrs. CAROLYN B. MALONEY of New York. The Fed's ability to control short-term interest rates is what allows the Fed to set monetary policy. If the markets didn't believe that the Fed had the ability to control short-term interest rates, then the FOMC's statement about raising or lowering interest rates would be viewed as merely wishful thinking rather than an actual monetary policy.

Mr. Chairman, this is why the New York Fed president serves as the Vice Chair of the FOMC, and I see no reason why this should change. So it is unclear what this problem is trying to fix, and I urge my colleagues to vote against this bill.

Mr. HENSARLING. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. GARRETT), the chairman of our Capital Markets and Government Sponsored Enterprises Subcommittee.

Mr. GARRETT. I thank the chairman and I thank the gentleman from Michigan (Mr. HUIZENGA) for all of their hard work to bring greater transparency to one of the most secretive agencies in the government, the Federal Reserve.

Mr. Chairman, earlier this year, Fed Chair Janet Yellen said: ''The Federal Reserve is already one of the most transparent central banks around the globe.''

Really? If that were the case, why is it we have seen the following headlines in the last few years: March of last year, Forbes, ''Fed on Target to Raise Interest Rates in Spring of 2015''; then in October, ''Two Fed Officials Say Interest Rates to Rise in Mid-2015''; then in The Wall Street Journal just last month, ''Fed Doubts Grow on 2015 Rate Hike''; and then just 2 weeks later in The Wall Street Journal, ''Fed Keeps December Rate Hike in Play.''

So which is it? Mr. Chairman, a simple Google search on the subject pulls up a range of headlines on this topic all pointing to one fact: There is a great deal of confusion and uncertainty as to

how the Federal Reserve actually conducts its own monetary policy.

So the bottom line is the Fed needs to follow a rule when conducting monetary policy, and this bill, H.R. 3189, gives the Fed that flexibility to develop and implement its own rule as it sees fit and then simply to report to Congress and the public, should it find the need to deviate from it.

□ 1800

And this will then do what? It will give us greater economic certainty and moves us away from what we have seen, a Fed guessing game that we have all become too used to.

More troubling than all this, more troubling than the monetary policy, however, is the lack of transparency and accountability and openness surrounding their regulatory function. Despite the Fed's failure to prevent the crisis in 2008, despite their failure to even see it coming, the Dodd-Frank Act bestowed upon the Fed tremendous new regulatory authority, authority that it is now using to try and regulate huge swaths of the financial system, and what they are really trying to do is to stamp out all risk taking, if you will, in our capital markets.

The Fed fails to conduct any cost-benefit analysis of the rulemaking in that, and it has conspired, if you will, with various secretive international bodies, like the FSB, the Financial Stability Board, in so doing to try to rewrite the rules, if you will, to the detriment of who? Well, the American capital markets.

So before us today is the FORM Act, which would do what? It would shine the light of day, if you will, on the Fed's regulatory operations, so that all of us, the American public, can see actually what the powers are up to. So now more than ever we need transparency and accountability in the Federal Reserve.

I thank the chairman, and I thank the sponsor of the bill for moving the underlying bill.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE), the ranking member of the Subcommittee on Monetary Policy and Trade on the Financial Services Committee.

Ms. MOORE. Mr. Chairman, as the ranking member of the Monetary Policy and Trade Subcommittee, I rise in strong opposition to H.R. 3189.

Sometimes you can disagree on a bill, and it doesn't really make much difference. But this bill is extremely dangerous for many reasons. I want to focus on just two provisions—my time is limited—that would be absolutely disastrous for the U.S. economy:

One is the political audits of the Federal Reserve.

And, second, the computer model monetary policy, so-called Taylor rule.

Now, people think, well, what is wrong with auditing the Fed? The Fed is already audited, including an external audit, which all Americans can review online. This bill creates a mechanism for political audits of the Fed. Injecting politics into monetary policy and undermining the independence of the Central Bank would be an absolute disaster.

I am thinking just recently of the transportation bill that we passed out of here—and I voted for it, hoping that it can be fixed in conference—where the Fed is required to provide $60 billion—that is billion with a B, Mr. Chairman—and then is not being allowed to replenish its money supply. This is more than just tinkering in our economy.

There is overwhelming evidence and academic research that demonstrated an independent central bank anywhere in the world making economic decisions and not political decisions delivers lower inflation, higher employment, and better economic results.

Currently, the U.S. enjoys low borrowing costs, and our debt is considered the gold standard. The U.S. dollar is literally the reserve currency of countries around the world.

If adopted, this bill would potentially undermine the exalted status of U.S. debt.

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

Ms. MAXINE WATERS of California. I yield the gentlewoman from Wisconsin an additional 1 minute.

Ms. MOORE. Does anyone in America think that Congress is going to be more confident at conducting monetary policy than an independent central bank?

Let me remind you, under the stewardship of the Republican leadership of this House, we have seen government shutdowns, U.S. debt default threats, and fiscal austerity measures that hamper the economic recovery.

As to this Taylor rule, I doubt that anybody over there can explain the Taylor rule to you. But I tell you, had we had the Taylor rule in place in the 1980s when Volcker was here, he would not have been able to stop the rampant inflation that we experienced. The assumptions that it is based on have not accounted for Volcker's inflation fighting or Bernanke's aggressive recovery status. They couldn't have done it under this Taylor rule.

And, furthermore, banks, Wall Street, all the investors, would set their models to the Fed commuter model, and then it would set up all kinds of economic disruptions if the Fed would ever deviate from the model. It would take the discretion away from the Fed.

I strongly oppose the bill, and I urge my colleagues to reject this dangerous legislation.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds to, once again, encourage my colleagues to actually read the bill.

The Taylor rule is not mandated for the Federal Reserve. But had the Federal Reserve followed the Taylor rule in the first place, we would not have had a financial crisis because the real estate bubble would not have been inflated by the Fed keeping money too loose, too long.

I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY), the chairman of our Oversight and Investigations Subcommittee.

Mr. DUFFY. Mr. Chairman, I appreciate the chairman yielding.

I want to thank Chairman HUIZENGA for his good work on the FORM Act. I think this is a commonsense set of reforms that make the Federal Reserve more accountable to the American people, which means they are more accountable to the United States Congress.

I would ask my colleagues across the aisle and my good friend from Wisconsin (Ms. MOORE), who says that the FORM Act is one that would provide for the Congress to set monetary policy, where in the FORM Act does it say that? Just because we ask for oversight, just because we want to have the Federal Reserve accountable to the Congress and to the American people, doesn't mean that Congress is taking the role of setting monetary policy. Again, that is just setting up a straw man and trying to knock it down in the argument.

This is important stuff. There is a distinct difference between the two sides of the aisle. We do think there should be accountability and transparency. But my friends across the aisle will continue to advocate for very powerful government institutions empowering bureaucrats that are not elected and that are not accountable to the American people to make decisions that have huge impacts on the American people.

What we say on our side of the aisle is, in our form of government, the people have a right to have a say in their government, which means you need to empower the Congress and the Senate to have oversight over these very powerful organizations.

That is the great debate that we are having here. We want oversight and transparency. We don't want to set monetary policy.

I chair the Committee on Oversight, and we have asked the Federal Reserve for documents that we are entitled to in regard to an FOMC leak. The Federal Reserve has basically said:

Yes, you are entitled to these documents. But, guess what, we are not going to give them to you.

What is the reason, Madam Chair?

I don't have a really good reason. Some people asked me not to give them to you. I know you are entitled, but I am not going to send them over to you.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman from Wisconsin 30 seconds.

Mr. DUFFY. We had to go to extreme measures to get the Federal Reserve to comply with our subpoenas to provide

us the documents that this institution is entitled to. That shows how arrogant this institution—the Fed—really is.

A rules-based approach makes sense. An audit of the Fed taking a look back that is not political, but a retrospective look at the Fed's monetary policy, makes absolute sense.

And to think that we are going to talk about the blackout period at the Fed that, yes, you can have a blackout for monetary policy, but you can't use that blackout when we are talking about the supervisory and prudential functions of the Federal Reserve.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

I cringe at the thought that the documents from the FOMC meeting of 2012 would be released to the Members of Congress. They would cause some volatility in the markets and shake up this country and cause such harm that everybody ought to be alarmed at the thought.

I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), a member of the Committee on Financial Services.

Mr. FOSTER. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chairman, I rise today in opposition to the legislation designed to chip away at the independence of the Federal Reserve. The Federal Reserve's objectives of maximum employment and stable prices have and will remain moving targets. The legislation attacks the independent judgment of the Fed in a number of ways by intrusive and dangerous meddling in the guise of Congressional oversight.

This legislation also suggests that this complex task could somehow be reduced to a function of two variables. Now, I am a physicist and, as Albert Einstein said: ''Everything should be made as simple as possible but not simpler.'' In reality, economics is a field of study that is constrained by numbers, but within those constraints, there lie large psychological variables and many external, often international, and often random variables.

It is obvious that any two-variable rule is far too simple to guide the monetary policy of a $17 trillion national economy interconnected with the economies in every part of the world.

It is also clear from the incoherent and counterfactual tirades that we listen to in our committee after the Republican financial collapse of 2007, that we want to keep politics as far away as possible from Federal Reserve monetary policy.

The truth is that Federal monetary policy is already guided, but not determined, by a number of complex, macroeconomic models. It is very far from ad hoc. In fact, at the heart of many of these models lies a variance of what is called the Cobb-Douglas production function. And the Douglas in that name is Senator Paul Douglas, an economist from the University of Chicago before he became a Senator and the author of some of the most influential papers in economics. My mother worked for Senator Paul Douglas when he was a Senator back in the 1950s, and when I see the level to which economic debate has fallen in this country from Senator Paul Douglas to what we see today, it breaks my heart.

Now, I agree that our markets and economies have changed since the Federal Reserve was formed. And the system deserves study, but this bill is not about studying the Federal Reserve. It is about subjecting it to the politics and the backseat driving that it often needs to overcome to meet its dual mandate.

Mr. Chairman, this bill chips away at the independence of the Federal Reserve, and I urge my colleagues to join me in opposing it.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, over the last 6 years, Americans have watched as the Federal Reserve has embarked on an interventionist monetary policy to an unprecedented degree.

The Fed's quantitative easing marked a dramatic departure from traditional monetary policy in the United States, and it resulted in a massive expansion of the Fed's balance sheet to some $4.5 trillion. To put this number in perspective, that is almost five times the size of the Fed's balance sheet before the financial crisis when it stood at $800 billion. It also represents one-quarter of the total size of the U.S. economy.

Unfortunately, despite this enormous expansion and influence over the economy, the Fed has persistently failed to implement measures to increase transparency as to its decisionmaking.

Americans continue to face a sluggish economy that has fallen far short of its potential, and they want to know the reasoning behind the Fed's actions or lack thereof. This is particularly important for those who have saved money for their retirement, especially grandparents on fixed incomes, who are being directly harmed by the Fed's decision to keep rates at near zero. They want transparency and answers from their government.

I suggest also our citizens should understand why the Federal Reserve would take an unprecedented action to explode its balance sheet by more than 400 percent over 5 years. No one—no one—knows how this experiment will end up turning out.

The legislation that we are considering today would implement important reforms to address these issues. To start, by requiring the Fed to explain the differences between its monetary policy decisions and a rigorously studied reference rule, the legislation would go far to improve the American public's understanding of monetary policy and how it impacts their lives.

Similarly, by requiring a cost-benefit analysis for any regulation that the Fed chooses to promulgate, it will ensure that all relevant costs are properly taken into account and that the Fed considers the full consequences of its actions in an open and understandable fashion.

To be clear, these reforms are about increasing transparency and improving how the Fed communicates its policy decisions to the American public. Contrary to what some claim, the legislation does not—does not—mandate any particular policy decisions, nor does it impact or threaten the Fed's independence in setting monetary policy. In fact, few have made a better case for these sorts of reforms than Chair Yellen herself, who stated: ''Transparency concerning Federal Reserve's conduct of monetary policy is desirable because better public understanding enhances the effectiveness of policy.''

Mr. Chairman, transparency and openness serve to strengthen a democratic republic like ours. That is what this legislation is all about.

I urge my colleagues to support this bill.

□ 1815

Ms. MAXINE WATERS of California. Mr. Chairman, I inquire as to whether or not the chairman has more speakers.

Mr. HENSARLING. Mr. Chairman, we have at least three to four more speakers.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Chairman, I rise today in support of H.R. 3189, the Fed Oversight Reform and Modernization Act.

We all recognize the importance of the Federal Reserve's independence when making monetary policy decisions. However, the American people rightly expect the Federal Reserve to be held accountable, too. They deserve to know exactly what the Federal Reserve does and to know that its rulemaking process is transparent and subjected to appropriate congressional oversight.

As a Member who represents 19 rural and suburban Indiana counties, I know middle America is still struggling to get back on its feet after the 2008 financial crisis. Hardworking Hoosiers know they didn't cause the financial collapse, but they are frustrated because the folks who did cause the crisis—bad actors in private industry and ineffective Federal banking regulators—haven't been held accountable at all.

The status quo is unacceptable. The Fed should be accountable and transparent in its decisionmaking, and H.R. 3189 is an important step towards that goal.

I urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER of Minnesota. Mr. Chairman, I rise today in support of the much-needed Fed Oversight Reform and Modernization Act.

Minnesotans, like Robert from Becker and Kevin from Elk River, are correct in that the Fed is an ineffective and isolated government bureaucracy that is out of touch with the common man and the long-term needs of the American people.

Yes, quantitative easing may have been a boon for a few. However, three rounds of this reckless tactic have inflated the Fed's balance sheet to more than $4.5 trillion, threatening the economic stability of our Nation and the American Dream for many.

Equally problematic is the secrecy surrounding the Fed's discount window operations, open market operations, and agreements with foreign governments, which prevent market actors from knowing the information they need in order to prudently invest in the future.

In the past, Congressman Ron Paul led the charge against the Fed with his Audit the Fed bill. Today we are building upon his legacy legislation. I would like to thank my colleague, Congressman HUIZENGA, for introducing the Fed Oversight Reform and Modernization Act.

Not only does this new legislation include Audit the Fed, but it also requires the Fed establish a monetary policy rule that will enable us to have a better idea of where the Fed is likely to move monetary policy. Additionally, the bill limits taxpayers' exposure to bailouts by responsibly tightening the Fed's emergency lending authority.

Furthermore, this bill requires the Fed, before implementing any rule, to conduct a cost-benefit analysis. This will give the American people a true sense of the economic impact any Fed proposal will have. It would also mandate the Fed, Federal Deposit Insurance Corporation, and Treasury to disclose any positions they plan to take at international regulatory negotiations, enabling the American people and Congress to weigh in on international regulations that often adversely impact American business.

Finally, this legislation would clarify the Federal Open Market Committee blackout period, mandate the Fed to disclose employees' salaries, require the Chair of the Fed to participate in congressional hearings quarterly, and give more power to local district Fed Bank presidents over open market operations.

I understand that many of my colleagues on the other side of the aisle may be skeptical about reforming the Fed. However, it is important to remember that this legislation only enhances oversight, communication, and transparency. This legislation will in no way take away the Federal Reserve's control of monetary policy, but it will provide us the tools to ensure that sound policies are enacted.

Mr. Chairman, again I thank Mr. HUIZENGA and Chairman HENSARLING for their work on this bill. I encourage my colleagues to vote in favor of the Fed Oversight Reform and Modernization Act.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, may I inquire as to how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Texas has 4½ minutes remaining. The gentlewoman from California has 13 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), the author of the FORM Act.

Mr. HUIZENGA of Michigan. Mr. Chairman, I am taking this second opportunity to rise because I think we have heard a lot of misinformation out there, and there is a lot of fog that has been getting thrown up into the air.

This is about transparency. This is about accountability. This is not about Congress' coming in and dictating to the Fed how to do business. They, the Fed, will set a benchmark that they will then be measured against. It is not we. It is not Congress saying what they will or will not do. It is they, themselves. That seems pretty reasonable.

It also seems very reasonable to me that, if we are ever finding ourselves in a position in which there are these massive bank bailouts that some would claim need to be done again, we would have a belt and suspenders way to approach it in that we would say not just two or three or four people are going to decide whether that is going to happen, but that we would actually get the regional Fed Bank Governors involved in that as well. We would say that 9 of the 12 of them have to agree with the decisions that are being made.

We make sure that there is a redundancy, that we are not just rushing and plunging headlong. Ultimately, the goal is to make sure that we never have that situation happen again so that we never find ourselves in that situation of having to even have the discussion about whether we would have massive bank bailouts, which is what happened in 2009 under this administration.

Again, I appreciate the effort that has been put into this. There are a lot of small details to it, but there are a lot of broad themes to it. At the end of the day, we know that this is the best thing not only for Congress, not only for the Fed, but, ultimately, for the American people as they are demanding us to hold an organization accountable that we in Congress created not in an unreasonable fashion, but in a way that is balanced, transparent, and that ultimately helps the stability of the U.S. economy.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

I am going to take the unusual step of reading a letter from Janet Yellen, the Chair of the Board of Governors of the Federal Reserve Bank. I take this unusual step because the letter is so well written and explains in such a profound way why the bill that is before us is dangerous and problematic.

''Dear Mr. Speaker and Madam Leader: I am writing regarding the House of Representatives' consideration of H.R. 3189, the Fed Oversight Reform and Modernization Act''—known as the FORM Act—''The FORM Act would severely impair the Federal Reserve's ability to carry out its congressional mandate to foster maximum employment and stable prices and would undermine our ability to implement policies that are in the best interest of American businesses and consumers. This legislation would severely damage the U.S. economy were it to become law.

''There are a number of harmful provisions in the FORM Act, but the provisions concerning the conduct of monetary policy are especially troubling. Section 2 of the bill would require the Federal Reserve to establish a mathematical formula or 'directive policy rule' that would dictate how the Federal Open Market Committee adjusts the stance of monetary policy at every FOMC meeting. The Government Accountability Office (GAO) would be responsible for determining whether the rule adopted by the FOMC met all the criteria in the legislation. Any time the FOMC was judged not to be in compliance with the GAO-approved rule, the GAO would be required to conduct a full review of monetary policy and submit a report to the Congress. Moreover, the GAO would also be required to conduct a full review of monetary policy and report to the Congress any time the FOMC changed its policy rule.

''These provisions are significantly flawed for a number of reasons. Most importantly, the provisions effectively cast aside the bipartisan approach toward monetary policy oversight developed by the Congress in the late 1970s. Under that approach, the Congress establishes the long-run objectives for monetary policy but affords the Federal Reserve a considerable degree of independence in how it goes about achieving those statutory goals, thus ensuring that the conduct of monetary policy is insulated from political influence. This framework is now recognized as a fundamental principle of central banking around the world. The provisions of the FORM Act, in contrast, would effectively put the Congress and the GAO squarely in the role of reviewing short-run monetary policy decisions and in a position to, in real time, influence the monetary policy deliberations leading to those decisions.

''Conducting monetary policy by strictly adhering to the prescriptions of a simple rule would lead to poor economic outcomes. There is no consensus among economists or policymakers

about a simple policy rule that is best suited to cover a wide range of scenarios. For example, even during the period known as the Great Moderation, in the 1980s and 1990s, when a simple rule might have been expected to work well, the actual level of the Federal funds rate often diverged substantially from the level prescribed by the reference rule included in the FORM Act. Indeed, for much of this period, monetary policy was actually tighter than what would have been the case under that rule.

''Even more tellingly, no simple policy rule has yet been devised that would adequately address the effective lower bound on the policy rate—a constraint that has been binding in the United States since late 2008. Had the FOMC been compelled to operate under a simple policy rule for the past six and a half years, the unemployment experience of that period would have been substantially more painful than it already was, and inflation would be even further below the FOMC's 2 percent objective. Indeed, a recent study by the Federal Reserve economists suggests that the current unemployment rate would still be above 6 percent and inflation would now be running somewhat below zero, if the FOMC had not taken the actions it did but rather had followed the reference rule and made it clear that it would do so in the future. In other words, millions of Americans would have suffered unnecessary spells of joblessness over this period, generating enormous amounts of personal and collective damage that could have been avoided—and, in fact, was avoided because we had the latitude to use our available tools responsibly and forcefully.

''In addition to allowing the GAO to conduct a review specifically related to the 'directive policy rule,' Section 13 of the FORM Act also allows GAO to more broadly review and analyze the monetary policy decisions of the Federal Reserve at any time. This provision would politicize monetary policy and bring short-term political pressures into the deliberations of the FOMC by putting into place real-time second guessing of policy decisions. Such action would undermine the independence of the Federal Reserve and likely lead to an increase in inflation fears and market interest rates, a diminished status of the dollar in global financial markets, and reduced economic and financial stability.

''The provision is based on a false premise—that the Federal Reserve is not subject to an audit. To the contrary, under existing law, the financial statements of the Federal Reserve System are audited annually by an independent accounting firm under the supervision of the Inspector General for the Board.

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''These audited financial statements are made publicly available and provided to Congress annually. The GAO may also conduct an audit of the Board's financial statements and of transactions that the Federal Reserve conducts in the course of its lending and other activities. In addition, each week, the Federal Reserve publishes its balance sheet and charts of recent balance sheet trends as well as every security the Federal Reserve holds along with each security's CUSIP number. Moreover, as specified in the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Federal Reserve now releases detailed transaction level information for all open market operations and discount window with a 2-year lag.

''I am concerned about other provisions in the FORM Act as well, including the debilitating restrictions on the Federal Reserve's emergency lending authorities. In the face of a future crisis—where collapse of the financial system is on the scale of the Great Depression or the recent financial crisis—I believe it is essential that the Federal Reserve have the emergency lending powers necessary in those circumstances to support the flow of credit to households and businesses and mitigate harm to the U.S. economy. The FORM Act would essentially repeal the Federal Reserve's remaining ability to act in a crisis. I am also deeply troubled by provisions related to the Federal Reserve's supervisory responsibilities, particularly those that would undermine the strength and effectiveness our stress tests and impede our ability to advocate internationally for standards that are in the best interest of U.S. businesses and consumers.

''Throughout my career and certainly during my many years working with the Federal Reserve System, I have been an advocate for greater openness and transparency. As Chair, I remain committed to these important issues. Accountability and transparency of public institutions are critical in a democratic society. Unfortunately, the FORM Act attempts to increase transparency and accountability through misguided provisions that would expose the Federal Reserve to short-term political pressures. For these reasons, I urge the House not to adopt the FORM Act. The bill would severely impair the Federal Reserve's ability to carry out its congressional mandate and would be a grave mistake, detrimental to the economy and the American people.''

I don't think it could be better stated. I think the letter that I just read from Janet Yellen tells it all. It simply warns us about the danger of this bill. It not only warns us. It does it in such a way that everybody can understand it and would not want to put this economy and this country at such a risky position. I am hopeful that the Members will hear this. We will make copies available to everyone. Vote against this bill.

Furthermore, there is a Statement of Administration Policy from the Executive Office of the President, Office of Management and Budget:

''H.R. 3189 would establish requirements for policy rules, codify blackout periods of the Federal Open Market Committee, establish a cost-benefit requirement for other rulemakings by the Federal Reserve Board, and establish numerous, burdensome reporting requirements for the Federal Reserve Board and its members. The Administration therefore strongly opposes H.R. 3189.

''The Federal Reserve is an independent entity designed to be free from political pressures, and its independence is key to its credibility and its ability to act in the long-term interest of the Nation's economic health. One of the most problematic provisions in the bill would require the Comptroller General to audit the conduct of monetary policy by the Federal Reserve Board and the Federal Open Market Committee. The operations of the Federal Reserve are already subject to numerous audit requirements that ensure it is accountable to the Congress and the American people. The only aspect of the Federal Reserve's operations not subject to audit is its monetary policy decisionmaking, and for good reason. Subjecting the Federal Reserve's exercise of monetary policy authority to audits based on political whims of Members of the Congress—of either party—threatens one of the central pillars of the Nation's financial system and economy, and would almost certainly have negative impacts on the Federal Reserve's work to promote price stability and full employment.

''H.R. 3189 also would impose numerous, burdensome requirements for the Federal Reserve Board rulemaking authorities, including the imposition of a duplicative requirement that the Federal Reserve Board undertake a proscriptive cost-benefit analysis and a post-adoption impact assessment when promulgating rules. When a Federal agency, including an independent agency such as the Federal Reserve, promulgates a regulation, the agency must adhere to the robust substantive and procedural requirements of Federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Paperwork Reduction Act, and the Congressional Review Act, among other statutes. Additionally, Executive Order 13579 encourages independent regulatory agencies to conduct reasoned cost-benefit analysis, engage in public participation to the extent feasible, and conduct a systematic retrospective review of regulations.''

I can't read it all, but if the President was presented with H.R. 3189, his senior advisers would recommend that he veto this bill.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, the ranking member for the last 13 minutes has let us know that the President and his bureaucratic appointees don't want any more transparency and accountability. I don't particularly find a news flash in that.

I have the greatest amount of respect for Chair Yellen. I both like and respect her. I have never encountered a bureaucrat who didn't want more money, more power, less transparency, and less accountability. She is no different. The Dodd-Frank Act has vastly expanded the powers of the Federal Reserve.

Mr. Chairman, for all intents and purposes, they have the ability to actually come in and de facto manage any large financial institution in America. The government has that power. It is a frightening power that has been given by Dodd-Frank, and transparency and accountability is demanded.

In addition, we have a Federal Reserve taking monetary policy and tools to a place it has never been before. At a bare minimum, it owes the people's elected Representatives, the Congress, some transparency on why it is doing what it is doing.

I would, yet again, encourage all Members to actually read the bill before they claim to know what is in the bill. The Federal Reserve maintains its monetary policy independence, as it should. But it must explain to the rest of us what that is and why they choose to deviate from it if they believe economic circumstances warrant. Again, if they want to base monetary policy on the Taylor rule, so be it. If they want to base it on a rousing game of rock, paper, and scissors, so be it. The American people demand answers because this economy is still underperforming. It is not working for working people. This has to change.

We have had the largest economic monetary policy stimulus in our Nation's history, but yet it does not work for working people, and the poor continue to follow behind.

All this bill by the gentleman of Michigan does is bring about needed transparency and accountability to the most powerful economic agency in government today. It is demanded by the vast increases in power by the Dodd-Frank Act. The American people deserve answers. We should enact it.

I encourage all Members to vote for H.R. 3189, the FORM Act.

I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–35, modified by the amendment printed in the part B of House Report 114–341, is adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3189

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fed Oversight Reform and Modernization Act of 2015'' or the ''FORM Act of 2015''.

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

SEC. 2. REQUIREMENTS FOR POLICY RULES OF THE FEDERAL OPEN MARKET COMMITTEE.

The Federal Reserve Act (12 U.S.C. 221 et seq.) is amended by inserting after section 2B the following new section:

''SEC. 2C. DIRECTIVE POLICY RULES OF THE FEDERAL OPEN MARKET COMMITTEE.

''(a) DEFINITIONS.—In this section the following definitions shall apply:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(2) DIRECTIVE POLICY RULE.—The term 'Directive Policy Rule' means a policy rule developed by the Federal Open Market Committee that meets the requirements of subsection (c) and that provides the basis for the Open Market Operations Directive.

''(3) GDP.—The term 'GDP' means the gross domestic product of the United States as computed and published by the Department of Commerce.

''(4) INTERMEDIATE POLICY INPUT.—The term 'Intermediate Policy Input'—

''(A) may include any variable determined by the Federal Open Market Committee as a necessary input to guide open-market operations;

''(B) shall include an estimate of, and the method of calculation for, the current rate of inflation or current inflation expectations; and

''(C) shall include, specifying whether the variable or estimate is historical, current, or a forecast and the method of calculation, at least one of—

''(i) an estimate of real GDP, nominal GDP, or potential GDP;

''(ii) an estimate of the monetary aggregate compiled by the Board of Governors of the Federal Reserve System and Federal reserve banks; or

''(iii) an interactive variable or a net estimate composed of the estimates described in clauses (i) and (ii).

''(5) LEGISLATIVE DAY.—The term 'legislative day' means a day on which either House of Congress is in session.

''(6) OPEN MARKET OPERATIONS DIRECTIVE.—The term 'Open Market Operations Directive' means an order to achieve a specified Policy Instrument Target provided to the Federal Reserve Bank of New York by the Federal Open Market Committee pursuant to powers authorized under section 14 of this Act that guide open-market operations.

''(7) POLICY INSTRUMENT.—The term 'Policy Instrument' means—

''(A) the nominal Federal funds rate;

''(B) the nominal rate of interest paid on nonborrowed reserves; or

''(C) the discount window primary credit interest rate most recently published on the Federal Reserve Statistical Release on selected interest rates (daily or weekly), commonly referred to as the H.15 release.

''(8) POLICY INSTRUMENT TARGET.—The term 'Policy Instrument Target' means the target for the Policy Instrument specified in the Open Market Operations Directive.

''(9) REFERENCE POLICY RULE.—The term 'Reference Policy Rule' means a calculation of the nominal Federal funds rate as equal to the sum of the following:

''(A) The rate of inflation over the previous four quarters.

''(B) One-half of the percentage deviation of the real GDP from an estimate of potential GDP.

''(C) One-half of the difference between the rate of inflation over the previous four quarters and two percent.

''(D) Two percent.

''(b) SUBMITTING A DIRECTIVE POLICY RULE.—Not later than 48 hours after the end of a meeting of the Federal Open Market Committee, the Chairman of the Federal Open Market Committee shall submit to the appropriate congressional committees and the Comptroller General of the United States a Directive Policy Rule and a statement that identifies the members of the Federal Open Market Committee who voted in favor of the Rule.

''(c) REQUIREMENTS FOR A DIRECTIVE POLICY RULE.—A Directive Policy Rule shall—

''(1) identify the Policy Instrument the Directive Policy Rule is designed to target;

''(2) describe the strategy or rule of the Federal Open Market Committee for the systematic quantitative adjustment of the Policy Instrument Target to respond to a change in the Intermediate Policy Inputs;

''(3) include a function that comprehensively models the interactive relationship between the Intermediate Policy Inputs;

''(4) include the coefficients of the Directive Policy Rule that generate the current Policy Instrument Target and a range of predicted future values for the Policy Instrument Target if changes occur in any Intermediate Policy Input;

''(5) describe the procedure for adjusting the supply of bank reserves to achieve the Policy Instrument Target;

''(6) include a statement as to whether the Directive Policy Rule substantially conforms to the Reference Policy Rule and, if applicable—

''(A) an explanation of the extent to which it departs from the Reference Policy Rule;

''(B) a detailed justification for that departure; and

''(C) a description of the circumstances under which the Directive Policy Rule may be amended in the future;

''(7) include a certification that such Rule is expected to support the economy in achieving stable prices and maximum natural employment over the long term; and

''(8) include a calculation that describes with mathematical precision the expected annual inflation rate over a 5-year period.

''(d) GAO REPORT.—The Comptroller General of the United States shall compare the Directive Policy Rule submitted under subsection (b) with the rule that was most recently submitted to determine whether the Directive Policy Rule has materially changed. If the Directive Policy Rule has materially changed, the Comptroller General shall, not later than 7 days after each meeting of the Federal Open Market Committee, prepare and submit a compliance report to the appropriate congressional committees specifying whether the Directive Policy Rule submitted after that meeting and the Federal Open Market Committee are in compliance with this section.

''(e) CHANGING MARKET CONDITIONS.—

''(1) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require that the plans with respect to the systematic quantitative adjustment of the Policy Instrument Target described under subsection (c)(2) be implemented if the Federal Open Market Committee determines that such plans cannot or should not be achieved due to changing market conditions.

''(2) GAO APPROVAL OF UPDATE.—Upon determining that plans described in paragraph (1) cannot or should not be achieved, the Federal Open Market Committee shall submit an explanation for that determination and an updated version of the Directive Policy Rule to the Comptroller General of the United States and the appropriate congressional committees not later than 48 hours after making the determination. The Comptroller General shall, not later than 48 hours after receiving such updated version, prepare and submit to the appropriate congressional committees a compliance report determining whether such updated version and the Federal Open Market Committee are in compliance with this section.

''(f) DIRECTIVE POLICY RULE AND FEDERAL OPEN MARKET COMMITTEE NOT IN COMPLIANCE.—

''(1) IN GENERAL.—If the Comptroller General of the United States determines that the Directive Policy Rule and the Federal Open Market Committee are not in compliance with this section in the report submitted pursuant to subsection (d), or that the updated version of the Directive Policy Rule and the Federal Open Market Committee are not in compliance with this section in the report submitted pursuant to subsection (e)(2), the Chairman of the Board of Governors of the Federal Reserve System shall, if requested by the chairman of either of the appropriate congressional committees, not later than 7 legislative days after such request, testify before such committee as to why the Directive Policy Rule, the updated version, or the Federal Open Market Committee is not in compliance.

''(2) GAO AUDIT.—Notwithstanding subsection (b) of section 714 of title 31, United States Code, upon submitting a report of noncompliance pursuant to subsection (d) or subsection (e)(2) and after the period of 7 legislative days described in paragraph (1), the Comptroller General shall audit the conduct of monetary policy by the Board of Governors of the Federal Reserve System and the Federal Open Market Committee upon request of the appropriate congressional committee. Such committee may specify the parameters of such audit.

''(g) CONGRESSIONAL HEARINGS.—The Chairman of the Board of Governors of the Federal Reserve System shall, if requested by the chairman of either of the appropriate congressional committees and not later than 7 legislative days after such request, appear before such committee to explain any change to the Directive Policy Rule.''.

SEC. 3. FEDERAL OPEN MARKET COMMITTEE BLACKOUT PERIOD.

Section 12A of the Federal Reserve Act (12 U.S.C. 263) is amended by adding at the end the following new subsection:

''(d) BLACKOUT PERIOD.—

''(1) IN GENERAL.—During a blackout period, the only public communications that may be made by members and staff of the Committee with respect to macroeconomic or financial developments or about current or prospective monetary policy issues are the following:

''(A) The dissemination of published data, surveys, and reports that have been cleared for publication by the Board of Governors of the Federal Reserve System.

''(B) Answers to technical questions specific to a data release.

''(C) Communications with respect to the prudential or supervisory functions of the Board of Governors.

''(2) BLACKOUT PERIOD DEFINED.—For purposes of this subsection, and with respect to a meeting of the Committee described under subsection (a), the term 'blackout period' means the time period that—

''(A) begins immediately after midnight on the day that is one week prior to the date on which such meeting takes place; and

''(B) ends at midnight on the day after the date on which such meeting takes place.

''(3) EXEMPTION FOR CHAIRMAN OF THE BOARD OF GOVERNORS.—Nothing in this section shall prohibit the Chairman of the Board of Governors of the Federal Reserve System from participating in or issuing public communications.''.

SEC. 4. MEMBERSHIP OF FEDERAL OPEN MARKET COMMITTEE.

Section 12A(a) of the Federal Reserve Act (12 U.S.C. 263(a)) is amended—

(1) in the first sentence, by striking ''five'' and inserting ''six'';

(2) in the second sentence, by striking ''One by the board of directors'' and all that follows through the period at the end and inserting the following: ''One by the boards of directors of the Federal Reserve Banks of New York and Boston; one by the boards of directors of the Federal Reserve Banks of Philadelphia and Cleveland; one by the boards of directors of the Federal Reserve Banks of Richmond and Atlanta; one by the boards of directors of the Federal Reserve Banks of Chicago and St. Louis; one by the boards of directors of the Federal Reserve Banks of Minneapolis and Kansas City; and one by the boards of directors of the Federal Reserve Banks of Dallas and San Francisco.''; and

(3) by inserting after the second sentence the following: ''In odd numbered calendar years, one representative shall be elected from each of the Federal Reserve Banks of Boston, Philadelphia, Richmond, Chicago, Minneapolis, and Dallas. In even-numbered calendar years, one representative shall be elected from each of the Federal Reserve Banks of New York, Cleveland, Atlanta, St. Louis, Kansas City, and San Francisco.''.

SEC. 5. REQUIREMENTS FOR STRESS TESTS AND SUPERVISORY LETTERS FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) STRESS TEST RULEMAKING, GAO REVIEW, AND PUBLICATION OF RESULTS.—Section 165(i)(1)(B) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5365(i)(1)(B)) is amended—

(1) by amending clause (i) to read as follows:

''(i) shall—

''(I) issue regulations, after providing for public notice and comment, that provide for at least 3 different sets of conditions under which the evaluation required by this subsection shall be conducted, including baseline, adverse, and severely adverse, and methodologies, including models used to estimate losses on certain assets; and

''(II) provide copies of such regulations to the Comptroller General of the United States and the Panel of Economic Advisors of the Congressional Budget Office before publishing such regulations;''; and

(2) in clause (v), by inserting before the period the following: '', including any results of a resubmitted test''.

(b) APPLICATION OF CCAR.—Section 165(i)(1) of such Act is further amended by adding at the end the following new subparagraph:

''(C) APPLICATION TO CCAR.—The requirements of subparagraph (B) shall apply to all stress tests performed under the Comprehensive Capital Analysis and Review exercise established by the Board of Governors.''.

(c) PUBLICATION OF THE NUMBER OF SUPERVISORY LETTERS SENT TO THE LARGEST BANK HOLDING COMPANIES.—Section 165 of such Act is further amended by adding at the end the following new subsection:

''(l) PUBLICATION OF SUPERVISORY LETTER INFORMATION.—The Board of Governors shall publicly disclose—

''(1) the aggregate number of supervisory letters sent to bank holding companies described in subsection (a) since the date of the enactment of this section, and keep such number updated; and

''(2) the aggregate number of such letters that are designated as 'Matters Requiring Attention' and the aggregate number of such letters that are designated as 'Matters Requiring Immediate Attention'.''.

SEC. 6. FREQUENCY OF TESTIMONY OF THE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM TO CONGRESS.

(a) IN GENERAL.—Section 2B of the Federal Reserve Act (12 U.S.C. 225b) is amended—

(1) by striking ''semi-annual'' each place it appears and inserting ''quarterly''; and

(2) in subsection (a)(2)—

(A) by inserting ''and October 20'' after ''July 20'' each place it appears; and

(B) by inserting ''and May 20'' after ''February 20'' each place it appears.

(b) CONFORMING AMENDMENT.—Paragraph (12) of section 10 of the Federal Reserve Act (12 U.S.C. 247b(12)) is amended by striking ''semi-annual'' and inserting ''quarterly''.

SEC. 7. VICE CHAIRMAN FOR SUPERVISION REPORT REQUIREMENT.

Paragraph (12) of section 10 of the Federal Reserve Act (12 U.S.C. 247(b)) is amended—

(1) by redesignating such paragraph as paragraph (11); and

(2) in such paragraph, by adding at the end the following: ''In each such appearance, the Vice Chairman for Supervision shall provide written testimony that includes the status of all pending and anticipated rulemakings that are being made by the Board of Governors of the Federal Reserve System. If, at the time of any appearance described in this paragraph, the position of Vice Chairman for Supervision is vacant, the Vice Chairman for the Board of Governors of the Federal Reserve System (who has the responsibility to serve in the absence of the Chairman) shall appear instead and provide the required written testimony. If, at the time of any appearance described in this paragraph, both Vice Chairman positions are vacant, the Chairman of the Board of Governors of the Federal Reserve System shall appear instead and provide the required written testimony.''.

SEC. 8. ECONOMIC ANALYSIS OF REGULATIONS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) AMENDMENT TO FEDERAL RESERVE ACT.—Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by inserting after subsection (l) the following new subsection:

''(m) CONSIDERATION OF ECONOMIC IMPACTS.—

''(1) IN GENERAL.—Before issuing any regulation, the Board of Governors of the Federal Reserve System shall—

''(A) clearly identify the nature and source of the problem that the proposed regulation is designed to address and assess the significance of that problem;

''(B) assess whether any new regulation is warranted or, with respect to a proposed regulation that the Board of Governors is required to issue by statute and with respect to which the Board has the authority to exempt certain persons from the application of such regulation, compare—

''(i) the costs and benefits of the proposed regulation; and

''(ii) the costs and benefits of a regulation under which the Board exempts all persons from the application of the proposed regulation, to the extent the Board is able;

''(C) assess the qualitative and quantitative costs and benefits of the proposed regulation and propose or adopt a regulation only on a reasoned determination that the benefits of the proposed regulation outweigh the costs of the regulation;

''(D) identify and assess available alternatives to the proposed regulation that were considered, including any alternative offered by a member of the Board of Governors of the Federal Reserve System or the Federal Open Market Committee and including any modification of an existing regulation, together with an explanation of why the regulation meets the regulatory objectives more effectively than the alternatives; and

''(E) ensure that any proposed regulation is accessible, consistent, written in plain language, and easy to understand and shall measure, and seek to improve, the actual results of regulatory requirements.

''(2) CONSIDERATIONS AND ACTIONS.—

''(A) REQUIRED ACTIONS.—In deciding whether and how to regulate, the Board shall assess the costs and benefits of available regulatory alternatives, including the alternative of not regulating, and choose the approach that maximizes net benefits. Specifically, the Board shall—

''(i) evaluate whether, consistent with achieving regulatory objectives, the regulation is tailored to impose the least impact on the availability of credit and economic growth and to impose the least burden on society, including market participants, individuals, businesses of different sizes, and other entities (including State and local governmental entities), taking into account, to the extent practicable, the cumulative costs of regulations;

''(ii) evaluate whether the regulation is inconsistent, incompatible, or duplicative of other Federal regulations; and

''(iii) with respect to a proposed regulation that the Board is required to issue by statute and with respect to which the Board has the authority to exempt certain persons from the application of such regulation, compare—

''(I) the costs and benefits of the proposed regulation; and

''(II) the costs and benefits of a regulation under which the Board exempts all persons from the application of the proposed regulation, to the extent the Board is able.

''(B) ADDITIONAL CONSIDERATIONS.—In addition, in making a reasoned determination of the costs and benefits of a proposed regulation, the Board shall, to the extent that each is relevant to the particular proposed regulation, take into consideration the impact of the regulation, including secondary costs such as an increase in the cost or a reduction in the availability of credit or investment services or products, on—

''(i) the safety and soundness of the United States banking system;

''(ii) market liquidity in securities markets;

''(iii) small businesses;

''(iv) community banks;

''(v) economic growth;

''(vi) cost and access to capital;

''(vii) market stability;

''(viii) global competitiveness;

''(ix) job creation;

''(x) the effectiveness of the monetary policy transmission mechanism; and

''(xi) employment levels.

''(3) EXPLANATION AND COMMENTS.—The Board shall explain in its final rule the nature of comments that it received and shall provide a response to those comments in its final rule, including an explanation of any changes that were made in response to those comments and the reasons that the Board did not incorporate concerns related to the potential costs or benefits in the final rule.

''(4) POSTADOPTION IMPACT ASSESSMENT.—

''(A) IN GENERAL.—Whenever the Board adopts or amends a regulation designated as a 'major rule' within the meaning of section 804(2) of title 5, United States Code, it shall state, in its adopting release, the following:

''(i) The purposes and intended consequences of the regulation.

''(ii) The assessment plan that will be used, consistent with the requirements of subparagraph (B), to assess whether the regulation has achieved the stated purposes.

''(iii) Appropriate postimplementation quantitative and qualitative metrics to measure the economic impact of the regulation and the extent to which the regulation has accomplished the stated purpose of the regulation.

''(iv) Any reasonably foreseeable indirect effects that may result from the regulation.

''(B) REQUIREMENTS OF ASSESSMENT PLAN AND REPORT.—

''(i) REQUIREMENTS OF PLAN.—The assessment plan required under this paragraph shall consider the costs, benefits, and intended and unintended consequences of the regulation. The plan shall specify the data to be collected, the methods for collection and analysis of the data, and a date for completion of the assessment. The assessment plan shall include an analysis of any jobs added or lost as a result of the regulation, differentiating between public and private sector jobs.

''(ii) SUBMISSION AND PUBLICATION OF REPORT.—The Board shall, not later than 2 years after the publication of the adopting release, publish the assessment plan in the Federal Register for notice and comment. If the Board determines, at least 90 days before the deadline for publication of the assessment plan, that an extension is necessary, the Board shall publish a notice of such extension and the specific reasons why the extension is necessary in the Federal Register. Any material modification of the assessment plan, as necessary to assess unforeseen aspects or consequences of the regulation, shall be promptly published in the Federal Register for notice and comment.

''(iii) DATA COLLECTION NOT SUBJECT TO NOTICE AND COMMENT REQUIREMENTS.—If the Board has published the assessment plan for notice and comment at least 30 days before the adoption of a regulation designated as a major rule, the collection of data under the assessment plan shall not be subject to the notice and comment requirements in section 3506(c) of title 44, United States Code (commonly referred to as the Paperwork Reduction Act). Any material modification of the plan that requires collection of data not previously published for notice and comment shall also be exempt from such requirements if the Board has published notice in the Federal Register for comment on the additional data to be collected, at least 30 days before the initiation of data collection.

''(iv) FINAL ACTION.—Not later than 180 days after publication of the assessment plan in the Federal Register, the Board shall issue for notice and comment a proposal to amend or rescind the regulation, or shall publish a notice that the Board has determined that no action will be taken on the regulation. Such a notice will be deemed a final agency action.

''(5) COVERED REGULATIONS AND OTHER ACTIONS.—Solely as used in this subsection, the term 'regulation'—

''(A) means a statement of general applicability and future effect that is designed to implement, interpret, or prescribe law or policy, or to describe the procedure or practice requirements of the Board of Governors, including rules, orders of general applicability, interpretive releases, and other statements of general applicability that the Board of Governors intends to have the force and effect of law; and

''(B) does not include—

''(i) a regulation issued in accordance with the formal rulemaking provisions of section 556 or 557 of title 5, United States Code;

''(ii) a regulation that is limited to the organization, management, or personnel matters of the Board of Governors;

''(iii) a regulation promulgated pursuant to statutory authority that expressly prohibits compliance with this provision; or

''(iv) a regulation that is certified by the Board of Governors to be an emergency action, if such certification is published in the Federal Register.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall apply to the requirements regarding the conduct of monetary policy described in section 2.

SEC. 9. SALARIES, FINANCIAL DISCLOSURES, AND OFFICE STAFF OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(1) by redesignating the second subsection (s) (relating to ''Assessments, Fees, and Other Charges for Certain Companies'') as subsection (t); and

(2) by adding at the end the following new subsections:

''(u) ETHICS STANDARDS FOR MEMBERS AND EMPLOYEES.—

''(1) PROHIBITED AND RESTRICTED FINANCIAL INTERESTS AND TRANSACTIONS.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to the provisions under section 4401.102 of title 5, Code of Federal Regulations, to the same extent as such provisions apply to an employee of the Securities and Exchange Commission.

''(2) TREATMENT OF BROKERAGE ACCOUNTS AND AVAILABILITY OF ACCOUNT STATEMENTS.—The members and employees of the Board of Governors of the Federal Reserve System shall—

''(A) disclose all brokerage accounts that they maintain, as well as those in which they control trading or have a financial interest (including managed accounts, trust accounts, investment club accounts, and the accounts of spouses or minor children who live with the member or employee); and

''(B) with respect to any securities account that the member or employee is required to disclose to the Board of Governors, authorize their brokers and dealers to send duplicate

account statements directly to Board of Governors.

''(3) PROHIBITIONS RELATED TO OUTSIDE EMPLOYMENT AND ACTIVITIES.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to the prohibitions related to outside employment and activities described under section 4401.103(c) of title 5, Code of Federal Regulations, to the same extent as such prohibitions apply to an employee of the Securities and Exchange Commission.

''(4) ADDITIONAL ETHICS STANDARDS.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to—

''(A) the employee responsibilities and conduct regulations of the Office of Personnel Management under part 735 of title 5, Code of Federal Regulations;

''(B) the canons of ethics contained in subpart C of part 200 of title 17, Code of Federal Regulations, to the same extent as such subpart applies to the employees of the Securities and Exchange Commission; and

''(C) the regulations concerning the conduct of members and employees and former members and employees contained in subpart M of part 200 of title 17, Code of Federal Regulations, to the same extent as such subpart applies to the employees of the Securities and Exchange Commission.

''(v) DISCLOSURE OF STAFF SALARIES AND FINANCIAL INFORMATION.—The Board of Governors of the Federal Reserve System shall make publicly available, on the website of the Board of Governors, a searchable database that contains the names of all members, officers, and employees of the Board of Governors who receive an annual salary in excess of the annual rate of basic pay for GS–15 of the General Schedule, and—

''(1) the yearly salary information for such individuals, along with any nonsalary compensation received by such individuals; and

''(2) any financial disclosures required to be made by such individuals.''.

(b) OFFICE STAFF FOR EACH MEMBER OF THE BOARD OF GOVERNORS.—Subsection (l) of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding at the end the following: ''Each member of the Board of Governors of the Federal Reserve System may employ, at a minimum, 2 individuals, with such individuals selected by such member and the salaries of such individuals set by such member. A member may employ additional individuals as determined necessary by the Board of Governors.''.

SEC. 10. REQUIREMENTS FOR INTERNATIONAL PROCESSES.

(a) BOARD OF GOVERNORS REQUIREMENTS.—Section 11 of the Federal Reserve Act (12 U.S.C. 248), as amended by section 9 of this Act, is further amended by adding at the end the following new subsection:

''(w) INTERNATIONAL PROCESSES.—

''(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before any member or employee of the Board of Governors of the Federal Reserve System participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Governors shall—

''(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Board of Governors; and

''(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

''(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Board of Governors shall issue a public report on the topics that were discussed during the process and any new or revised rulemakings or policy changes that the Board of Governors believes should be implemented as a result of the process.

''(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before any member or employee of the Board of Governors of the Federal Reserve System participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Governors shall—

''(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Board of Governors; and

''(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(4) DEFINITION.—For purposes of this subsection, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

(b) FDIC REQUIREMENTS.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following new section:

''SEC. 51. INTERNATIONAL PROCESSES.

''(a) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Board of Directors participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

''(1) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Corporation; and

''(3) solicit public comment, and consult with the committees described under paragraph (1), with respect to the subject matter, scope, and goals of the process.

''(b) PUBLIC REPORTS ON PROCESS.—After the end of any process described under subsection (a), the Board of Directors shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Board of Directors believes should be implemented as a result of the process.

''(c) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Board of Directors participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

''(1) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Corporation; and

''(3) consult with the committees described under paragraph (1) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(d) DEFINITION.—For purposes of this section, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

(c) TREASURY REQUIREMENTS.—Section 325 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(d) INTERNATIONAL PROCESSES.—

''(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Secretary participates in a process of setting financial standards as a part of any foreign or multinational entity, the Secretary shall—

''(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Department of the Treasury; and

''(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

''(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Secretary shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Secretary believes should be implemented as a result of the process.

''(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Secretary participates in a process of setting financial standards as a part of any foreign or multinational entity, the Secretary shall—

''(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Department of the Treasury; and

''(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(4) DEFINITION.—For purposes of this subsection, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

(d) OCC REQUIREMENTS.—Chapter one of title LXII of the Revised Statutes of the United States (12 U.S.C. 21 et seq.) is amended—

(1) by adding at the end the following new section:

''SEC. 5156B. INTERNATIONAL PROCESSES.

''(a) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Comptroller of the Currency participates in a process of setting financial standards as a part of any foreign or multinational entity, the Comptroller of the Currency shall—

''(1) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Office of the Comptroller of the Currency; and

''(3) solicit public comment, and consult with the committees described under paragraph (1), with respect to the subject matter, scope, and goals of the process.

''(b) PUBLIC REPORTS ON PROCESS.—After the end of any process described under subsection (a), the Comptroller of the Currency shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Comptroller of the Currency believes should be implemented as a result of the process.

''(c) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Comptroller of the Currency participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

''(1) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Office of the Comptroller of the Currency; and

''(3) consult with the committees described under paragraph (1) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(d) DEFINITION.—For purposes of this section, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''; and

(2) in the table of contents for such chapter, by adding at the end the following new item:

''5156B. International processes.''.

(e) SECURITIES AND EXCHANGE COMMISSION REQUIREMENTS.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following new subsection:

''(j) INTERNATIONAL PROCESSES.—

''(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Commission participates in a process of setting financial standards as a part of any foreign or multinational entity, the Commission shall—

''(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Commission; and

''(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

''(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Commission shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Commission believes should be implemented as a result of the process.

''(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Commission participates in a process of setting financial standards as a part of any foreign or multinational entity, the Commission shall—

''(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Commission; and

''(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(4) DEFINITION.—For purposes of this subsection, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

SEC. 11. AMENDMENTS TO POWERS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)) is amended—

(1) in subparagraph (A)—

(A) by inserting ''that pose a threat to the financial stability of the United States'' after ''unusual and exigent circumstances''; and

(B) by inserting ''and by the affirmative vote of not less than nine presidents of the Federal reserve banks'' after ''five members'';

(2) in subparagraph (B)—

(A) in clause (i), by inserting at the end the following: ''Federal reserve banks may not accept equity securities issued by the recipient of any loan or other financial assistance under this paragraph as collateral. Not later than 6 months after the date of enactment of this sentence, the Board shall, by rule, establish—

''(I) a method for determining the sufficiency of the collateral required under this paragraph;

''(II) acceptable classes of collateral;

''(III) the amount of any discount of such value that the Federal reserve banks will apply for purposes of calculating the sufficiency of collateral under this paragraph; and

''(IV) a method for obtaining independent appraisals of the value of collateral the Federal reserve banks receive.''; and

(B) in clause (ii)—

(i) by striking the second sentence; and

(ii) by inserting after the first sentence the following: ''A borrower shall not be eligible to borrow from any emergency lending program or facility unless the Board and all federal banking regulators with jurisdiction over the borrower certify that, at the time the borrower initially borrows under the program or facility, the borrower is not insolvent.'';

(3) by inserting ''financial institution'' before ''participant'' each place such term appears;

(4) in subparagraph (D)(i), by inserting ''financial institution'' before ''participants''; and

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

''(F) PENALTY RATE.—

''(i) IN GENERAL.—Not later than 6 months after the date of enactment of this subparagraph, the Board shall, with respect to a recipient of any loan or other financial assistance under this paragraph, establish by rule a minimum interest rate on the principal amount of any loan or other financial assistance.

''(ii) MINIMUM INTEREST RATE DEFINED.—In this subparagraph, the term 'minimum interest rate' shall mean the sum of—

''(I) the average of the secondary discount rate of all Federal Reserve banks over the most recent 90-day period; and

''(II) the average of the difference between a distressed corporate bond yield index (as defined by rule of the Board) and a bond yield index of debt issued by the United States (as defined by rule of the Board) over the most recent 90-day period.

''(G) FINANCIAL INSTITUTION PARTICIPANT DEFINED.—For purposes of this paragraph, the term 'financial institution participant'—

''(i) means a company that is predominantly engaged in financial activities (as defined in section 102(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5311(a))); and

''(ii) does not include an agency described in subparagraph (W) of section 5312(a)(2) of title 31, United States Code, or an entity controlled or sponsored by such an agency.''.

(b) CONFORMING AMENDMENT.—Section 11(r)(2)(A) of such Act is amended—

(1) in clause (ii)(IV), by striking ''; and'' and inserting a semicolon;

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

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

''(iv) the available members secure the affirmative vote of not less than nine presidents of the Federal reserve banks.''.

SEC. 12. INTEREST RATES ON BALANCES MAINTAINED AT A FEDERAL RESERVE BANK BY DEPOSITORY INSTITUTIONS ESTABLISHED BY FEDERAL OPEN MARKET COMMITTEE.

Subparagraph (A) of section 19(b)(12) of the Federal Reserve Act (12 U.S.C. 461(b)(12)(A)) is amended by inserting ''established by the Federal Open Market Committee'' after ''rate or rates''.

SEC. 13. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, the Comptroller General of the United States shall complete an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 within 12 months after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the audit required pursuant to subsection (a) is completed, the Comptroller General—

(A) shall submit to Congress a report on such audit; and

(B) shall make such report available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests the report.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United

States Code, is amended by striking the second sentence.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 714 of title 31, United States Code, is amended—

(A) in subsection (d)(3), by striking ''or (f)'' each place such term appears;

(B) in subsection (e), by striking ''the third undesignated paragraph of section 13'' and inserting ''section 13(3)''; and

(C) by striking subsection (f).

(2) FEDERAL RESERVE ACT.—Subsection (s) (relating to ''Federal Reserve Transparency and Release of Information'') of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(A) in paragraph (4)(A), by striking ''has the same meaning as in section 714(f)(1)(A) of title 31, United States Code'' and inserting ''means a program or facility, including any special purpose vehicle or other entity established by or on behalf of the Board of Governors of the Federal Reserve System or a Federal reserve bank, authorized by the Board of Governors under section 13(3), that is not subject to audit under section 714(e) of title 31, United States Code'';

(B) in paragraph (6), by striking ''or in section 714(f)(3)(C) of title 31, United States Code, the information described in paragraph (1) and information concerning the transactions described in section 714(f) of such title,'' and inserting ''the information described in paragraph (1)''; and

(C) in paragraph (7), by striking ''and section 13(3)(C), section 714(f)(3)(C) of title 31, United States Code, and'' and inserting '', section 13(3)(C), and''.

SEC. 14. REPORTING REQUIREMENT FOR EXPORT-IMPORT BANK.

The Board of Governors of the Federal Reserve System shall include, as part of the monthly Federal Reserve statistical release titled ''Industrial Production or Capacity Utilization'' (or any successor release), an analysis of—

(1) the impact on the index described in the statistical release due to the operation of the Export-Import Bank; and

(2) the amount of foreign industrial production supported by foreign export credit agencies, using the same method used to measure industrial production in the statistical release and scaled to be comparable to the industrial production measurement for the United States.

SEC. 15. MEMBERSHIP OF BOARD OF DIRECTORS OF THE FEDERAL RESERVE BANKS.

Section 4 of the Federal Reserve Act (12 U.S.C. 302) is amended—

(1) in the eleventh undesignated paragraph (relating to Class B), by striking ''and consumers'' and inserting ''consumers, and traditionally underserved communities and populations''; and

(2) in the twelfth undesignated paragraph (relating to Class C), by striking ''and consumers'' and inserting ''consumers, and traditionally underserved communities and populations''.

SEC. 16. ESTABLISHMENT OF A CENTENNIAL MONETARY COMMISSION.

(a) SHORT TITLE.—This section may be cited as the ''Centennial Monetary Commission Act of 2015''.

(b) FINDINGS.—Congress finds the following:

(1) The Constitution endows Congress with the power ''to coin money, regulate the value thereof''.

(2) Following the financial crisis known as the Panic of 1907, Congress established the National Monetary Commission to provide recommendations for the reform of the financial and monetary systems of the United States.

(3) Incorporating several of the recommendations of the National Monetary Commission, Congress created the Federal Reserve System in 1913. As currently organized, the Federal Reserve System consists of the Board of Governors in Washington, District of Columbia, and the Federal Reserve Banks organized into 12 districts around the United States. The stockholders of the 12 Federal Reserve Banks include national and certain State-chartered commercial banks, which operate on a fractional reserve basis.

(4) Originally, Congress gave the Federal Reserve System a monetary mandate to provide an elastic currency, within the context of a gold standard, in response to seasonal fluctuations in the demand for currency.

(5) Congress also gave the Federal Reserve System a financial stability mandate to serve as the lender of last resort to solvent but illiquid banks during a financial crisis.

(6) In 1977, Congress changed the monetary mandate of the Federal Reserve System to a dual mandate for maximum employment and stable prices.

(7) Empirical studies and historical evidence, both within the United States and in other countries, demonstrate that price stability is desirable because both inflation and deflation damage the economy.

(8) The economic challenge of recent years—most notably the bursting of the housing bubble, the financial crisis of 2008, and the ensuing anemic recovery—have occurred at great cost in terms of lost jobs and output.

(9) Policymakers are reexamining the structure and functioning of financial institutions and markets to determine what, if any, changes need to be made to place the financial system on a stronger, more sustainable path going forward.

(10) The Federal Reserve System has taken extraordinary actions in response to the recent economic challenges.

(11) The Federal Open Market Committee has engaged in multiple rounds of quantitative easing, providing unprecedented liquidity to financial markets, while committing to holding short-term interest rates low for a seemingly indefinite period, and pursuing a policy of credit allocation by purchasing Federal agency debt and mortgage-backed securities.

(12) In the wake of the recent extraordinary actions of the Federal Reserve System, Congress—consistent with its constitutional responsibilities and as it has done periodically throughout the history of the United States—has once again renewed its examination of monetary policy.

(13) Central in such examination has been a renewed look at what is the most proper mandate for the Federal Reserve System to conduct monetary policy in the 21st century.

(c) ESTABLISHMENT OF A CENTENNIAL MONETARY COMMISSION.—There is established a commission to be known as the ''Centennial Monetary Commission'' (in this section referred to as the ''Commission'').

(d) STUDY AND REPORT ON MONETARY POLICY.—

(1) STUDY.—The Commission shall—

(A) examine how United States monetary policy since the creation of the Board of Governors of the Federal Reserve System in 1913 has affected the performance of the United States economy in terms of output, employment, prices, and financial stability over time;

(B) evaluate various operational regimes under which the Board of Governors of the Federal Reserve System and the Federal Open Market Committee may conduct monetary policy in terms achieving the maximum sustainable level of output and employment and price stability over the long term, including—

(i) discretion in determining monetary policy without an operational regime;

(ii) price level targeting;

(iii) inflation rate targeting;

(iv) nominal gross domestic product targeting (both level and growth rate);

(v) the use of monetary policy rules; and

(vi) the gold standard;

(C) evaluate the use of macro-prudential supervision and regulation as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term;

(D) evaluate the use of the lender-of-last-resort function of the Board of Governors of the Federal Reserve System as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term; and

(E) recommend a course for United States monetary policy going forward, including—

(i) the legislative mandate;

(ii) the operational regime;

(iii) the securities used in open market operations; and

(iv) transparency issues.

(2) REPORT.—Not later than December 1, 2016, the Commission shall submit to Congress and make publicly available a report containing a statement of the findings and conclusions of the Commission in carrying out the study under paragraph (1), together with the recommendations the Commission considers appropriate.

(e) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—

(A) APPOINTED VOTING MEMBERS.—The Commission shall contain 12 voting members as follows:

(i) Six members appointed by the Speaker of the House of Representatives, with four members from the majority party and two members from the minority party.

(ii) Six members appointed by the President Pro Tempore of the Senate, with four members from the majority party and two members from the minority party.

(B) CHAIRMAN.—The Speaker of the House of Representatives and the majority leader of the Senate shall jointly designate one of the members of the Commission as Chairman.

(C) NON-VOTING MEMBERS.—The Commission shall contain 2 non-voting members as follows:

(i) One member appointed by the Secretary of the Treasury.

(ii) One member who is the president of a district Federal reserve bank appointed by the Chair of the Board of Governors of the Federal Reserve System.

(2) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission.

(3) TIMING OF APPOINTMENT.—All members of the Commission shall be appointed not later than 30 days after the date of the enactment of this section.

(4) VACANCIES.—A vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(5) MEETINGS.—

(A) INITIAL MEETING.—The Commission shall hold its initial meeting and begin the operations of the Commission as soon as is practicable.

(B) FURTHER MEETINGS.—The Commission shall meet upon the call of the Chair or a majority of its members.

(6) QUORUM.—Seven voting members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(7) MEMBER OF CONGRESS DEFINED.—In this subsection, the term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(f) POWERS.—

(1) HEARINGS AND SESSIONS.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, receive evidence, or administer oaths as the Commission or such subcommittee or member thereof considers appropriate.

(2) CONTRACT AUTHORITY.—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this section, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(3) OBTAINING OFFICIAL DATA.—

(A) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, any information, including suggestions, estimates, or statistics, for the purposes of this section.

(B) REQUESTING OFFICIAL DATA.—The head of such department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the government shall, to the extent authorized by law, furnish such information upon request made by—

(i) the Chair;

(ii) the Chair of any subcommittee created by a majority of the Commission; or

(iii) any member of the Commission designated by a majority of the commission to request such information.

(4) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(B) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in subparagraph (A), at the request of the Commission, departments and agencies of the United States shall provide such services, funds, facilities, staff, and other support services as may be authorized by law.

(5) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) COMMISSION PERSONNEL.—

(1) APPOINTMENT AND COMPENSATION OF STAFF.—

(A) IN GENERAL.—Subject to rules prescribed by the Commission, the Chair may appoint and fix the pay of the executive director and other personnel as the Chair considers appropriate.

(B) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of level V of the Executive Schedule.

(2) CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the rate of pay for a person occupying a position at level IV of the Executive Schedule.

(3) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(h) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission shall terminate on June 1, 2017.

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the period between the submission of its report and its termination for the purpose of concluding its activities, including providing testimony to the committee of Congress concerning its report.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000, which shall remain available until the date on which the Commission terminates.

SEC. 17. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking ''AND SURPLUS FUNDS''; and

(B) In paragraph (2), by striking ''deposited in the surplus fund of the bank'' and inserting ''transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury''; and

(C) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal Reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governers of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part C of House Report 114–341. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–341.

Mr. HECK of Washington. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 8, strike ''Not''.

Page 5, line 9, insert the following:

''(1) IN GENERAL.—Not''.

Page 5, after line 15, insert the following:

''(2) EXCEPTION.—The requirements of paragraph (1) shall not apply if the Federal Open Market Committee determines at the end of a meeting that the current conditions represent a significant divergence from the goals of maximum employment and stable prices described in section 2A.''.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chair, I yield myself 2½ minutes.

Thus far, this has been an interesting debate that seems to have mostly revolved around a philosophical point. On the one hand, you have arguments for increased transparency and accountability. On the other hand, you have arguments against increased political interference by this institution. I have always proceeded with the assumption that philosophical debates are irreconcilable in a lot of regards because you have to presume that the other side has a point of view.

This is not why I oppose the underlying bill. Although I hasten to add, why anybody would ever want to give more authority and control over the levers of the economy to this institution, with its track record in the last several years, including government shutdowns and the like, is beyond me. Again, it is a philosophical debate.

Here is what is not debatable: what is proposed in this bill doesn't work. It does not work. Let's back up. Essentially, color it any way you want, this bill argues for the adoption of the so-called Taylor rule. What is that?

The Taylor rule was devised by Professor Taylor of Stanford in the 1990s, looking back at the experience of the economy and what the Fed had done using a mixture of GDP, GDP potential and inflation, and he derived a formula. The problem is, again, it does not work. That is why I have offered this amendment, which would provide the Fed the ability to opt out, if we get to a stressful situation where clearly the application of the Taylor rule wasn't working.

Here is the deal. I can prove to you that the Taylor rule wouldn't work. Let me show you. We have had a couple of instances in recent history in which we can test the application of the Taylor rule, both against the Fed's mission to achieve price stability as well as achieve full employment.

This chart tracks the years 1979 to 1983. The red line is what the chair of the Fed, Mr. Volcker, utilized in the way of the actual Fed fund rates. The blue line is the Taylor rule. You can see that for many years, Mr. Volcker opted for a 5-percent increase over what the Taylor rule would have been. You can also see that Mr. Volcker was right, that he broke inflation.

Now, unless we want to return to 12 to 14 percent home mortgages and a 17 to 18 percent inflation rate, we should——

The Acting CHAIR. The time of the gentleman has expired.

Mr. HECK of Washington. I yield myself an additional 30 seconds.

Quickly, here is the chart for the most recent economic crisis. The red

line is what the Fed did. The Taylor rule is the blue line. This is unemployment.

The Taylor rule would have provided, beginning back in 2010, substantially higher interest rates when unemployment rates were still unacceptably high. The Taylor rule doesn't work. Adopt my amendment.

I reserve the balance of my time.

□ 1845

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. HENSARLING. Mr. Chairman, I do rise in opposition to the amendment. The gentleman has clearly stated he doesn't like the underlying bill, so his amendment simply guts the underlying bill and allows the Fed to opt out of the underlying bill.

I have listened carefully to the gentleman's interest and what he recited about the Taylor rule, but again I would encourage him to read the bill because he would then know, as I suspect that he does, that the Federal Reserve under the FORM Act is not mandated to follow the Taylor rule. It is simply a comparison. So, if the Taylor rule is as bad as the gentleman claims it will be, then the FORM Act will reveal that to all the world. All the world will know this.

However, I think if we study economic history carefully, what we will discover is that, when the Fed used a more predictable, rules-based monetary policy to where investors and businesses actually had some idea of what interest rates would be, the economy would flourish, as it did during the great moderation.

So again, the FORM Act allows the Fed to use any monetary policy it wishes, to change the policy, to deviate from the policy, but it has to communicate that to the rest. That is essentially what the FORM Act says. It is about communication. It doesn't tell them how to conduct the policy. It does tell them how to communicate the policy to the American people, who deserve to know this from the single most important economic agency of government today.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman, the author of the FORM Act.

Mr. HUIZENGA of Michigan. I appreciate the chairman yielding to me on this.

Exactly what you were talking about is the case. This is merely a benchmark guideline to measure against. In fact, in committee, when Chair Yellen was testifying in front of our committee, I suggested that, if they saw problems, that they would then put a floor or put a ceiling on any movement that could happen within that timeframe. I thought I gave a very helpful suggestion that we call it the Yellen rule at that point, and she can claim credit for doing exactly what is being discussed.

Mr. HENSARLING. Well, I thank the gentleman for his leadership on this.

Again, I have portions of the act in front of me. The bill stipulates: ''Nothing in this Act shall be construed to require.'' That is what the act says on a formal policy directive. ''If the Federal Open Market Committee determines that such plans cannot or should not be achieved due to changing market conditions.''

Again this is about communication. When we have an economy that is underperforming, where had we only had the average recovery in the postwar era every man, woman, and child in America would have $6,000 more, millions would be back to work, I think the American people deserve to ask some hard questions.

This is such an incredible red herring with this argument on independence. Mr. Chairman, the Board of Governors have 14-year terms—second only to lifetime appointments to the bench—14-year terms, independent funding of the congressional appropriations process. And so now we don't want them to answer some questions.

Will their feelings get hurt if they are asked some tough questions by Members of Congress? Are they that delicate that they can't conduct monetary policy if in an open committee hearing they have to answer questions? I think the American people, Mr. Chairman, are saying: Give me a break.

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

Mr. HECK of Washington. Mr. Chairman, I yield myself 1½ minutes.

Where is it? Bring it. If it is not the Taylor rule, it is some other rule that is going to work magically to achieve price stability and full employment, you think it exists somewhere?

The Taylor rule is what is essentially referenced in the bill. You say: But it isn't required.

Okay. There is a better rule? Show your hand. It is time to lay your cards down. If there is actually some kind of mathematical magic formula that can always trump human judgment and changing economic circumstances, lay it on the table. But you haven't done it.

Mr. HENSARLING. Will the gentleman yield?

Mr. HECK of Washington. I would be glad to yield to the gentleman from Texas out of my extreme respect for both you and the prime sponsor of the bill.

Mr. HENSARLING. Whether you call it a rule or a method or approach, the Fed is already doing something. They are looking at variables, and they are making decisions. All we are asking is that they communicate that to the rest of the American people. Ask them what their rule is. We would like to know. That is what the FORM Act is all about.

Mr. HECK of Washington. Their rule is to break the back of inflation. Their rule is to achieve increased employment. That is the rule they use. Exercising, yes, judgment based upon ever-changing economic circumstances.

But to suggest that you can arbitrarily apply a formula without being willing to advance the formula, you want disclosure, you want transparency? Start with you. Put your rule on the table.

I reserve the balance of my time.

Mr. HENSARLING. Again, it is up to the Fed. You can't argue this both ways. The FORM Act is not imposing a rule. The Fed says that it is data dependent. What is the data? What is the reaction function? Tell us what you are doing. If you decide tomorrow morning you want to do it differently, that is fine. Just tell the rest of us.

In this economy that continues to underperform, an economy that continues to suffer, monetary policy ought to be made clear and transparent to the American people. That is what the FORM Act demands.

I yield the remaining 15 seconds to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Mr. Chairman, I don't trust Congress enough for us to come up with the rule, which is why I wrote into the bill that the Fed develops the rule, the guideline, the benchmark that they put forward. We know they do this already. They look at the Taylor rule, they look at a number of other models, and they then go advance forward with the best policy that they think is the right thing. We are just asking them to communicate that to Congress and the American people.

Mr. HENSARLING. Mr. Chairman, I urge a rejection of the amendment.

I yield back the balance of my time.

Mr. HECK of Washington. Mr. Chairman, with all due respect to my friend from Michigan, you didn't put the formula in the bill because it doesn't exist. If it did, you would have put it in. If there would have been an absolute magic formula that would keep this economy at full employment and price stability, we would have it on the table, but no such formula exists. That is why you didn't put it in the bill. It doesn't exist.

Adopt the amendment. Allow the Fed to do the job to achieve price stability and full employment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment offered by the gentleman from Washington (Mr. HECK).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–341.

Mr. HECK of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 25, strike ''and''.

Page 7, line 3, strike the period at the end and insert ''; and''.

Page 7, after line 3, insert the following:

''(9) include a plan to use the most accurate data, subject to all historical revisions, for inputs into the Directive Policy Rule and the Reference Policy Rule.''.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of this amendment is to ask the Fed to build a time machine because, frankly, that is the only way that this bill works.

You see, the fact of the matter is that, when Mr. Taylor, Professor Taylor, devised his study, which was groundbreaking, was important, he did so in the 1990s, looking back over the previous 10 years which, as I indicated earlier, was an unusually fairly stable period of time, unusually fairly stable, not an exceptional performance, good or bad, in the economy.

He did so with the benefit of data that had been updated over time, because, you see, the Bureau of Economic Analysis doesn't just do one fixed number that people get to rely on. In fact, in the first year they put out not one, not two, but three updates, called the advanced estimate, the preliminary estimate, and the final estimate.

But wait, there is more, to quote the Ronco ad. The next year they update again. That is called the annual reestimate. But wait, there is more. Every 5 years they do a benchmark reestimate. That is the data that Professor Taylor had the advantage of.

In essence, to ask the Fed to utilize or apply the Taylor rule or any such thing like it, which does not exist, is to ask them to have the benefit of data which is not final.

I don't know about you, but every month when the unemployment numbers come out, I have begun to view them pretty skeptically over the years. We all know the reason for that: because they get revised so much—so much.

At the beginning of President Obama's first term, when he indicated, as is often cited, that he would act to get unemployment no higher than 8 percent, he was doing so on the basis of the first estimate, which said it was 6.7 percent or something like that. The revision was 7.8 percent 3 months later.

So the fact of the matter is the Taylor rule or anything like it has the advantage of hindsight, which no rule can fully incorporate.

The purpose of this amendment—vote for it, vote against it—is if you want to do this, build yourself a time machine, because that is the only way you can reasonably, with any sense of scholarship and solid research, be able to devise a formula that would work because we don't know the conditions until quite sometime later.

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

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. HENSARLING. Mr. Chairman, just to throw my friend and colleague a curve ball, I will support his amendment. Although, I must admit, I am somewhat surprised and shocked, given the debate of the last, that he would want to interfere in the independence of the Fed and require them to use fully revised data.

I will, nonetheless, support the amendment, notwithstanding the intrusion upon their independence.

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

Mr. HECK of Washington. Mr. Chairman, I am not often speechless in the face of my friend from Texas' remarks.

Look, we cannot perform a calculation without accurate data. If you are going to join me and throw in with H. G. Wells and a great heritage of both literature and cinema history regarding time travel, then I can do nothing but shockingly accept your gracious support of this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114–341.

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 25, insert ''annually'' after ''shall''.

Page 45, line 7, strike ''the audit'' and insert ''each audit''.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would simply make the one-time audit required by section 13 of this bill an annual audit. A 2011 GAO audit of the Fed, the only independent Fed audit in its 102-year history, detailed how the United States provided at least $16 trillion in loans to bail out American and foreign banks and businesses.

With an annual audit, Congress is at a great advantage in how to avoid waste, fraud, and abuse at the Fed. I urge my colleagues to support this amendment.

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

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. HENSARLING. Mr. Chairman, I want to thank the gentleman from Florida for his amendment. I rise in support of the amendment.

The FORM Act provides for GAO audits of the Federal Reserve but is silent as to the frequency of when audits should occur. I think the gentleman makes a compelling case.

This will clarify that GAO should audit the Fed on an annual basis, and it will serve to help inform Congress and the American people with regular updates on the Fed's activities. It will promote greater transparency and accountability, which is the objective of the bill.

I urge all Members to adopt the amendment. I thank the gentleman for his leadership here.

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

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

□ 1900

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

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114–341.

AMENDMENT NO. 5 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 114–341.

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

SEC. 17. AMENDMENT TO FEDERAL RESERVE DISTRICTS.

(a) IN GENERAL.—Section 2 of the Federal Reserve Act, (12 U.S.C. 222 et seq.) is amended—

(1) by striking ''twelve'' each place such term appears and inserting ''fifteen'';

(2) by inserting after the fourth sentence the following: ''One such Federal reserve districts shall be for Northern California (located in San Francisco), one such district shall be for Southern California (located in Los Angeles), and one such district shall be for Florida (located in Orlando). The border between the two California districts shall be drawn so that the districts are contiguous and compact, the population of the districts is approximately equal, and the districts do not divide any California county border as in existence on the date of enactment of this sentence.''

(b) CONFORMING AMENDMENTS.—Section 16 of such Act is amended by striking ''twelve'' and inserting ''fifteen''.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would increase the number of Federal Reserve Districts from 12 to 15. The three new districts would be for northern California, southern California, and Florida; based in San Francisco, Los Angeles, and Orlando. No current Federal Reserve banks would be relocated as a result.

Take a look at the map to my right and you will see a map that is over a century old. The Federal Reserve Districts have not been updated significantly since they were first established in 1913—102 years ago. It is time to bring our Federal Reserve Districts into the 21st century.

Right now, for instance, one district represents everywhere from Utah to the Pacific Ocean, including Alaska and Hawaii. The three new districts would be centered in three of the fastest growing regions of our country in terms of both population and economic growth.

In 1913, the 12th district, based in San Francisco, had only 6 percent of the population of the United States. In 2000, it had 19 percent, or 65 million Americans.

As you can see from the next chart, districts designed originally a century ago to have equal population have reached the point where one district has 10 times the population of another district.

In the case of the Western district, it now includes a total of nine States jumbled together, California and eight surrounding States. Similarly, the district including Florida and the neighboring States has grown to 45 million Americans—twice the average. It combines Florida and five neighboring States. It is time for the Fed to recognize this change in where Americans live.

A similar change has been made in the court systems over the year. The tenth circuit was taken out of the eighth circuit when the population increased to the point where it was no longer sustainable as a single circuit court.

Similarly, the 11th circuit—my circuit—was carved out of the fifth circuit for exactly the same reason. But the Fed districts have remained static now for a century.

I am proud to introduce this amendment to modernize the Federal Service to more accurately reflect who we are as Americans and where we live and where we work.

I yield to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Chair, while I appreciate the spirit of the amendment, which seeks to ensure that the most populous regions of the country have adequate representation within the Federal Reserve system, I am concerned that the amendment does not fully contemplate the implications of adding the additional reserve districts.

For example, the amendment would add a Federal Reserve District headquartered in San Francisco, a city which is already home to a Federal Reserve bank. Furthermore, the current Federal Reserve Bank of San Francisco has a number of branches located throughout the West, including one in Los Angeles, a city which would be home to another Federal Reserve Bank under the gentleman from Florida's amendment.

The amendment also does not address how the new Reserve Banks would participate in the current rotation on the Federal Open Market Committee, a matter which is prescribed by law under section 12(a) of the Federal Reserve Act.

Rather than add an additional Reserve Bank or additional Reserve Banks to the Federal Reserve system, I respectfully submit that the desired effects of this amendment to provide greater diverse range of views across our country could more usefully be achieved without increasing the number of regional Reserve Banks and within the confines of the current system.

The Acting CHAIR. The time of the gentleman from Florida has expired.

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

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

Mr. HENSARLING. Mr. Chairman, I want to—I guess to put it civilly—gently oppose the amendment from the gentleman from Florida.

I think the gentleman from Florida does make some good points. These Federal Reserve Districts, in some respects, are anachronistic. They were derived from our early 20th century history. I do believe that it is a subject that needs to be looked at. I am just not prepared to say today that the gentleman has necessarily gotten it right.

There is probably something very humorous today about siting a Federal Reserve Bank in the same city as Disney World. I will refrain from making any such humorous references.

But, again, I think the gentleman makes a good point. I would like this issue to go through regular order. I believe it is a matter that Chairman HUIZENGA and the Monetary Policy and Trade Subcommittee of our full committee will be taking a look at: Are these appropriate cities for the Federal Reserve Banks to be sited?

So, again, I thank the gentleman for bringing the matter to the House's attention, I thank him for bringing it to my attention, but I am not prepared to say that San Francisco, L.A., or Orlando are necessarily the places that Federal Reserve Banks ought to end up, without going through regular order.

So I want to look at the matter, but I would otherwise encourage Members at this time to reject the amendment of the gentleman from Florida. I would ask the House to reject the amendment at this time.

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

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

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 114–341.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 17. PUBLIC TRANSCRIPTS OF FOMC MEETINGS.

Section 12A of the Federal Reserve Act (12 U.S.C. 263), as amended by this Act, is further amended by adding at the end the following:

''(e) PUBLIC TRANSCRIPTS OF MEETINGS.—The Committee shall—

''(1) record all meetings of the Committee; and

''(2) make the full transcript of such meetings available to the public.''.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, amendment No. 6 is an amendment that addresses the transparency that we have heard much dialogue about in the debate here on the floor, especially from members of the Financial Services Committee.

It is an amendment that requires that the records of the Federal Open Market Committee be recorded, in the same fashion that our committee meetings are recorded, and made public.

The FOMC sets the monetary policy for the U.S. economy, but there is no law that compels the Fed to release FOMC meeting transcripts to the public. The details of the meetings are crucial for an accurate understanding of how the Fed views the state of the economy and the reasoning behind Fed policy and actions. That has also been a significant part of our debate here with the underlying bill.

So, my amendment directs them to keep a transcript, keep a record, and make that record public. It compels those transcripts to be made public so that those of us here in the United States Congress, but also people in households and businesses across the country, can have a look into the decisions that are made and especially the rationale behind those decisions of the full proceedings of the Federal Open Market Committee.

Every congressional hearing makes these transcripts publicly available. That is what my amendment does. It requires the FOMC to do the same. And I would urge its adoption.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR (Mr. JODY B. HICE of Georgia). The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, the amendment would, at best, duplicate the Federal Reserve's current policy regarding the disclosure of transcripts and, at worst, falsely imply that the Federal Reserve would be prohibited from exercising its discretion in determining when to release FOMC meeting transcripts in accordance with prudent monetary policy. After all, communication in and of itself is a key monetary policy tool, and it would be unwise to tie the Fed's hands when it comes to using it.

Furthermore, any failure to allow the Federal Reserve to strike the appropriate balance between transparency and the disclosure of potentially market-moving information, particularly at a time of financial stress, would have significant adverse impacts on our economy and could, in turn, have a chilling effect on monetary policy deliberations.

To underscore the fact that this potentially harmful amendment is completely unnecessary, I think it is also worth pointing out that the Federal Reserve is already a leader among central banks in advanced economies when it comes to making its transcripts available to the public.

While the Federal Reserve releases transcripts with a 5-year lag, other advanced economies have adopted requirements to release transcripts after much longer periods. Japan's Central Bank releases transcripts to the public after 10 years, and the European Union releases transcripts after 20 years.

In addition to releasing transcripts to the public, the Federal Reserve employs a range of additional measures to enhance the public's understanding of the Federal Open Market Committee's views and expectations. For example, the Federal Reserve issues a statement following the conclusion of each of its meetings that includes the Federal Reserve's policy decisions and its rationale, includes the vote of each FOMC member, and provides a short summary of any dissenting views.

The Federal Reserve also releases detailed minutes that are released on a 3-week lag following each FOMC meeting. The minutes contain a detailed discussion of the policy deliberations and the range of views that were presented and includes votes on each policy action taken by each FOMC member.

Since 2011, the Chair of the Federal Reserve gives a press conference following each FOMC meeting for which a summary of economic projections is prepared, amounting to four press conferences each year. This provides the opportunity for the Chair to explain her views and respond to questions from the financial press.

In January 2012, the Federal Open Market Committee also published a statement of longer-run goals and monetary policy strategy in which it outlined how it would assess its compliance with statutory mandates to promote full employment and price stability. Subsequently, in September 2014, the Federal Reserve published a statement outlining its policy, normalization principles, and plans.

Finally, the Federal Reserve, as it is required by law, regularly testifies before the House and Senate on monetary policy matters on no less than two occasions a year. Chairman Yellen has made herself available to testify on regulatory matters at the request of Congress.

So, all of this is to say that claims that the Federal Reserve lacks transparency or doesn't communicate its thinking to the public just don't hold up to the facts.

I urge Members to oppose this amendment.

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

MODIFICATION TO AMENDMENT NO. 6 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment with the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Mr. KING of Iowa:

Add at the end the following:

Page 53, line 4, strike ''and''.

Page 53, line 11, strike the period and insert ''; and''.

Page 53, after line 11, insert the following:

(F) consider the effects of the GDP output and employment targets of the ''dual mandate'' (both from the creation of the dual mandate in 1977 until the present time and estimates of the future effect of the dual mandate) on—

(i) United States economic activity;

(ii) Federal Reserve actions; and

(iii) Federal debt.

Page 53, line 18, add at the end the following: ''In making such report, the Commission shall specifically report on the considerations required under paragraph (1)(F).''.

□ 1915

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I want to thank the ranking member for her cooperation and opportunity to have this debate, and I will just address it briefly.

In 1977, Congress established what is known as the dual mandate. The dual mandate set the goals of the Federal Reserve System and the Federal Open Market Committee to include goals of maximum employment and stable prices.

There has been a lot of debate about whether the tension of those two issues has brought about decisions of the Fed that might have otherwise been different, and so this amendment requires a study to be done in order to take a look at the effects of the dual mandate. It is pretty simple that way, and I urge its support and adoption.

I circle back then to the transcripts. And in response to the gentlewoman's comments, I would just remind Members of Congress that we do keep records in all of our proceedings. There is a transcript taking place right now of these proceedings, of each of our committees and subcommittees. They are available to the public, and, in fact, we are on C–SPAN with almost all of our subcommittees and committees today.

We are open. We are open records, and there is much sunlight on what we do. And yet, many of the decisions that we make here have far less impact on the American citizen than the decisions made by the Fed.

So, again, I urge the adoption of this modified amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, continuing time in opposition, first, the notion that the Federal Reserve's large-scale asset purchases did not help the economy and job growth is simply false. The forceful and sustained actions that the Federal Reserve took in recent years to bring us out of a recession and into recovery are well-documented and cannot be overlooked.

For instance, the November jobs report showed the economy added a whopping 271,000 jobs in October, pushing the unemployment rate down and, even further, to 5 percent and bringing the total number of private sector jobs created to more than 13.3 million over the past 68 months.

Second, the amendment's implication that the Federal Reserve's monetary policy has added to the U.S. national debt is also demonstrably false. Although raising revenue is not the purpose of monetary policy, as a consequence of the Federal Reserve's actions in recent years, it has generated substantial sums in the hundreds of billions of dollars which has returned to the Treasury. These sums have reduced the deficit, not contributed to it.

Rather than relentlessly attacking the Federal Reserve and taking steps to undermine their independence, all of us really should be thanking them for what they have done to get our economy back on track.

I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

I want to urge all Members of the House to adopt his amendment. With respect to full transcripts of the FOMC meetings, all this is doing is simply codifying a current practice. It is simply to make sure that there is a transparency, at least this level of transparency, that the Fed doesn't backslide.

With respect to the dual mandate, the truth is the Fed has many mandates and they all ought to be examined. The Fed has been around for 100 years. It is time to poke under the hood. That is why we are having the Centennial Monetary Commission, and I think it is important that we take a good look to see if, at times, these are working at cross purposes.

So I thank the gentleman from Iowa for his leadership. I urge all Members to adopt his amendment.

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

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING).

The amendment, as modified, was agreed to.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALKER) having assumed the chair, Mr. JODY B. HICE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes, and, pursuant to House Resolution 529, he reported the bill back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3189 is postponed.

RECOGNIZING THE AURORA REGIONAL CHAMBER OF COMMERCE

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

Mr. FOSTER. Mr. Speaker, I rise today to recognize the Aurora Regional Chamber of Commerce in Aurora, Illinois.

For their dedication to hiring veterans in our community, the group recently received the Three Star Chamber of Valor Award by the United States Chamber of Commerce. They were recognized for their participation in the Hiring Our Heroes program and for encouraging local businesses to provide access to good-paying jobs for the men and women who have served our country in uniform.

Of course, they didn't do it on their own, so I would like to join the Chamber in recognizing a few local businesses who have taken the lead in hiring and supporting veterans: Old Second Bank, Alarm Detection Systems, and The Studio at 46 West, a veteran-owned business.

I would also like to join the Chamber in recognizing the Roosevelt Aurora Post No. 84 of the American Legion for their work in serving the community.

I would like to thank the members of the Aurora Regional Chamber of Commerce and all of the local businesses in our community who have made hiring veterans a priority.

VIOLENT EXTREMISM

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, last week, after many of us had returned to our homes across the country, while our constituents were enjoying the beginning of their weekend, Paris fell victim to one of the most violent terrorist attacks in recent memory.

Nohemi Gonzalez, an American student studying architecture abroad, was among those killed.

A day earlier, in Beirut, dozens of innocent lives were cut short in a coordinated attack on that city.

Earlier this year, an attack at Garissa University in Kenya left 147 dead.

And just yesterday, a suicide bomber killed 34 people in Yola, Nigeria. That attack was followed by two more today, driving the number of lives lost there to 49.

Before we go any further, Mr. Speaker, I would ask for a moment of silence to remember the lives of those who have been lost.

Mr. Speaker, the world is facing an incredible wave of violence with the single purpose of stoking fear. It is the kind of fear that keeps us from solving problems and that paralyzes us into inaction. It is the kind of fear that we are hearing in the calls to block refugees from seeking shelter here in the United States, violating all of our values because of an immediate emotional reaction.

The individuals who committed these atrocious acts of violence are counting on us to fall into that kind of fear, and that is why it is so important not to.

We must stand with our allies in Paris. We must stand with the innocent in Beirut and Garissa and Nigeria. We must stand firm in our role as world leaders and as part of an international coalition dedicated to bringing down ISIS.

We must stand for the values that have always been paramount in the United States, and one of those values is opening our doors to those seeking safety.

We cannot turn our backs to the humanitarian crisis facing the Syrians refugees. They are fleeing a conflict they are not responsible for and want no part in. They have lost their homes, their jobs, and members of their families. The only thing that many of them are seeking is a chance to start over. The vast majority of these refugees are women and children.

Even more importantly, agencies involved with allowing them to enter will prioritize survivors of violence and torture and those with severe illnesses.

If we can do it safely, verifying the identities and backgrounds of those seeking safety here in the United States, and developing systems to ensure that we don't let in anyone seeking to harm us, then we must help these refugees. It is not just our responsibility as a world leader; it is the right thing to do as a nation of immigrants.

While we can't remove every risk, we do have an intensive screening process in place, and refugees receive the greatest scrutiny of any individual coming here. The FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, the Department of Defense, and the National Counterterrorism Center are all involved in the process of clearing these people.

As recent events have shown us, the threat of ISIS is real. The terror that they spread across the world, the violence they perpetrate, and their disregard for innocent human life are all despicable.

We have a chance right now to build something positive from these tragedies. We must unify as a global community against the evil of ISIS and in support of peace and freedom and humanity.

The only goal of ISIS is to destroy life. By giving refugees the opportunity to escape, we can save them.

Mr. Speaker, I know that I join all of my colleagues in prayer for the lives that were lost in Paris and elsewhere and for the hundreds more that were injured in the attacks. I pray for solace for those who have lost their loved ones and friends. I pray for peace around the world. I pray for the good that we can do, as a country, that will build consensus with coalitions and partners around the world.

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

Ms. JACKSON LEE. Mr. Speaker, I thank Representative WATSON COLEMAN for her leadership in tonight's special order as we grapple with the horrendous terrorist attacks in Paris and Beruit as well as today's attack in Nigeria, claimed by Boko Haram.

In the past week alone, we have seen lives lost in Nigeria, France and Beruit.

Our prayers are with the victims and their families.

The Paris, France attacks last Friday, November 13, which claimed 128 lives and many more injured, as we know was claimed by ISIS.

There were also 43 killed during a suicide bombing in Beruit, Lebanon with over 200 injured.

Just today in Yola, Adamawa State, Nigeria, authorities inform us that an 11 year old suicide bomber targeted a market and detonated a bomb killing her, 30 others and injuring over 70 market goers.

The terrorist group Boko Haram claimed responsibility for the attacks as retaliation for President Buhari's commitment for combatting violent extremism in Nigeria.

The recent events underscore that we cannot let fear rule us but rather we must fight back against those who threaten our well being and security.

At the same time, we must work on creating resources for victims of terror and those who have been displaced as a result of conflict and sectarian violence.

This is why I introduced H. Res. 528, legislation that enjoyed bipartisan support of my colleagues including Representatives CHU from California, DOLD from Illinois, HAHN from California, KELLY from Illinois, FUDGE from Ohio, WATSON COLEMAN from New Jersey, SEWELL from Alabama, BERNIE THOMPSON from Mississippi and my good friend Ms. WILSON of course from Florida.

My resolution seeks to create a Victims of Terror Protection Fund for the displaced refugees, migrants and victims of Boko Haram's terror in the region.

It is our American value to fight for those who are seeking refuge and needing protection.

As founder and Co-Chair of the Congressional Nigerian Caucus, I have been spending a lot of time on this issue since the Chibok incident.

The past week has been a very trying time for the world family as we grapple with the reality of terrorists wreaking havoc in our world.

One only needs to look at the current news events across the globe to appreciate the imperative of countering violent extremism, empowering and protecting victims of terror, refugees and displaced persons.

In the past three months alone, ISIS has claimed responsibility for crimes, atrocities and terroristic attacks, claiming lives in Saudi Arabia, Yemen, Egypt, Beirut and Paris.

Daesh-ISIL also known as ISIS and other terrorist networks that have pled allegiance to ISIS such as Boko Haram today pose the gravest extremist threat faced by our generation and those of our children.

But we must not be moved by their evil ways, for eventually, the arc of the moral universe always tips on the side of justice, of peace, of equity of the rule of law.

This is why I remain steadfast in my commitment to combatting violent extremism and protecting victims.

As a result of terrorism in the region and Boko Haram in particular in Nigeria, recent reports inform us that Nigeria has the highest number of displaced persons in Africa and the third largest in the world following Syria and Columbia.

The recent coordinated attacks in Paris, following military interventions by at least two United Nations Security Council permanent members: Russia and France, highlights the fact that we are dealing with an enemy of humanity and compels us to launch an international and coordinated strategy to diminish ISIS to protect our children and our children's children.

The recent events underscore the importance of a Comprehensive Convention on International Terrorism to degrade and permanently destroy ISIS and its vitriolic ideology that is inflicting pain on innocent people.

The humanitarian crises triggered by sectarian and ideological violence has plagued our world at a disheartening rate, comparable to or surpassing the numbers from World War II according to some estimates.

According to one United Nations High Commissioner for Refugees (UNHCR's) annual Global Trends report, which is based on data compiled by governments and non-governmental partner organizations, and from the organization's own records, over 60 million people have been forcibly displaced across the globe.

Moreover, according to a report by the International Displacement Monitor Center, an estimated 3,300,000 persons have been displaced and 5,500 killed as a result of the violence wreaked by Boko Haram.

One United Nations Children's Fund (UNICEF) report asserts that as the most populous nation in Africa with 174,000,000 persons, 1,500,000 people have fled their homes to escape Boko Haram.

In April, 2014, 276 girls were terrorized and kidnapped from their dormitories in Chibok by Boko Haram.

In addition to the still missing Chibok girls, approximately 3,300,000 persons are displaced in the Lake Chad Basin which sits on the edge of the Sahara which encompasses Chad, Cameroon, Niger and Nigeria.

We must not forget these girls, refugees and displaced persons and must work to provide the support they will need to recover from the trauma they have suffered.

The victims will be in dire need of humanitarian assistance which the Victims of Terror Protection Fund can provide.

The Victims of Terror Protection Fund should be modeled after the cases of Khazistan and Equatorial Guinea where prior kleptocracy initiatives have been created to benefit communities and victims in need of support.

A kleptocracy is when a government in power exploits or steals national resources, which unfortunately has happened all too often across the globe.

The United States Department of Justice through its Kleptocracy Asset Recovery Initiative has identified the forfeited ''Abacha loot,'' funds stolen by former Nigerian dictator Sanni Abacha.

As we understand it the ''Abacha loot'' is the largest kleptocracy forfeiture action ever brought in the United States resulting in a $450,000,000 judgment of the forfeited assets facilitated by Justice's remarkable Kleptocracy Asset Recovery Initiative.

The Abacha Administration embezzled Nigerian public funds under among other false claims, that the Administration was investing in national security measures to protect Nigeria and the Nigerian people.

As we all see now, as a result of or in part because of the Abacha Administration's failure to invest in and implement security measures, the security in Nigeria and the region is tenuous, with the country and region currently under continuous threat by the ISIS affiliated group Boko Haram.

Boko Haram and other sectarian terrorists have trafficked, kidnapped, murdered and caused the displacement of millions of children, women and men.

Recovered victims displaced by terrorist activity as well as refugees, migrants and internally displaced persons fleeing for their lives will be in dire need of protection and support.

A Victim of Terror Protection Fund can supply health aid, educational support, employment training, economic empowerment, dignity and overall improved social welfare of these victims.

I continue to have a deep appreciation of the patriotism, resilience, and commitment of the Nigerian people under the leadership of their newly democratically elected President Muhammadu Buhari.

As an emerging democracy, Nigeria is a country that has faced its set of challenges, conflicts, and contradictions analogous to the human condition itself.

Boko Haram and ISIS are existential threats to the human rights, well being and security of the Nigerian people, their regional neighbors and the global community in general with their penchant to commit genocide.

Part of the strategy to help address the scourge of Boko Haram's atrocity would be through the creation of a Victim of Terror Protection Fund and accessibility of military technical assistance to Nigeria and its regional neighbors pursuant to the UN Security Council and neighboring African countries call for accelerated military collaboration to combat this extremist group.

I commend the U.S. Administration's announcement that it is deploying 300 U.S. troops to Africa to set up a drone base to track fighters from Boko Haram, which continues to seek to destabilize Nigeria and neighboring countries during its blood thirsty assault on innocent people.

The U.S. forces' presence will be critical to combatting Boko Haram, which now appears to continue to wage its vicious insurgency in Nigeria and now spilling into neighboring Cameroon, Chad and Niger and leaving an estimated 20,000 people dead.

Our global strategy for ending the suffering, preventing displacement and creating durable solutions for refugees and displaced persons in Africa requires a multi-pronged strategy

which would involve a sustained humanitarian response, government and civil society capacity building, and the creation of resilient political and security infrastructures and landscapes.

My proposed Victims of Terror Protection Fund is one of the strategies for addressing the growing African migrant and refugee crisis.

I commend President Obama's and President Buhari's commitment to Nigerian security and their collective efforts to tighten vigilance in vulnerable places.

I hope the United States continues to build a stronger alliance with President Buhari and Nigeria.

To succeed, at all our objectives to protect victims and combat violent extremism, in Nigeria, Syria and around the world, we must have continued U.S. support in protecting victims of terror, technical training, logistical and infrastructural capabilities and professionalizing its military force to battle Boko Haram.

POVERTY IN THE UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from California (Ms. LORETTA SANCHEZ) is recognized for the remainder of the hour as the designee of the minority leader.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I thank the gentlewoman from New Jersey for talking about Ms. Gonzalez, who was from our area. She actually was from a city called El Monte, California, and that is where my first cousin, Norma Macias, is a councilwoman there at that city.

□ 1930

Right now, as we are speaking, they are holding a vigil for her, a memorial for her. She was a young lady on a semester abroad wanting to change the world by good design and using green products, et cetera. So thank you for mentioning her. I am sure the Gonzalez family will be very touched.

And, of course, thank you for mentioning the whole issue of the refugees because we are a beacon. We are a shining beacon of the world. These are people who are fleeing these types of terrorist attacks.

So I hope that we do have a good resolution to allow these refugees to go to all the countries until we figure out what is going on in the Middle East and they can return home. Home is where they really want to be. Thank you. I thank my great colleague from New Jersey.

Mr. Speaker, tonight I rise to address an issue that unfortunately reaches into households in each and every State, every city, and every neighborhood in this great Nation. It is the issue of poverty.

Poverty is a plague that weighs on a central tenet that our Nation was built on, and that is life, liberty, and the pursuit of happiness.

I received a letter just this last month from our Democratic whip, STENY HOYER, discussing a recent report released by the U.S. Census Bureau that found that 46.7 million Americans—15 percent of Americans—are living in poverty. How can we tell a family to pursue happiness when the rug is constantly being pulled out from under them?

Mr. Speaker, 15 percent, 46.7 million, is more than all the Californians and Arizonans put together. We cannot allow that to continue. We know that the effects of poverty hit every aspect of one's life.

It hits minorities disproportionately. Poverty affects minorities. 26 percent of African Americans live below the poverty line, and 23 percent of Latinos live below the poverty line.

We also see those types of percentages when we look at lower educational attainment and lower overall wages. As the number of first- and second-generation children rises, so does the amount of these children affected and born into poverty.

Nearly one in three children in the schools in my district are affected by poverty. It is hard to learn when you haven't had a meal. It is hard to learn when you don't have a roof over your head. It is hard where you are sharing a house with 15 or 16 people, most of them not related to you.

There are social programs such as SNAP and the Community Supplemental Food program. There are ways in which we can combat the effects of poverty. I don't believe that families who are benefiting from those programs are looking for a free handout.

There are Members of both Chambers who at one time or another received public assistance in times of need. One of them was a single mother of not one, but two, children while working and attending college. I think it goes without saying that these individuals are not lazy or looking for handouts.

Now, we shouldn't shame or judge other individuals in our society, but there is a negative stigma about being enrolled in welfare programs. We shame families who don't have the means to lift themselves out of the cycle of poverty. But then we don't want to give them that helping hand, that aid, that they need in order to do that.

Well, Mr. Speaker, I think the real shame—the real shame—is that we are a nation of unbridled wealth, bountiful wealth, and still over 46 million people are in poverty.

With the rising costs of housing and food, families in the United States are stretching each dollar more and more. Many find it difficult to save money at the end of the month, and saving for their son's or daughter's education is, quite frankly, an unattainable dream.

When I was growing up, I was told that, if I worked hard, if I did well in school, and if I saved my money, it was possible to be successful in America.

But, Mr. Speaker, every day these days it gets harder and harder to be successful in America. Those in poverty find themselves working hard, planning for the future, and doing everything that we tell them to do, and still they fall short, unable to attain the pursuit of happiness.

There should be absolutely no reason, if a person puts in hard work 40 hours a week, that they should be living in poverty. How can we expect families working minimum wage—and I will add that is not a liveable wage—to afford child care and save for their children's college education?

Honestly, it is nearly impossible. Yet, I see so many examples in my district of people who overcome all of the hurdles and the barriers that we are placing in front of them.

We can alleviate, we can remove, those barriers. We can have an impact on the poverty of our communities. Last month, during National Work and Family Month, Democratic leadership led a Working Families Day of Action to highlight important legislation to improve the living conditions for all families here in America.

I joined 113 of my colleagues in cosponsoring a resolution which called for this House to address some of the issues important to some of the most disadvantaged demographics of people in our Nation. This resolution addressed commonsense measures, such as sensible working accommodations for pregnant women, equal protections for workers in the workplace, and increasing the minimum wage to a liveable wage.

You see, Mr. Speaker, when we talk about the 46 million Americans living in poverty, we are talking about people from all walks of life. We are talking about the homeless. We are talking about children in our schools. We are talking about our senior citizens. We are talking about single parents, blue collar workers. We are talking about our immigrants.

All of these groups are stuck—stuck—in a vicious cycle of poverty and disadvantaged situations. These aren't radical ideas. These are sensible, American ideas where hard work is rewarded with equal compensation and protections. I believe that, as lawmakers—but, more importantly, as Americans—we owe it to the families of this Nation to enact legislation in which each and every person has a means to succeed.

Tonight I am going to go over some of the statistics that we have with respect to poverty in America. As I said before, Mr. Speaker, 46.7 million people are living in poverty.

The poverty rate was established in the 1960s, and it is based solely on an individual's cash earnings. It sets the poverty threshold at $24,250 for a family of four. However, that rate does not take into consideration the cost of living in different regions of America. Try living in my region on $24,250 for four people.

The Census Bureau recently established a new measure on which to gauge actual poverty rates. The Supplemental Poverty Measure establishes a new poverty rate by incorporating

expenditures on basic necessities, such as food, housing, and utilities.

California's poverty rate is 16.5 percent, slightly higher than the 14.9 percent rate for the United States. However, this statistic can be deceiving because of the high cost of living throughout the State.

So you could be above the $24,250 a year for a family of four, and you are not in poverty according to the national rate. But the reality—the reality—is, when it costs $1,800 for a one-bedroom apartment, you have eaten up about 90 percent of that $25,000.

If we use the updated measurement system, California leads the Nation with 23.4 percent of residents living in poverty. Of course, once again, this hits the disadvantaged more than anyone else.

When using the Supplemental Poverty System, nearly 20 percent of seniors, one-quarter of our children, 31 percent of Latinos, and 20 percent of African Americans live in poverty. Let's put that in perspective.

The average rent in Orange County is $1,648. Orange County that I represent is the seventh priciest metropolitan area in the United States. This brings the total cost to rent a modest—and when I am telling you a modest apartment in California, we are talking $20,000 a year.

For a family of four living at or below the outdated poverty threshold, this leaves a whopping $4,250 for the entire year. That leaves about $354 per month to feed and clothe a family of four.

How, Mr. Speaker, can a family of four live on $354 a month? How do you save for a college education? How do you save for a home? How do you buy a car? What can you do when you get sick?

I recently held a bipartisan briefing about home ownership as a vehicle for economic mobility for Latinos and African Americans. Latino families are struggling to rebuild the equity they lost in this last Great Recession because, between 2008 and 2010, in those 3 or 4 years of the recession, two-thirds of the wealth in the Latino families across the Nation was lost—was lost—just wiped out, done away with, because they lost their homes.

The home is always the first rung onto the wealth-creation ladder. Two-thirds because of foreclosure. And even though home values have rebounded in recent years, the fact of the matter is that those people who lost their homes are renting at probably twice the cost of what their mortgage payment was, probably something less than what they were living in, and not building any equity.

They are renters, and they are stuck. Even if you gained back on the market, it doesn't keep pace with the returns in the stock market. So the Hispanic household has a slower recovery than the rest of our Nation.

According to the Pew Hispanic Center, 28 percent of Hispanic homeowners say they owe more on their homes today than they can sell it for in 2011.

This topic of home ownership is more than a roof over your head. It is a source of pride. It is a source of pride. It is the American Dream, and it is a place that you can call your own. It is a part of owning America, and we want people to own a piece of America.

A recent Joint Economic Committee study report finds that White households typically have 150 times more wealth than Hispanic households. In 2013, the median net worth of Hispanic households was only $14,000 compared to about $142,000 for Anglo households, a difference of $128,000.

□ 1945

And the wealth divide has increased since the Great Recession.

The median net worth of Hispanic households fell by over 40 percent between 2005 to 2013, compared to 26 percent for Anglo households.

Latinos are less likely to be financially prepared for retirement than any other households because of their disparity in employment, in earnings, and in wealth.

Only 12 percent of Latino households have access to the defined benefit pensions, for example, that guarantee a lifetime income, half the rate of Anglos and African American households.

Sixty-nine percent of working-age Latino households do not own assets in a retirement account—69 percent do not—compared to 37 percent of Anglos who do not.

Let's talk about my district, in one of the wealthiest counties of our Nation. I just told you that housing is seventh in the Nation with respect to what it cost you to live there.

Twenty percent of the people are living in poverty in my district, higher than the State and the national average.

Thirty percent of the kids, the children, in my district are living in poverty, higher than the State and higher than the national average.

Eighteen percent of women are living in poverty in my district, higher than the State and the national average.

Between 2011 and 2013, in those 3 years, 23,000 households within my district benefited from SNAP assistance—food stamps. Eighty-six percent of those households had children under the age of 18. Oh, and by the way, 78 percent of those households were Latino. Forty-three percent of those families that received SNAP benefits recorded having at least two or more workers in the workforce in the past 12 months.

What does this tell you? It tells you that families have not just one but two breadwinners in the family, and still they cannot afford to purchase basic food supplies.

Mr. Speaker, if hunger doesn't affect us directly, we often overlook the immense stress that comes with struggling to put food on the table. If you don't have a meal, you are not good in school and you can't study because you are constantly hungry. How does a kid do his mathematics, his geometry, when he is wondering where is his next meal coming from?

The Department of Agriculture defines food insecurity as the limited or uncertain availability of nutritionally adequate and safe foods.

In 2014, 48 million adult Americans lived in food-insecure households, including 32.8 million adults, and 15.3 million children. And of those 48 million Americans, 19 percent of the households were with children, 35 percent of the households with children headed by single women, 26 percent African American households, 22 percent Latino households. How do we do that?

A recent report published by the Department of Agriculture found that error rates for awarding SNAP benefits are at an all-time low. Over 99 percent of SNAP benefits are issued to eligible households.

Mr. Speaker, you would think that a government program, any government program, with a 99 percent efficiency rating, with a proven record of lifting families out of poverty would be applauded and promoted by both sides of the aisle, but that is not always the case.

The most recent farm bill cut $8 billion from SNAP, affecting 850,000 families in our Nation.

The assistance provided by SNAP is an economic booster, with every dollar in SNAP benefits resulting in $1.80 in total economic activity.

Mr. Speaker, food is the most basic necessity for a person.

In ending, I would like to highlight a few of the excellent organizations in my district that make it their mission, their passion, to aid those in need.

The Lestonnac Free Clinic, founded by Sister Marie Therese in 1979, it is devoted to providing free—free—comprehensive medical care to the poorest of the poor in Orange County, California, as well as dental care to its established patients. This organization, this clinic, is a nonprofit, primarily volunteers—volunteer doctors, volunteer everything—working with pharmaceutical companies and local hospitals to meet the healthcare needs of low- and no-income families in our community. And the clinic has stayed true to its mission of providing free medical and dental care, and is only one of the few clinics in Orange County that does not charge—does not charge—for its services.

And collaborations were made with organizations, including Target store pharmacy, to provide low-cost medications. And over 100 volunteer doctors and medical staff have generously donated their time to help those in need.

The Lestonnac Free Clinic also contains a food bank and provides food to several hundred people each month. Over 20,000 patients have been treated in over 180,000 visits.

Or there is the Orange County Food Bank, which operates the Commodity

Supplemental Food Program, and it distributes 23,000 food boxes monthly countywide to low-income seniors 60 and older. It operates a community donated food bank with enrollment of over 350 local charities that make food available to those that are at the risk of hunger. This vulnerable population includes the disabled, seniors, families with children, veterans—I see veterans in those lines coming to pick up boxes of food—the unemployed and the homeless.

The foods department operates the SNAP program, and this program has increased enrollment to over 400,000 qualified individuals in Orange County, California, who are at the risk of hunger.

Mr. Speaker, we are a great country, and we have great Americans—those who have served in our military, those who have served in public service, those who teach our children, those who nurse us when we are sick, those who build our roads, invent new gadgets for us to communicate. We are a great country of innovation. We are a great country of beauty from sea to shining sea. And yet, in this great country of ours, in today's day, there are over 46 million Americans living in poverty, many of them going to sleep tonight hungry, hungry, hungry. As the Congress, as the conscience of America, as the people's House, we need to work together to eliminate poverty in America.

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

THE PEOPLE'S NIGHT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from North Carolina (Mr. WALKER) is recognized for 60 minutes as the designee of the majority leader.

Mr. WALKER. Mr. Speaker, thank you for allowing us to engage in what we call People's Night 2. The House has been working diligently for the citizens of our districts. We have passed solid legislation that is good for the economy, that protects life, that helps small businesses, veterans, bills that reduce taxes. I would guess that maybe not all of our citizens are even aware that the House has actually passed a balanced budget. In fact, there are over 300 pieces of legislation that have been passed through the House but have been stalled in the Senate.

Tonight, we want to highlight some of the legislation, but also, and with all due respect, we are calling on Majority Leader MITCH MCCONNELL to get moving on these bills. I am joined by several colleagues this evening to share why we believe it is time to move on behalf of the American people.

Our first Member, colleague and friend, from Pennsylvania, Mr. RYAN COSTELLO. Mr. COSTELLO is a freshman, along with myself, our shortstop on the baseball team, and a strong voice speaking out on those who sometimes cannot speak for themselves, and that is our veterans. We promise that we would go to Congress and work hard for the men and women who depend on us to get the Veterans Administration correct.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I thank my good friend from North Carolina for yielding. Mr. WALKER has really been a leader in no time on so many issues. It is nice to be his hall mate and also his teammate on the baseball field, and I appreciate him putting together this Special Order to raise a number of issues that we have gotten through the House here and that we are respectfully calling upon the Senate to take up.

I am here to speak about the crying need for change and increased accountability at the Department of Veterans Affairs that can be facilitated by the immediate passage of H.R. 1994, the VA Accountability Act of 2015. This is a bill that myself and many others have cosponsored under the leadership of Chairman JEFF MILLER, and it is a bill that I am requesting that the Senate take up and pass with bipartisan support here in the House in July.

It gives the Secretary of the VA the additional tools he needs to accelerate the badly-needed culture change at the Department of Veterans Affairs. It gives the Secretary of the VA what he needs to rebuild the trust between the VA and this Congress, taxpayers, and, most importantly, the veterans of this country.

H.R. 1994 includes many provisions to fix the broken personnel system at the Department. But, most importantly, this bill authorizes the Secretary to remove or demote any employee for poor performance or misconduct while also increasing protections for whistleblowers who have been, and continue to be, very important in the oversight role of the Committee on Veterans' Affairs.

Many of you know the Philadelphia Regional Office has seen scandal after scandal. It has experienced a gross lapse in management, mishandling of claims, the administration of improper payments, and fabricated data. On top of that, the hostile work environment and whistleblower retaliation occurred on a nearly daily basis.

This bill brings accountability to the managers at the Philly VA responsible for these actions, as well as those across the country in the VA, who have acted improperly.

I believe a majority of VA's employees—as we all do here in Congress—this is an important point to make—most people that work at the VA are hard-working public servants who are dedicated to providing quality health care and timely benefits for veterans.

□ 2000

I am sure the majority of these employees are just as frustrated in that most of us see that the VA problem employees continue to be moved to new positions as opposed to being removed from the payroll. We have seen time and again how poor performance can spread like a cancer through a workforce and how the presence of bad employees only leads to poor customer service and is an impediment to the quality of service our veterans have earned.

Our veterans deserve nothing less than the highest quality of care, and it is our job as Members of Congress to do everything in our power to ensure that their care is placed before the interests of entrenched bureaucrats and poor performance. If we want what is best for our veterans, then the status quo at the VA is not acceptable. It is not working. It is failing the mission of the Department, and it is failing the veterans the VA is supposed to serve.

Mr. Speaker, if we do not give the Secretary the tools that he or she needs to hold VA employees accountable, then we are just as culpable for any future VA failures. The antiquated civil service laws that have fostered the VA's cultural mess need to go. That is what the VA Accountability Act does. That is why we are calling on the Senate to take it up.

After the largest scandal in VA's history—and, in my home State, the continued problems at the Philadelphia VA—the VA has only successfully fired three employees for wait time manipulation even though over 100 hospitals have been identified as having gamed the appointment system. That is simply unacceptable. H.R. 1994 would give the Secretary the tools he needs to hold more employees accountable faster than can be done now under existing civil service rules.

As Mr. WALKER will continue to do this evening in pointing out a number of bills that have been ushered through the House—reform bills that improve the welfare of this country and that reform various bureaucracies—H.R. 1994 does just that. I urge the Senate to take action and push for accountability just as we have done here in the House on behalf of this country's veterans.

I thank the gentleman for organizing this Special Order tonight.

Mr. WALKER. I thank Representative COSTELLO. His hard work on the Veterans' Affairs Committee is duly noted.

Mr. Speaker, unfortunately, these bills are not making it to the President's desk. We are tired of the argument that the President will most likely veto these legislative bills or of the filibustering that we hear about sometimes in the Senate. We hear the word ''reconciliation'' a great deal. Reconciliation is a simple majority vote. Fifty-one votes in the Senate is what is needed to get it to the President's desk under reconciliation.

If we think back, this is how HARRY REID shoved ObamaCare into the culture and fabric of the American people—by reconciliation, by a simple majority. In fact, it has been Mr. REID

who has blocked, filibustered, and sat on legislation to protect the President. That is why the American people elected Republican majorities in the House and the Senate. It was to clean up Washington and to stand against President Obama's far-left agenda.

One of the ladies I have been able to meet who has worked hard and who has been a voice is a nurse, a small-business woman, and a former educator. I specifically like the nurse part, being married to one for 23 years. She is the middle daughter of working class, Great Depression-era parents. Having had 40 years of experience in working in the healthcare field, she is uniquely positioned as a credible and effective leader on healthcare policy in Congress. She is a strong leader on fiscal and budget reforms, but her voice for life in these halls is one that is heard throughout the country.

From Tennessee's Sixth District, Congresswoman DIANE BLACK is that voice, and I would like for her to share a little bit more on her specific piece of legislation.

Mrs. BLACK. I thank the gentleman from North Carolina, my good friend, Congressman WALKER, for bringing us together for this very important conversation.

Mr. Speaker, a lot of Americans worked very hard to deliver these historic majorities to Congress, but, today, there is a feeling that the more things change, the more they stay the same. We billed this as the ''New American Congress.'' Yet, like last year and the year before and the year before that, too many House-passed bills remain trapped in the U.S. Senate.

The House passed the REINS Act in July, which would prevent the Obama administration from legislating in the form of government rule and would give Congress the final say over the major Federal regulations just like our Founding Fathers intended. But where is it today? Nearly 4 months later, it continues to languish in the upper Chamber, awaiting for a chance for debate.

More recently, the House passed the Justice for Victims of Iranian Terrorism Act, requiring Iran to make good on its $43 billion of delinquent payments to the victims of its state-sponsored terrorism. Once again, this good and decent bill is collecting dust in the Senate.

Mr. Speaker, I understand the challenges that our Senate leadership faces. The do-nothing Senate majority of the last Congress is now the do-nothing Senate minority of this Congress. They are filibustering countless House-passed bills and bringing the wheels of government to a grinding halt, but we cannot let that stop us from bringing up these bills for full debate in the light of day and putting our priorities in front of the American people.

While we are at it, it is time to change the rules of engagement in the upper Chamber. In a body of 100 people, a majority is 51. It really is that simple. The cloture rule is nowhere to be found in the U.S. Constitution. It is an antiquated Senate rule that is not effectively serving the institution today. I call on the Senate leaders to turn the page and break the logjam so that we can put the American people's priorities on the President's desk.

I don't doubt that the President will veto many of these measures. For goodness sake, he vetoed a bill to fund our troops, so I put nothing past him. Let's put him on record. Let's ensure that President Obama is required to accept or to reject our ideas and to defend that decision to the American people.

Mr. Speaker, the bottom line is this: The American people delivered us this majority, and they expect us to use it.

Again, I thank my colleague from North Carolina.

Mr. WALKER. I thank Representative BLACK and appreciate her heartfelt words.

Mr. Speaker, in nearly a year of holding the majority, the President has only vetoed three of our bills. In fact, only once, I believe, he has had to do that in the last 8 months.

Politico, back in February, published this prediction: ''Though Obama's three vetoes are thus far a record low...experts expect Obama's final 2 years to be packed with high-profile veto showdowns.''

That hasn't happened.

My next friend and colleague who would like to share a little bit of his heart is someone I have grown to admire and respect. I am privileged to serve with him on the Homeland Security Committee where just a few months ago, I heard one of the more powerful 5- or 6-minute talks that I have heard since I have been here in Congress in which he was willing to stand up for the Family Research Council and Tony Perkins against the tax from the Southern Poverty Law Center—specifically the President—who had put them on a hate list.

In fact, I am going to yield him a little bit of leeway so he may share some things that may be a little bit in context but that may be a little bit off as well. It is my privilege to introduce and to hear from a great Congressman from South Carolina, Representative JEFF DUNCAN.

Mr. DUNCAN of South Carolina. Mr. Speaker, I thank the chairman. I thank him for having this People's Night 2, so as to take the opportunity to speak to the American people about, really, what have become a lot of frustrations since they elected a Republican House and a Republican Senate.

In fact, I did a tele-townhall last night, and a number of comments and questions that I had was: Why can't you guys get more bills to the President's desk? I had to explain that there is a 60-vote filibuster, the modern filibuster—a 60-vote threshold—over in the Senate. I had to explain what a modern filibuster rule is in the Senate.

A Senator from the great State of South Carolina actually filibustered on the floor. He spoke for 48 hours without stopping, without sitting down. He held the floor of the Senate to make a point for 48 hours. That is the traditional filibuster that you hear about. Today, in the 21st century, when we hear that a Senator has filed a filibuster and that there is a 60-vote threshold to get over, what that means is a Senator has just put his name on a bill, and he doesn't have to go down and utter a single word, and he doesn't have to stand on the floor for a single minute. In fact, he can go to Charlie Palmer's and have a steak and call it a ''filibuster.'' America, this is wrong.

I had a conversation with some Senate staff today because I think they ought to change their Senate rules.

They said: Well, the Senator—and he is a Senator I respect a lot—disagrees with your position. They pointed out that the Senate filibuster rule, the 60-vote threshold, has helped Republicans in the past to stop bad legislation. They said it stopped amnesty.

I said: Well, hold on right there. Amnesty, actually, passed. The Gang of Eight bill passed, and we failed to bring it up in the House. We stopped it on the House side.

They said: Well, it stopped gun control and a lot of other things.

I said: Yes, but it is keeping right now a lot of good things from making it to the President's desk.

America gave us this majority, and they really expect us to pass bills out that reflect the Republican principles, morals, values, and convictions of the electorate that sent us here and gave us this majority. They expect us to pass bills out of the Congress and to send them to the President's desk. Then the President can do whatever he wants with those bills, but I think, if he vetoes them, then America will see the dichotomy between the Republican governance and a Democrat President.

Now the Senate rules. They are not in this book. This is the United States Constitution. It is a pocket copy that I carry with me. You can't find the Senate rules in this. It does say that both bodies—the House and the Senate—make their own rules to govern what goes on here, but they are not spelled out in this document. It is time for MITCH MCCONNELL and the Republicans over in the Senate to actually have a ''come to Jesus'' meeting and really talk about what is stifling the Republican work when the Republican electorate in this country has given us the majority and expects us to do the work.

I want to shift gears for just a minute because this is the People's Night, and I want to talk about something that is on the minds of the American people—the safety and security of our Nation and the national security issues in the wake of the Paris attacks, in the wake of the Lebanon bombing, in the wake of a lot of things that we are seeing with stabbings and other things that are going on by ISIS, primarily, but you can throw Boko Haram

and some others who are committing acts of terror into the mix as well. Americans are concerned about the safety and security of our Nation.

I chair the Western Hemisphere Subcommittee on the Foreign Affairs Committee. Just this afternoon, it was revealed that the Honduran police stopped five Syrians who were carrying falsified Greek passports, and they had flown all over Latin America before they had gotten to Honduras. They were headed north to the Guatemalan border. If they were headed north to the Guatemalan border, it tells me they were going to take advantage of our porous southern border, like many others have, to enter into this country. We don't know why. What we do know is five Syrians traveled to Honduras on fake Greek passports, and they were apprehended by the police.

People are criticizing the Republicans for wanting to hit ''pause'' on the Syrian refugee program, and they are saying, ''You don't have compassion.'' Let me tell you that you don't lock the door because you hate the people on the outside. You lock the door because you love the people on the inside.

We have to protect America. That is what we are charged to do. When we raise our hands and swear an oath to the Constitution—to uphold it and to defend this great country—we are charged as Members of Congress to protect this great Nation, first and foremost.

I thank the gentleman for some leniency. I will continue to speak on behalf of the American people. It is time for MITCH to get moving on some bills that are Republican bills over in the Senate.

□ 2015

Mr. WALKER. Historically, I would like to put this inaction in some kind of perspective. We actually have to go back to James Garfield in the 1800s to find such a low number of vetoes. James Garfield only served 7 months, or about 200 days. President Obama has been in office nearly 7 years. Compared to other Presidents—for example, President Kennedy, though obviously never completing his term, however—he used a total of veto 21 times. Ronald Reagan used a total of 78.

Why is this so important? Well, the answer is simple. This is not political theater. It is the process that exposes the President's continued desire to rely on government and not the private sector, which may explain the national debt skyrocketing from $10 trillion to nearly $20 trillion that is predicted by the end of his term next year. We need to end covering for the President or for other Members on these tough votes.

When the President vetoes legislation, he has the obligation to explain to the country the reasons that he is against such bills that help the American worker and protect families and small businesses. It is one of the only measures that our Founding Fathers provided to Congress in holding the President accountable.

It is a privilege to introduce a friend from Georgia's 10th Congressional District, a fellow freshman who is passionate about the cause of the American people, someone that is authentic, someone who founded the Cultures and Values Network and was the host of his own radio talk program. He has become a dear and close friend of mine. I would like for the American people to hear from Representative JODY HICE from Georgia's 10th Congressional District.

I yield to the gentleman from Georgia.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman from North Carolina for hosting this People's Night for this Special Order. I appreciate all that you do, and I appreciate your leadership and your friendship. It is good to have another minister on the grounds. I am honored to serve with you.

Like has already been discussed by so many tonight, I likewise experience a great deal of frustration. I have had conversations, as have others here, with individuals in the Senate frustrated over that 60-vote threshold to even debate an issue over there.

Like others, I have been told that they have protected our country from so many other horrible pieces of legislation or that, ultimately, it is irrelevant because the bill would probably be vetoed anyway. There are excuses after excuses.

The fact of the matter is that the American people sent us here to do a job, to represent them to the best of our ability. I am honored to be here with my colleagues here tonight.

I am proud of the fact that, over the 10 months or so that I have been here, we have passed probably hundreds of bills, meaningful legislation, legislation that would protect the American people, legislation that would strengthen our national security, that would care for veterans and provide the kind of care that they deserve, legislation that would empower American businesses and small businesses, legislation that would increase transparency and accountability within government agencies.

For example, in order to protect the American citizens, as we all are so concerned about these days, we passed H.R. 3009, the Sanctuary Cities Act, that would not allow any State or local government to continue to receive funding if they harbor illegal alien criminals. Cities like San Francisco and many others would no longer be able to have a government-bankrolled sanctuary to provide such a thing for illegal alien lawbreakers.

In addition, as the Representative from South Carolina just referred to moments ago, the threat of ISIS and the authentic threat against the West from terror attacks is real. We are living with that reality today.

So we passed in this body H.R. 237, which would provide the Secretary of State with the authority to revoke or deny passports to individuals who are aligned with foreign terrorist groups.

It would also provide critical assistance to law enforcement and intelligence service personnel to make it easier for them to flag suspects when they are traveling internationally.

Perhaps most importantly, that bill would help prevent turned Americans who are now fighting alongside of ISIS from coming back to the United States undetected. Again, these bills and many others like these have not even received a hearing on the other side of the Capitol.

This body has passed the VA Accountability Act, which would allow the Department of Veterans Affairs Secretary new authority to fire bad employees in order to assure that our veterans are receiving the care that they deserve.

Additionally, this body has passed the Death Tax Repeal Act, which would eliminate a tax which is unfairly imposed on family estates after a loved one has passed. That bill would ensure that farmers and small-business owners would not be taxed for the success of their loved one who has passed away. It would help keep small businesses and farm doors open.

This body has passed multiple pieces of legislation that would increase government transparency and accountability, which our constituents deserve. To that end, we have passed the IRS Email Transparency Act. We also passed the Prevent Targeting at the IRS Act. The list goes on and on and on, is my point.

I am proud to stand here tonight. I am proud to state that we, this entire body, have successfully passed real and meaningful legislation that would vastly improve the lives of our constituents and our Nation.

However, the reality is that, without a fully engaged and willing partner on the other side of the Capitol, all this work that we have done equates to nothing more than a vacant parking lot. It amounts to a wicked limbo of immobility or lethargic stasis. Quite frankly, the American people deserve more than this.

I urge our friends on the other side of the Capitol to start taking up some of the legislation that this body has passed and to do so with a sense of urgency.

I realize that they are described as the most deliberative body in the world, but, frankly, it feels as though they are helping create an environment of absolute dysfunction.

I encourage them to take up bills and to move them forward so that, working together, we can become the most decisive body in the world.

The clock is ticking. The American people are excellent timekeepers.

Mr. WALKER. Mr. Speaker, I thank Representative HICE for those passionate comments.

You know, in life, sometimes you run across people who are authentic, who truly have a servant spirit. One of those people I have been privileged to meet is right here in the Halls of Congress.

He is a Representative from Arizona's Eighth Congressional District. He is a Reagan conservative in his seventh term. He has one of the most powerful and passionate voices, a huge heart, but a strong voice for life. It is a privilege for him to be a part of our People's Night 2.

I yield to my friend, my colleague, and the great Representative from Arizona, Representative TRENT FRANKS.

Mr. FRANKS of Arizona. Mr. Speaker, if I could, let me express sincere gratitude to Congressman WALKER for leading this effort tonight.

The people of North Carolina did a very wise thing to send this man to Congress. He has represented them faithfully. He is a Valley Forge American that I wish there were more of in the United States Congress.

Madam Speaker, the direction of America and the world under the leadership of Barack Obama is alarming to any reasonable observer. To those outside the beltway, Republicans seem weak and unwilling to effectively respond.

One of the hidden-in-plain-sight reasons for this false perception is the rules and present practices in the United States Senate controlling the parliamentarian instrument of the ''motion to proceed to consider.'' This is the mechanism that allows the filibuster in the United States Senate.

Mr. Speaker, just very briefly, it takes 60 votes to allow a bill to come to the floor for debate in the United States Senate. It takes another vote of 60 votes to allow that bill to be actually voted upon.

The truth is that, with 54 Republicans, it takes 6 Democrats to help allow either debate or a vote to occur in the United States Senate.

Unfortunately, regardless of the nature of the bills, in recent years, this simply has not been allowed to occur. Mr. Speaker, this has become a boot on the throat of the Constitution and a stalemate to this Republic.

I would suggest to you, Mr. Speaker, that, if we don't change it, the people of this country are going to become so wearied of this process, so convinced that we will remain in gridlock forever, that they will simply wash their hands of the American Government. If they do that, then the Founding Fathers' dream itself could die in this generation. It must not be allowed to happen.

To put this in practical terms, Mr. Speaker, the House of Representatives passed some months ago the Department of Homeland Security appropriations bill. The only thing that we did, using our article I powers of the purse, was to say that we would not fund the President's illegal, unconstitutional executive order on immigration.

That bill then went over to the Senate, fully funding the Department of Homeland Security. Democrats in the Senate said: No. We are not voting on the bill. You guys are shutting the government down.

Democrats want very much to shut this government down because they know that the left-wing media will make sure that Republicans are fully blamed for that reality. That is what they want. It is not a deterrent to them. It is an inducement.

Mr. Speaker, the choice for House leadership is either to dumb the bill down so the Democrats will support it and thereby completely make the Republican base heartbroken or allow the government to be shut down. No one is accountable under this scenario, and it has to change, Mr. Speaker.

For my Republican friends that say, well, what if we are in the minority, well, we have been in the minority and ObamaCare passed and all of these other things passed because, unfortunately, the willingness of the Senate Democrats today to abuse this filibuster is so prevalent that it stops anything of consequence that matters to this country. Mr. Speaker, that has to change.

Under the current rules and practices, the balance between the reasonable opportunity to deliberate or debate and the ability to actually make a timely decision in the U.S. Senate no longer exists. The technical remedy to fix this is to adopt a change in the rules that will satisfy both the majority and the minority, prevent gridlock, and allow for consensus and the spirit of bipartisanship to return.

Tomorrow, Mr. Speaker, I will be introducing a resolution calling upon the Senate to adjust their rules to prevent this mindless stalemate and the practice of the current rules as written.

The goal, Mr. Speaker, is not to do away with the Senate filibuster, but to maintain the ability of the minority to have leveraged objection to either majority overreach or deeply contested legislation while restoring the accountability and deliberation to what is called the world's most deliberative body.

Mr. Speaker, I have one last example. Almost 2 months ago this House passed the Born-Alive Abortion Survivors Protection Act. We have passed many bills that have never gotten to see the light of day in the Senate because of the Senate filibuster.

The Born-Alive Abortion Survivors Protection Act required that babies surviving an abortion be given the same treatment and care that would be given to any child born naturally premature at the same age.

□ 2030

This bill now languishes in the Senate. It is uncertain if it will even be allowed a fair and honest debate up or down. These are born-alive children, Mr. Speaker—born alive—and no one can obscure the humanity and personhood of born-alive babies or claim that there is a conflict that exists between now separate interests of the mother and the child. Nor can they take refuge within the schizophrenic paradox Roe v. Wade has subjected this country to for now more than four decades.

Mr. Speaker, protecting born-alive survivors of abortion is not a Republican issue. It is not a Democratic issue. It is a test of our basic humanity and who we are as a human family. Before my colleagues in the Senate vote against this bill or, far worse, do as they have done so often and use the Senate rules to filibuster and avoid a vote and to deprive this bill of an honest debate and a fair vote, I would implore each one of them to ask themselves two questions in the stillness of their own heart.

First, is turning our backs on the most helpless of our born-alive children truly who the United States of America has become? Second, is voting against or filibustering against a bill to protect born-alive human babies from agonizing dismemberment and death who they have become as a Senate and what they want to be remembered for?

Mr. Speaker, it is time that we recognize that there are certain bills that are worth a vote, bills like protecting this country from a potential Iranian nuclear option and bills like protecting this country from allowing its little born-alive children to be killed indiscriminately. Mr. Speaker, that time has come.

I thank the gentleman for his kindness.

Mr. WALKER. Thank you, Representative FRANKS. I think America just saw some of the eloquence as well as the passion with which you speak for America's unborn.

As we have talked tonight about the many pieces of legislation that the House has worked on diligently over the last 10, 11 months, here is just a partial list that I hold in my hands: legislation that is good for the American family, a balanced budget, reduction of taxes, taking care of our veterans. Tonight, with all due respect, we are calling upon MITCH MCCONNELL and the Senate to move, to move diligently and to move urgently. It is past time.

Tonight before my closing comments, I yield to the gentleman from Pennsylvania's 12th District, Representative KEITH ROTHFUS. It is maybe just a bit off topic, but something that is very important about what has been going on over the last week.

SYRIAN REFUGEES

Mr. ROTHFUS. I thank the gentleman for yielding and for his leadership in organizing this Special Order. I thank him for allowing me to take a few moments to again take a look at what has been going on across the world and the troubling news that we have from abroad.

I rise tonight, Mr. Speaker, to call for a moratorium on the entry of refugees into the United States from Syria and all other countries that have been infiltrated by ISIS and other terrorist groups until security concerns can be adequately addressed.

In the wake of the recent attacks in Paris, in Beirut, and on a Russian plane flying over the Sinai, my first

and foremost concern is for the safety and security of my constituents in western Pennsylvania.

To put it simply, the safety and security of the American people are nonnegotiable. Right now we simply do not have the mechanisms in place to ensure that the 10,000 Syrian refugees that the President would have come into this country over the next year and other refugees from terrorist-controlled areas are properly vetted.

FBI Director James Comey has said as much: ''If someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing show up because we have no record of them.''

The Director of National Intelligence and the Secretary of Homeland Security have said the same. It is both reasonable and prudent to insist that we know exactly who these individuals are before they settle into our towns and cities.

Currently, we have neither the capability nor the capacity to do this. The recent attacks have awakened us to the reality that Islamic State terrorists have the worst of intentions not only for Christians and other religious minorities in their own region, but for the entire Western world. They are not, as the President has claimed, merely a setback. They are acts of war by a terrorist scourge against decency and humanity and freedom and everything that we as Americans stand for.

It comes as no surprise, then, that ISIS has already stated it intends to attack the heart of the United States here in Washington, D.C., and it is not impossible that ISIS terrorists could enter the country by posing as Syrian refugees. In fact, reports indicate that a Syrian passport was found next to the body of 25-year-old Ahmad al-Mohammad, one of the suicide bombers in Paris. He was born in Idlib, a city in northwest Syria, and the Paris prosecutor's office said his fingerprints matched those of a person who traveled through Greece last month.

So the security concerns that the American people are raising are not, as the President and others have suggested, without merit. They are completely legitimate, especially as the number of refugees is set to increase to 85,000 in 2016 and 100,000 in 2017, a significant increase from the average 70,000 per year over the past several years.

The truth is that the American people are an incredibly compassionate and generous people. We have a rich history of assisting people in other nations around the globe when they are suffering from a humanitarian crisis, poverty, oppression, or war. Since September 11, 2001, the United States has resettled 748,000 refugees from around the world. The American people have also assisted innocent Syrian refugees fleeing from violence in search of a better life, providing $4.5 billion in humanitarian aid since the start of the crisis in Syria to help them relocate in Lebanon, Jordan, Turkey, Egypt, and other nations.

While we desire to assist those who need help around the globe, we have a solemn duty to protect our citizens. The bottom line is we need to put the safety and security of Americans first. The solution I am proposing today is indefinite, but not necessarily permanent. It is the only responsible thing to do under these circumstances.

We need time to review and implement policies that will ensure that those who seek refuge in the United States are properly vetted.

I also urge my colleagues in the Senate to act boldly and promptly to ensure the security concerns of the American people are addressed.

Mr. WALKER. Thank you, Representative ROTHFUS.

Our second People's Night was scheduled weeks ago before the terrorists struck Paris.

I believe it is appropriate this evening to send out our sincerest thoughts and prayers to the Parisian families and others whose lives have been changed forever by these cowardly attacks. Though my heart is heavy, my discontentment with this administration has reached a new level of frustration.

Last year President Obama stated that ISIS was not a serious threat. In fact, many of us remember him referring to them as the JV squad. Just hours before this barbaric attack, the President emphatically expressed that ISIS had been contained and they were no longer expanding.

As a member of the Committee on Homeland Security, I couldn't disagree more. According to the FBI, there are more than 1,000 open investigations that are ISIS or terrorist related. ISIS is a clear and present danger to the American people.

Earlier today, in a joint hearing with the Committee on Foreign Affairs and the Committee on Homeland Security, General Jack Keane shared these words:

> ISIS is the most successful terrorist organization of our time. The world does not believe that our country is serious about taking on ISIS.

The general added:

> ISIS is not contained, and they are at war with us, but we are not at war with them.

While President Obama plays down the threat, other world leaders are leading and exhibiting and showing strength. Even the Pope has been warning us that these attacks and others could be the beginning of world war III.

After reviewing the evidence and testimony, I am convinced that it is only by the grace of God and the diligent work of our local, State, and national law enforcement that we haven't been hurt in the same manner that played out just last weekend in Paris. Sadly, President Obama has yet to offer any plan, any strategy, or any solution to slow down these sons from hell.

There is more evidence, continuing evidence of the disastrous Obama doctrine. The words of the President this past weekend sounded more like a spokesperson for the United Nations than America's Commander in Chief.

This is more of the same flawed foreign policy that we have experienced, just like we did in the recent Iran deal. May I remind us that 25 Democrats stood with Republicans, rebuking such a deal. Even more are calling on the President to speak with clarity and with boldness. The American people have grown weary of the constant swag and condescending responses.

Mr. Speaker, how much longer can we afford to wait on a President who stubbornly refuses to identify these devils as radical Islamist extremists? I would hope and pray that all Members of this House would band together, demanding the President deliver a definitive course of action. It is time, Mr. Speaker, for the President to settle up.

I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4038, AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015

Mr. COLLINS of Georgia (during the Special Order of Mr. WALKER), from the Committee on Rules, submitted a privileged report (Rept. No. 114–342) on the resolution (H. Res. 531) providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ISIS CRISIS

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Oklahoma (Mr. RUSSELL) for 30 minutes.

Mr. RUSSELL. Mr. Speaker, Will and Ariel Durant, perhaps the most renowned recorders of the history of mankind, wrote shortly after their landmark 40-year multivolume work was completed:

''Civilization is not inherited; it has to be learned and earned by each generation anew; if the transmission should be interrupted . . . civilization would die, and we should be savages again.''

It is a warning we must heed. For all of our advancement in self-governance, the rule of law, and the betterment of people's lives, the world stands in crisis. Our actions toward evil, twisted brands of militant Islamic jihadism in the coming months will determine how humanity navigates the coming century. As Will Durant correctly predicts, we must either prevent the death of civilized life or become savages again.

Responding to the Paris attacks, French President Francois Hollande is correct in saying enough is enough. The coalition of willing defenders of humanity is immense. The world looks toward America for our leadership.

''Why? Why does it have to be us?'' people ask. It is for the same reason we ask a trusted colleague for counsel, for the same reason a resident asks a neighbor to help him with a heavy lift, for the same reason a parishioner asks his pastor for guidance in times of crisis, for the same reason a citizen asks a policeman for assistance in times of trouble, and for the same reason those attacked ask a soldier to defend them. For the sake of civilization, we must provide it.

American accommodation of ISIS savagery through lethargy must end. Should America remain dispassionate and disconnected, she is at risk of losing her moral compass. Are we really an America today that no longer can be moved by any action, by beheadings, immolations, crucifixions, sexual enslavement, and human suffering in the lands that these savages have forcibly taken? Are we so self-indulged that we somehow think that leaving ISIS alone is a legitimate option for the good of the world?

The President has suggested that ISIS' actions are acts of genocide. On that, we absolutely agree.

□ 2045

Yazidis have been targeted by ISIS in their genocidal fanaticism. One city overrun saw ISIS lining up all males 12 and above in a gymnasium, separated them into groups, and systematically exterminated them.

Young Yazidi girls, whose only crime was being born, have been forced into sodomistic, sexual slavery by a Godless, evil, twisted brand of Islamist jihadist ideology that also conveniently fits rape and child molestation into a twisted, sinister form of ethics.

In Mosul and Palmyra, Christians have been singled out for destruction of life and property by marking their structures with an Arabic N.

Across Iraq and Syria, Chaldean and Assyrian Christians have been slaughtered while we in Congress thump our chest about refugees as Americans call on us to turn a blind eye toward these Syrian refugees that the United Nations has tried to place with willing churches and sponsors here at home.

Have we forgotten that it is the statue of Lady Justice that is blindfolded as she holds up a balanced scale, not the Statue of Liberty who holds the torch?

Lady Liberty is inscribed on our shores with these words:

Keep, ancient lands, your storied pomp, cries she with silent lips. Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed, to me. I lift my lamp beside the golden door.

In the last 3 weeks, more than 400 people have died in three separate attacks as a Russian airliner has been blown from the sky, Lebanese worshippers were blown to bits, and youthful French citizens and tourists were massacred as they ate at cafes and watched a concert.

As the world watched in horror, it has also looked to the United States. Where America leads, nations stand shoulder to shoulder. Where America is absent, tyranny takes it chances and rears its ugly head. But who would have thought America, through constant inaction and listless response, would allow barbarity to prosper?

Since last year, the President has been unable to articulate his strategy to aid our allies in Iraq, Jordan, Turkey, and Israel, as they react to the disintegration of Syria on their borders. More broadly, the President has been unable and possibly unwilling to form the necessary multinational coalitions in the Middle East and elsewhere that are essential to curb barbarism and provide stability within the Sunni Arab populations of Iraq and Syria, where ISIS has filled the void.

As a combat veteran of Iraq and other places, this has been difficult for me personally to process. In service past, we sacrificed to turn the country around. I watched my American and Iraqi friends die, handled the flesh and blood of infantry combat, performed brutal personal combat to take human life, and watched with agony as the good people of Iraq suffer in absence of effective government.

It is personal because I have lived among the Sunni Arab. I have celebrated their victories, their weddings, their birthdays, and their accomplishments. I have broken bread with them and eaten at their communal bowls. I have mourned as close Sunni Arab friends have died to acts of terror, mourned when Sunni Arab educated, intelligent, and free people have been expunged by ISIS. They do not want this. They have no place to go.

When I lived among them, we told them with conviction and honesty that we would be there for them. They believed us. Then the President ordered us out.

We soldiers and servicemembers who have sacrificed so much in Iraq weep. We defeated Saddam's army, toppled the Baathist Government, captured and brought a world tyrant to justice, fought an insurgency and stood shoulder to shoulder with disenfranchised Sunni Arabs and Sunni Kurds to restore control to Iraq's government. We turned the country around together with a military pause.

Instead of the United States nurturing a nascent Iraqi infrastructure, as we have done in the Philippines, Germany, Japan, and South Korea, to give them a future, the President used that pause for abandonment, both militarily and diplomatically.

Worse, he then used that for political expediency. Where we sacrificed, he quit. When America became absent, radical, evil Islamic jihadists filled that gap with cruelty, fear, and barbarity before, a nascent government and population had the strength to build trust and hold firm.

Whatever the President's political advantage, whatever the supposed cost saving, whatever the heartfelt conviction of why some believed abandonment was the optimum course of action, it has instead created a political nightmare, transcending nations, and has bled more treasures and lives than any estimates our continued presence might have caused.

Moreover, it has sickened the hearts of world humanity to see civilization taking such punishment from savages when a quiver of options have been available to shoot at the heart of the problem.

America has the capacity, the intelligence, and the goodwill to rally nations, but it cannot be a unitary effort. It must be collective. It cannot be a defensive effort. It must be offensive to blunt further attack.

As President Hollande of France was saying enough is enough, President Obama proceeded to tell America and the world what the attacks on Paris were not and what our actions would not be.

Mr. Speaker, this Congress and the American people need rather to hear from our President what the attack was and what our actions will be to make them stop.

The President, distracted by his ideological efforts, though sincere, on climate, has failed to see that the world is on fire. The people of our great Republic have not failed to see it. They are calling on us to stand with France and say enough is enough.

What should be our immediate action? How about some of this? Cripple Raqqa. It is clear it is the symbolic center of ISIS power. The President's cabinet says: We are worried about collateral damage and civilian casualties.

News flash. The most humane thing we can do to end suffering of hundreds of thousands of people is to cripple what ISIS draws its strength from. Destroy their infrastructure. Hammer their electricity capacity. Drop their transmission lines. Eliminate their cell towers where they draw their communications capacity. Destroy the bridges on their roads of ingress and egress. Hammer their oil refining installations they possess and fund themselves with. We have the ability to rebuild them later, but ISIS would be diminished financially by their loss.

Put a different way, the most humane thing we can do to protect civilians is to disrupt ISIS' immediate ability to advance and recruit. If the U.S. leads, others will stand shoulder to shoulder. We need our President to be that man.

To do these immediate actions on Raqqa, we also need to take the handcuffs off of our military that has already deployed. Weeks to get approval

and missed targets, allowing freedom of movement for ISIS is not a way to win anything.

It is not enough for the Secretary of Defense to merely endorse plans put before him by our military experts. Endorse? That type of equivocation tells our military leaders: We don't have your back.

We need the Secretary of Defense to lead. Don't endorse. Approve them. The Secretary must take the handcuffs off our pilots and special operations forces that are already deployed. Our warriors know what to hit. They can't throw punches with handcuffs.

Another action we can take. World opinion and goodwill is on our side. France has the support of all civilized countries. They will likely have the support of a U.N.-sanctioned effort. They may ask for article V protections under NATO and would likely get it.

So what will America do? Lead. Let's build that coalition. NATO special operations forces, combined with Kurds and Sunni Arabs, can provide the immediate ground capacity. Safe zones where Assad cannot reach them with airstrikes and barrel bombs will give them determinations and hope. Modern civilized allies can provide airpower, logistics, the wealth, and the commitment.

Russia has opened the door with statements from Foreign Minister Lavarov that a stabilized Syrian Government cannot include Assad. We should walk through that door. That solves having to build new governance.

Syria has survived civil wars before. She can again. Old structures can have new leaders with new coalitions that provide voice to all Syrians once ISIS is expunged.

In Iraq, we must find a place for the Sunni Arab and Sunni Kurd to have self-determination without having to turn to ISIS. The fighters exist. But they won't fight to be enslaved by draconian Shia Arab governance in Baghdad. That gives them no future. With Raqqa squeezed in Syria, we must build the coalition to restore Mosul and Baiji.

Then the disenfranchised Sunni Arab and Sunni Kurd must have a place at the table both in Syria and Iraq in post-conflict rebuilding. This will not be possible while savages run free and civilized nations do nothing.

America needs to build the coalition on an ISIS-first policy. Then we can settle into the less barbaric and less threatening future. We have a window. Do we have a President that will lead?

Here are some immediate short-term measures.

Launch cyberattacks on ISIS recruiting Web sites. While interceptive communications is important and we want to track their movements and intentions, we cannot confuse that with allowing ISIS propaganda to reach into our free communities to turn misguided youth into neighborhood attackers.

Intercept what we must, but attack what draws recruitment and copycat actions in the first place. We cannot be just defensive in this area. Part of reducing homegrown terrorists is to cut off the juice from ISIS abroad. They should not have a free hand in our free speech.

Now let's talk about counter-messaging. Here is what every American can do to help. American news stations and newsprint can join the fight by not putting ISIS-produced videos and imagery on networks as B-roll on our newscasts and in articles in our newspapers. Why should we promote their propaganda?

Replace it rather with cross-hairs and explosions of their defeat or show rather the world their acts of barbarity and the human suffering they have created for their own people. Use that for B-roll.

America must stop aiding and abetting these evil savages that use our free press, our laws, and our protections to destroy ours. Americans, write your local stations and ask them to please stop.

Mr. Speaker, I want to shift my focus now to the refugee crisis.

While I have tried to focus my comments on actions that we should take to eliminate ISIS, one action we should not take is to become like them. America is a lamp that lights the horizon of civilized and free mankind.

The Statue of Liberty cannot have a stiff arm. Her arm must continue to keep the torch burning brightly. If we use our passions, anger, and fear to snuff out her flame by xenophobic and knee-jerk policy, the enemy wins. We have played into their hands, period.

Here are some Syrian refugee facts you may not know. Despite a long-established, multilayered system to vet and bring refugees into the United States—I have worked with the International Organization for Migration on deployed battlefields, and I have worked with the UNHCR in their efforts to help place refugees—despite a long-established system, despite biometric and biographic screening, despite intelligence vetting with the National Counterterrorism Center, the FBI's Terrorist Screening Center, and the Departments of State, Defense, and Homeland Security, added to the fact that Syrian refugees receive additional screening to national security concerns—and most of them are women and children—coupled with the fact that only a total of 1,900 Syrians have entered this country in the last 4 years, most of them women and children, Americans across the country now are calling on Lady Liberty to drop her torch and give the stiff arm, with perhaps even another gesture.

□ 2100

I want you to listen carefully to these statements by Members of Congress in response to a refugee bill—not an illegal immigration bill or permanent residents, but refugees, a refugee bill. Listen to these comments by Members of Congress about people fleeing for their lives.

Fighting immigration is ''the best vote-getting argument . . . The politician can beat his breast and proclaim his loyalty to America.''

''He can tell the unemployed man that he is out of work because some alien has a job.''

Here is another one:

Congress must ''protect the youth of America from this foreign invasion.''

And how about this one?

''American children have first claim to America's charity.''

There are many more, but these quotes were from 1939. The refugee bill was not for Muslim and Christian Syrians or Iraqi Muslims, Christians and Yazidis; it was for German Jews. While it was true that Germany was, indeed, a threat, the refugees were not. They were 20,000 children.

Not only did that bill of 1939 not pass, but that Congress, with the same speech and rhetoric that I have been hearing in recent days in this august Chamber, Mr. Speaker, passed hurdle after hurdle in 1939 to make it more difficult for refugees to enter. They were, unfortunately, successful.

Mr. Speaker, America protects her liberty and defends her shores not by punishing those who would be free; she does it by guarding liberty with her life.

Americans need to sacrifice and wake up. We must not become them. They win if we give up who we are, and even more so, without a fight.

We guard our way of life by vigilance. We must be watchful. We have to have each others' back and be alert to dangers around us. We must speak up when we see something unusual. By maintaining who we are amidst the threat, amidst the hatred, amidst the trials, we win.

Patrick Henry did not say, ''Give me safety or give me death,'' but, rather, ''Give me liberty,'' implying that he was willing to lose his life to defend that liberty.

We have defended our way of life, Mr. Speaker, for 240 years. Now we as Americans must defend it again.

We must defend it when the critic sitting on the couch in his underwear eating his bag of cheese puffs is pecking out hatred and vitriol on some social media.

We must defend it and have courage when voters are caught up with sincere passion, demanding security that also might kill our liberty.

We must defend it with our warriors who have worked hard to keep the fight off our shores by being vigilant and aware at home and while looking after their families who don't have them to protect them.

We will always have threats, but liberty, when lost, takes generations, if ever, to regain.

I am asking all Americans tonight to pray for our President. How much time, really, have we spent on our knees at home for our leaders? How much counsel have we sought from the Almighty?

It is God who has given us the spark of freedom. It is He we must turn to. He will take us and guide us in times of crisis, if we only ask Him and humble ourselves and seek His face as a nation.

Mr. Speaker, we would not even have that nation without the aid of France. Lady Liberty would not even stand on our shores without the generosity of France. And now, as civilization faces peril and trial, we must stand the test, shoulder to shoulder with France, this Congress, our people, our way of life.

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

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 799. An act to address problems related to prenatal opioid use.

ADJOURNMENT

Mr. RUSSELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 19, 2015, at 9:30 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Offical Foreign Travel during the third quarter of 2015, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, Oct. 29, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Maureen Holohan	7/16	7/17	Portugal		145.10						
	7/17	7/20	Italy		1,272.79						
	7/20	7/22	Romania		444.25						
Commercial airfare							6,978.60				
Taxi & Train							201.86				
Sarah Young	7/16	7/17	Portugal		145.10						
	7/17	7/20	Italy		1,272.79						
	7/20	7/22	Romania		444.25						
Commercial airfare							6,978.60				
Taxi & Train							237.64				
Matt Washington	7/16	7/17	Portugal		145.10						
	7/17	7/20	Italy		1,272.79						
	7/20	7/22	Romania		444.25						
Commercial airfare							6,978.60				
Taxi & Train							154.75				
Donna Shahbaz	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							486.12				
Loraine Heckenberg	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							771.81				
Perry Yates	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							475.90				
Taunja Berguam	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							388.07				
Collin Lee	7/14	7/19	Korea		1,628.65						
Commercial airfare							11,097.30				
Taxi							98.94				
Cornell Teague	7/14	7/19	Korea		1,628.65						
Commercial airfare							11,097.30				
Taxi							80.19				
Paul Terry	7/14	7/19	Korea		1,628.65						
Commercial airfare							11,097.65				
Taxi							7.21				
Hon. Harold Rogers	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Hon. Rodney Frelinghuysen	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Hon. Steve Womack	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/8	Spain		333.68						
Delegation Costs*									1,281.71		
Hon. David Young	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Hon. Lucille Roybal-Allard	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Hon. Henry Cuellar	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Will Smith	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Jim Kulikowski	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
Commercial airfare							1,052.50				
Delegation Costs*									1,281.71		
Anne Marie Chotvacs	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.79		
Steve Marchese	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Jennifer Hing	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
B.G. Wright	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs*									2,401.71		
Hon. Charlie Dent	8/27	8/28	Germany		321.39						
	8/28	8/30	France		615.00						
	8/30	8/31	Poland		549.22						
	9/1	9/3	Lithuania		647.50						
Commercial airfare							8,641.90				
Delegation Costs*									1,925.14		
Hon. Barbara Lee	8/27	8/28	Germany		321.39						
	8/28	8/30	France		615.00						
	8/30	8/31	Poland		549.22						
	9/1	9/3	Lithuania		647.50						
Commercial airfare							8,641.90				
Delegation Costs*									1,925.14		
Maureen Holohan	8/27	8/28	Germany		321.39						
	8/28	8/30	France		615.00						
	8/30	8/31	Poland		549.22						
	9/1	9/3	Lithuania		647.50						
Commercial airfare							8,641.90				
Delegation Costs*									1,925.14		
Sarah Young	8/27	8/28	Germany		321.39						
	8/28	8/30	France		615.00						
	8/30	8/31	Poland		549.22						
	9/1	9/3	Lithuania		647.50						
Commercial airfare							8,641.90				
Delegation Costs*									1,925.14		
Erin Kolodjeski	8/9	8/15	Burma		2,026.00						
Commercial airfare							11,737.30				
Hon. Betty McCollum	8/20	8/22	Dakar		398.32						
	8/22	8/24	Ethiopia		790.30						
	8/24	8/26	Rwanda		604.00						
	8/26	8/28	Gabon		952.22						
	8/28	8/28	Cape Verde								
Delegation Costs*									52.88		
Hon. Kay Granger	8/23	8/24	Ethiopia		394.08						
	8/24	8/26	Rwanda		614.00						
	8/26	8/28	Gabon		957.00						
	8/28	8/28	Cape Verde								
Commercial airfare							5,723.10				
Hon. Andy Harris	8/25	8/31	Italy		1,184.20						
Delegation Costs*									532.94		
Commercial airfare							1,438.80				
B.G. Wright	8/30	9/4	Jordan		1,422.00						
Delegation Costs*									410.97		
Commercial airfare							6,064.40				
Rob Blair	8/30	9/1	Oman		828.39						
	9/1	9/3	Kenya		1,230.00						
Commercial airfare							10,660.00				
Tim Prince	9/21	9/23	Spain		455.76						
	9/23	9/25	Romania		423.92						
Commercial airfare							12,046.00				
Brooke Boyer	9/21	9/23	Spain		455.76						
	9/23	9/25	Romania		423.92						
Commercial airfare							12,046.00				
Taxi							45.72				
Total					86,774.64		161,327.21		35,277.95		283,379.80

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

HON. HAROLD ROGERS, Chairman, Oct. 30, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Czech Republic, Ukraine, Finland, July 1–8, 2015											
With CODEL Wicker:											
Hon. Ruben Gallego	7/2	7/4	Czech Republic		389.96						389.96

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	7/4	7/7	Finland		1,529.44						1,529.44
Commercial airfare							1,446.30				1,446.30
Visit to France, July 16–21, 2015:											
Hon. Michael R. Turner	7/17	7/21	France		1,009.82						1,009.82
Commercial airfare							1,619.40				1,619.40
Hon. Loretta Sanchez			France		1,009.82						1,009.82
Commercial airfare							13,768.80				13,768.80
Hon. Paul Cook			France		1,009.82						1,009.82
Commercial airfare							1,620.00				1,620.00
Visit to Zambia, Tanzania, August 1–6, 2015:											
Mark Morehouse	8/2	8/4	Tanzania		601.00						601.00
	8/4	8/5	Zambia		271.00						271.00
Commercial airfare							13,495.40				13,495.40
Ryan Crumpler	8/2	8/4	Tanzania		601.00						601.00
	8/4	8/5	Zambia		271.00						271.00
Commercial airfare							13,760.40				13,760.40
Michael Amato	8/2	8/4	Tanzania		601.00						601.00
	8/4	8/5	Zambia		271.00						271.00
Commercial airfare							15,083.80				15,083.80
Visit to Estonia, Poland, Latvia, Germany, United Kingdom, Belgium, August 2–10, 2015:											
Hon. Rob Wittman	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Hon. Madeleine Bordallo	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Craig Collier	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Vickie Plunkett	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Delegation Expenses*			United Kingdom				3,810.00		753.51		4,563.51
Delegation Expenses*			Latvia				569.62		1,515.80		2,085.42
Delegation Expenses*			Poland				522.58				522.58
Visit to Australia, August 6–14, 2015:											
Jeanette James	8/8	8/11	Australia		1,648.42						1,648.42
Commercial airfare							13,121.20				13,121.20
Alison Lynn	8/8	8/11	Australia		1,648.42						1,648.42
Commercial airfare							17,419.60				17,419.60
Craig Greene	8/8	8/11	Australia		1,648.42						1,648.42
Commercial airfare							17,984.40				17,984.40
David Sennott	8/8	8/11	Australia		1,903.42						1,903.42
Commercial airfare							15,530.70				15,530.70
Visit to Afghanistan, September 2–6, 2015:											
Hon. William M. "Mac" Thornberry	9/3	9/5	Afghanistan		12.00						12.00
Commercial airfare							11,867.20				11,867.20
Robert L. Simmons			Afghanistan		12.00						12.00
Commercial airfare							11,862.20				11,862.20
Michael Casey			Afghanistan		12.00						12.00
Commercial airfare							11,867.20				11,867.20
Committee total					19,375.62		165,348.80		2,269.31		186,993.73

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
*Delegation expenses.

HON. MAC THORNBERRY, Chairman, Nov. 2, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Richard Hudson	7/2	7/3	Ukraine		371.07		[3]				371.07
	7/3	7/4	Czech Republic		379.99						379.99
	7/4	7/7	Finland		1,150.07						1,150.07
Hon. Bill Flores	8/3	8/3	Belgium		542.50		3,665.40				4,207.90
	8/4	8/4	Poland		271.54						271.54
	8/5	8/5	Latvia		232.98						232.98
	8/6	8/7	Estonia		657.45						657.45
Hon. Joseph Kennedy	8/24	8/24	Ethiopia		309.08		905.42				1,214.50
	8/24	8/26	Rwanda		614.00		[3]				614.00
	8/26	8/28	Gabon		957.00						957.00
Committee total					5,485.68		4,570.82				10,056.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. FRED UPTON, Chairman, Oct. 30, 3015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Gwen Moore	7/2	7/3	Ukraine		264.90		(3)				264.90
	7/3	7/4	Czech Republic		290.36		(3)				290.36
	7/4	7/7	Finland		1,009.60		(3)				1,009.60
Hon. Michael Fitzpatrick	7/2	7/3	Ukraine		353.19		(3)				353.19
	7/3	7/4	Czech Republic		341.93		(3)				341.93
	7/4	7/7	Finland		1,150.08		(3)				1,150.08
Hon. Robert Pittenger	8/3	8/4	Belgium		93.34						93.34
	8/4	8/5	Poland		217.54						217.54
	8/5	8/7	Latvia		195.30						195.30
	8/7	8/9	Estonia		91.32						91.32
	8/9	8/10	England		521.00		12,743.40				13,264.40
Hon. Kyrsten Sinema	8/24	8/26	Rwanda		471.07		22,839.80				23,310.87
Hon. Terri Sewell	8/22	8/24	Ethiopia		395.15		1,120.45				1,515.60
	8/24	8/26	Rwanda		604.00		(3)				604.00
	8/26	8/28	Gabon		952.22		(3)				952.22
	8/28	8/28	Cape Verde				(3)				
Hon. Michael Fitzpatrick	8/31	9/2	France		1,569.00				4,375.00		5,944.00
	9/2	9/3	Turkey		278.38				369.62		648.00
	9/3	9/5	Qatar		602.65				829.45		1,432.10
	9/5	9/7	Kuwait		709.76		14,602.62		2,180.79		17,493.17
Hon. Robert Pittenger	8/31	9/2	France		1,553.60						1,553.60
	9/2	9/3	Turkey		270.68						270.68
	9/3	9/5	Qatar		587.25		14,354.10				14,941.35
Hon. Gregory Meeks	8/31	9/2	France		1,646.00						1,646.00
	9/2	9/3	Turkey		316.88						316.88
	9/3	9/5	Qatar		679.65						679.65
	9/5	9/7	Kuwait		825.26		15,095.90				15,921.16
Albert Joseph Pinder	8/31	9/2	France		1,539.60						1,539.60
	9/2	9/3	Turkey		297.37						297.37
	9/3	9/5	Qatar		587.05						587.05
	9/5	9/7	Kuwait		800.77		10,503.08				11,303.85
Francis Ola Williams	8/31	9/2	France		1,646.00						1,646.00
	9/2	9/3	Turkey		316.88						316.88
	9/3	9/5	Qatar		679.65						679.65
	9/5	9/7	Kuwait		825.26		11,084.81				11,910.07
Committee total					22,682.69		102,344.16		7,754.86		132,781.71

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JEB HENSARLING, Chairman, Oct. 30, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Nilmini Rubin	8/25	8/29	Gabon		1,310.00		13,702.42				15,012.42
Worku Gachou	8/25	8/29	Gabon		1,380.00		13,737.00				15,117.00
Greg Simpkins	8/25	8/29	Gabon		1,280.00		12,144.64				13,424.64
Travis Adkins	8/25	8/29	Gabon		1,415.00		13,952.00				15,367.00
Amy Chang	8/9	8/15	Burma		1,493.00		11,737.30				13,230.30
Shelley Su	8/9	8/15	Burma		1,395.00		11,737.30				13,132.30
Greg Simpkins	6/27	7/1	Zimbabwe		1,056.95		4,513.50				5,570.45
	7/1	7/2	South Africa		155.57						155.57
Piero Tozzi	6/27	7/1	Zimbabwe		986.95		4,513.50				5,500.45
	7/1	7/2	South Africa		145.57						145.57
Hon. Tulsi Gabbard	6/27	6/28	Kuwait		423.81		(3)				423.81
	6/28	6/29	Iraq		11.00		2,700.00				2,711.00
	6/29	6/30	Jordan		405.41		(3)				405.41
	6/30	7/1	Turkey		502.07		(3)				502.07
Hon. Brian Higgins	6/27	6/28	Kuwait		403.87		(3)				403.87
	6/28	6/29	Iraq		11.00		2,700.00				2,711.00
	6/29	6/30	Jordan		365.53		(3)				365.53
	6/30	7/1	Turkey		592.06		(3)				592.06
Scott Cullinane	8/16	8/23	Ukraine		1,837.94		3,934.80				5,772.74
Mark Iozzi	8/16	8/23	Ukraine		1,885.94		4,941.80				6,827.74
Kyle Parker	8/19	8/23	Ukraine		946.98		2,564.20				3,511.18
Philip Bednarczyk	8/16	8/23	Ukraine		1,885.94		2,053.10				3,939.04
Hon. Dana Rohrabacher	7/31	8/2	Austria		727.02		*18,340.20		410.85		19,478.07
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
	8/7	8/8	Latvia		236.00						236.00
	8/8	8/10	Lithuania		529.00						529.00
Hon. Greg Meeks	7/31	8/2	Austria		645.70		13,695.00				14,340.70
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
Philip Bednarczyk	7/31	8/2	Austria		645.70		14,942.55				15,588.25
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
	8/7	8/8	Latvia		236.00						236.00
	8/8	8/10	Lithuania		529.00						529.00
Paul Behrends	8/1	8/2	Austria		322.82		12,085.50				12,408.32
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
Hon. Ted Poe	8/10	8/13	Australia		1,132.28		(3)				1,132.28
	8/13	8/14	Indonesia		308.26		(3)				308.26
	8/14	8/16	Singapore		979.90		(3)				979.90
	8/16	8/17	Japan		63.00		(3)				63.00
Hon. Eliot Engel	6/29	7/5	Kosovo		807.22		4,986.70				5,793.92
	7/3	7/3	Macedonia								
Jason Steinbaum	6/29	7/5	Kosovo		779.22		3,662.40				4,441.62
	7/3	7/3	Macedonia								
Hon. Karen Bass	9/23	9/28	Gabon		1,501.00		14,700.72				16,201.72
Hon. Tom Marino	7/17	7/21	France		1,840.00		1,138.40				2,978.40
Luke Murry	6/26	7/2	South Africa		1,205.95		12,250.80				13,456.75
Worku Gachou	6/26	7/1	South Africa		1,146.89		11,759.80				12,906.69

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Doug Campbell	6/26	7/2	South Africa		1,276.00		11,617.00				12,893.00
Leah Campos	8/17	8/19	Argentina		683.16		1,700.53				2,383.69
Rebecca Ulrich	8/17	8/19	Argentina		683.16		1,700.53				2,383.69
Eric Jacobstein	8/17	8/19	Argentina		683.56		1,700.53				2,384.09
Mark Walker	8/23	8/25	Suriname		464.00		2,458.50				2,922.50
	8/25	8/28	Guyana		832.00						832.00
Thomas Alexander	8/23	8/25	Suriname		464.00		2,458.50				2,922.50
	8/25	8/28	Guyana		832.00						832.00
Sadaf Khan	8/24	8/28	Guyana		887.48		1,423.80				2,311.28
Hon. David Cicilline	8/21	8/22	Senegal		371.00		(3)				371.00
	8/22	8/24	Ethiopia		788.15		(3)				788.15
	8/24	8/26	Rwanda		614.00		(3)				614.00
	8/26	8/28	Gabon		957.00		(3)				957.00
	8/28	8/28	Cape Verde				(3)				
Committee total					48,316.06		*235,553.02		410.85		284,279.93

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
* Indicates Delegation Costs.

HON. EDWARD R. ROYCE, Chairman, Oct. 30, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Reynold Schweickhardt	8/31	9/2	Japan		653.00		2,638.40		914.58		4,205.98
Committee total					653.00		2,638.40		914.58		4,205.98

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, Oct. 23, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Darrell Issa	7/30	8/7	Nigeria, Egypt		822.00		13,157.40		1,712.63		15,692.03
Hon. Blake Farenthold	7/30	8/7	Nigeria, Egypt		822.00		4,399.78		1,712.63		6,934.41
Hon. Sheila Jackson Lee	7/30	8/4	Nigeria		546.00		9,903.50		1,190.47		11,639.97
Jason Everett	7/30	8/7	Nigeria, Egypt		822.00		10,576.40		1,712.63		13,111.03
Paul Taylor	7/30	8/7	Nigeria, Egypt		822.00		10,576.40		1,712.63		13,111.03
Committee total					3,834.00		48,613.48		8,040.99		60,488.47

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, Oct. 29, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve Chabot	8/16	8/18	Moldova		468.00						468.00
	8/18	8/19	Hungary		253.00						253.00
	8/19	8/20	Latvia		258.00						258.00
	8/20	8/22	Estonia		442.00						442.00
	8/15	8/22					15,573.80				15,573.80
Kevin Fitzpatrick	8/16	8/18	Moldova		468.00						468.00
	8/18	8/19	Hungary		253.00						253.00
	8/19	8/20	Latvia		258.00						258.00
	8/20	8/22	Estonia		442.00						442.00
	8/15	8/22					14,424.60				14,424.60
Committee total					2,708.52		29,998.40				32,840.40

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STEVE CHABOT, Chairman, Oct. 17, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Daniel Lipinski	8/22	8/31	Italy		1,500.04		1,439.90		117.94		3,057.88
Committee total					1,500.04		1,439.90		117.94		3,057.88

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BILL SHUSTER, Chairman, Oct. 26, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Oct. 28, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. TREY GOWDY, Chairman, Oct. 14, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Chris Smith	7/4	7/7	Finland	Euro	1,150.08		1,952.60				3,102.68
Hon. Robert Aderholt	7/2	7/7	Ukraine	Hryvnia	1,901.14						1,901.14
			Czech Republic	Koruna							
			Finland	Euro							
Hon. Steve Cohen	7/2	7/7	Ukraine	Hryvnia	1,901.14						1,901.14
			Czech Republic	Koruna							
			Finland	Euro							
Hon. Alan Grayson	7/4	7/7	Finland	Euro	1,150.08						1,150.08
David Kostelancik	6/29	7/8	Austria	Euro	2,898.00		2,916.70				5,814.70
			Finland	Euro							
Mark Milosch	7/2	7/9	Ukraine	Hryvnia	2,667.86		2,164.90				4,832.76
			Czech Republic	Koruna							
			Finland	Euro							
	9/13	9/19	Ireland	Euro	2,193.00		6,457.00				8,650.00
			Mongolia	Tögrög							
Bob Hand	7/3	7/10	Finland	Euro	2,683.52		1,798.70				4,482.22
	9/13	9/19	Mongolia	Tögrög	915.00		4,083.50				4,998.50
Orest Deychakiwsky	7/1	7/4	Ukraine	Hryvnia	1,115.10		2,253.00				3,368.10
Alex Johnson	7/2	7/10	Ukraine	Hryvnia	3,051.22		1,165.40				4,216.62
			Czech Republic	Koruna							
			Finland	Euro							
Nathanial Hurd	7/4	7/9	Finland	Euro	1,916.80		2,966.10				4,882.90
Stacy Hope	7/2	7/7	Ukraine	Hryvnia	1,901.14		—				1,901.14
			Czech Republic	Koruna							
			Finland	Euro							
Janice Helwig	7/1	9/30	Austria	Euro	30,667.00		4,667.85				35,334.85
	7/4	7/8	Finland	Euro	1,533.44		2,094.10				3,627.54
	9/20	9/26	Poland	Zloty	1,650.00		1,132.30				2,782.30
Allison Hollabaugh	7/5	7/8	Austria	Euro	847.33		1,751.60				2,598.93
Erika Schlager	7/13	7/17	Austria	Euro	1,275.00		2,023.30				3,298.30
			Slovakia	Euro							
Shelly Han	9/12	9/16	Czech Republic	Koruna	1,214.00		1,678.70				2,892.70
Jonas Wechsler	9/16	9/26	Austria	Euro	2,489.41		2,726.10				5,215.51
			Poland	Zloty							
Mark Milosch	8/5	8/7	Belgium	Euro	596.00		2,660.60				3,256.60
Committee total					65,716.26		44,492.45				110,208.71

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Chairman, Oct. 29, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3485. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Responsibilities of Boards of Directors, Corporate Practices and Corporate Governance Matters (RIN: 2590-AA59) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3486. A letter from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department's final rule — Section 108 Loan Guarantee Program: Payment of Fees To Cover Credit Subsidy Costs [Docket No.: FR-5767-F-03] (RIN: 2506-AC35) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3487. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rules — Final Rules under the Affordable Care Act for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections (RIN: 1210-AB72) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafol; Pesticide Tolerances [EPA-HQ-OPP-2015-0179; FRL-9933-61] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3489. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with ethenylbenzene and (1-methylethenyl)benzene; Tolerance Exemption [EPA-HQ-OPP-2015-0376; FRL-9936-48] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Prevention of Significant Deterioration; Plantwide Applicability Limits for Greenhouse Gasses [EPA-R03-OAR-2015-027 4; FRL-9937-25-Region 3] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's partial withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances; Withdrawal [EPA-HQ-OPPT-2015-0388; FRL-9936-98] (RIN: 2070-AB27) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3492. A letter from the Deputy Chief, ASAD, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Application Procedures for Broadcast Incentive Auction Scheduled to Begin on March 29, 2016; Technical Formulas for Competitive Bidding [AU Docket No.: 14-252] [GN Docket No.: 12-268] [WT Docket No.: 12-269] [DA 15-1183] received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3493. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Environment, Health, Safety and Security, Department of Energy, transmitting the Department's final rule — Worker Safety and Health Program; Technical Amendments (RIN: 1992-AA50) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3494. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Freedom of Information Act Procedures, (RIN: 1651-AB05) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3495. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2016 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8060-N] (RIN: 0938-AS37) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3496. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2016 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts [CMS-8059-N] (RIN: 0938-AS36) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3497. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Federal Awarding Agency Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards [Docket No.: SSA-2015-0022] (RIN: 0960-AH73) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3498. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Comprehensive Care for Joint Replacement Payment Model for Acute Care Hospitals Furnishing Lower Extremity Joint Replacement Services [CMS-5516-F] (RIN: 0938-AS64) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3499. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2016 [CMS-8061-N] (RIN: 0938-AS38) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3500. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rules — Final Rules for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections under the Affordable Care Act [CMS-9993-F] (RIN: 0938-AS56) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Ways and Means, Education and the Workforce, and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 531. Resolution providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes (Rept. 114–342). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ELLISON (for himself, Ms. DELAURO, Mr. GRIJALVA, Mr. PETERS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. MCGOVERN, Ms. MENG, Ms. CLARKE of New York, Ms. LEE, Mr. POCAN, Ms. KAPTUR, Ms. NORTON, Mr. NADLER, Mr. HASTINGS, Mr. CONYERS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JUDY CHU of California, Ms. EDWARDS, and Mr. VAN HOLLEN):

H.R. 4055. A bill to amend title IV of the Social Security Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers, which prevents their parents and guardians from entering the workforce; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 4056. A bill to authorize the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as ''The Community Living Center'' at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida; to the Committee on Veterans' Affairs.

By Ms. CLARK of Massachusetts (for herself and Mr. MEEHAN):

H.R. 4057. A bill to amend title 18, United States Code, to establish a criminal violation for using false communications with the intent to create an emergency response, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. JONES, Mr. GRAVES of Missouri, Mr. MASSIE, Mr. DUNCAN of Tennessee, Mr. KELLY of Pennsylvania, Mr. ABRAHAM, and Mr. KING of Iowa):

H.R. 4058. A bill to require that in cases of health insurance coverage cancelled pursuant to requirements under the Patient Protection and Affordable Care Act cancellation notices provided to enrollees include a statement such cancellation is because of such Act; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Mr. WELCH, Mr. THOMPSON of California, and Mr. COLLINS of New York):

H.R. 4059. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VARGAS:

H.R. 4060. A bill to establish certain conservation and recreation areas in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE (for himself and Ms. DELAURO):

H.R. 4061. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARCHANT (for himself, Mr. BLUMENAUER, Mrs. BLACK, Mr. NUNES, and Mr. THOMPSON of California):

H.R. 4062. A bill to amend title XVIII of the Social Security Act to remove the enrollment restriction on certain physicians and practitioners prescribing covered outpatient drugs under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. KIND, Miss RICE of New York, Mrs. WALORSKI, Mr. MCKINLEY, Mr. BOST, Mr. COFFMAN, Mr. ROSS, Mr. RYAN of Ohio, Mrs. RADEWAGEN, Mr. CRAWFORD, Mr. MICA, Ms. FRANKEL of Florida, Ms. KUSTER, Mr. MCCAUL, and Mr. WALZ):

H.R. 4063. A bill to improve the use by the Secretary of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Secretary, and to expand the availability of complementary and integrative health, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself and Mr. DOGGETT):

H.R. 4064. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to withhold social security numbers on Form 990 from public disclosure; to the Committee on Ways and Means.

By Ms. FRANKEL of Florida (for herself and Mr. YOHO):

H.R. 4065. A bill to amend the Tariff Act of 1930 to provide for a deferral of the payment of a duty upon the sale of certain used yachts, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 4066. A bill to enable high-performance computation and supportive research and nuclear energy innovation; to the Committee on Science, Space, and Technology.

By Mr. KIND (for himself and Mr. REICHERT):

H.R. 4067. A bill to amend the Internal Revenue Code of 1986 to encourage retirement savings by modifying requirements with respect to employer-established IRAs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Ms. VELÁZQUEZ, Ms. CLARKE of New York, and Mr. PAYNE):

H.R. 4068. A bill to amend the Internal Revenue Code of 1986 to permanently increase the limitations on the deduction for start-up and organizational expenditures; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself and Mr. THOMPSON of Mississippi):

H.R. 4069. A bill to amend title 18, United States Code, to prohibit the sale of firearms to individuals suspected of terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY:

H.R. 4070. A bill to direct the Administrator of the Federal Emergency Management Agency to establish an emergency flood activity pilot program to assist flood response efforts in response to a levee failure or potential levee failure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POLIQUIN:

H.R. 4071. A bill to direct the Administrator of General Services to establish a program to sell Federal buildings that are not utilized to provide revenue for increases in social security benefits and military retirement pay, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mrs. DINGELL, and Mr. BARTON):

H.R. 4072. A bill to remove a restriction that prohibits the use of Federal funds to pay for maintenance of the memorial to honor Tomas G. Masaryk in the District of Columbia; to the Committee on Natural Resources.

By Mr. SCHIFF (for himself, Mr. BISHOP of Michigan, Mr. CARTWRIGHT, Mr. COHEN, Mr. CONNOLLY, Mr. DOLD, Mr. HONDA, Mr. ISRAEL, Ms. KUSTER, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, and Mr. WELCH):

H.R. 4073. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4074. A bill to require the Secretary of Homeland Security to collect data regarding foreign travel, or repatriation, to the country of nationality or last habitual residence by an alien admitted to the United States as a refugee, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS:

H.R. 4075. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new procedures and requirements for the registration of cosmetic manufacturing establishments, the submission of cosmetic and ingredient statements, and the reporting of serious cosmetic adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TURNER (for himself, Ms. FUDGE, and Ms. TSONGAS):

H.R. 4076. A bill to amend title XIX of the Social Security Act to allow for payments to States for substance abuse services furnished to inmates in public institutions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILLIAMS (for himself, Mr. FLORES, Ms. GRANGER, Mr. THORNBERRY, Mr. NEUGEBAUER, Mr. OLSON, and Mr. AUSTIN SCOTT of Georgia):

H.R. 4077. A bill to amend title XVIII of the Social Security Act to provide for a Medicare established provider system under which providers of services and suppliers representing a low risk for submitting fraudulent Medicare claims are provided certain claim review protections; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. JONES, and Mr. POSEY):

H.R. 4078. A bill to authorize the Governor of any State in which it is proposed to place or resettle a Syrian refugee to refuse such placement or resettlement if the Governor makes certain certifications, and for other purposes; to the Committee on the Judiciary.

By Mr. EMMER of Minnesota:

H.J. Res. 73. A joint resolution declaring that a state of war exists between the Islamic State and the Government and the people of the United States and making provision to prosecute the same; to the Committee on Foreign Affairs.

By Mr. MEADOWS:

H. Con. Res. 94. Concurrent resolution expressing the sense of the Congress regarding the treatment of State Governors who have made a determination with respect to Syrian refugees; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mr. CONNOLLY, Mr. JORDAN, Mr. GIBSON, Mr. BISHOP of Georgia, Mr. TIBERI, Mr. LIPINSKI, Ms. KAPTUR, Mr. BISHOP of Utah, Mr. RYAN of Ohio, and Mr. GIBBS):

H. Res. 532. A resolution recognizing the 20th anniversary of the Dayton Peace Accords; to the Committee on Foreign Affairs.

By Mr. WILLIAMS:

H. Res. 533. A resolution expressing disapproval of the President's plan to accept 10,000 Syrian refugees; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ELLISON:

H.R. 4055.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution. Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 18 of the Constitution of the United States, which states:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. MICA:

H.R. 4056.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. CLARK of Massachusetts:

H.R. 4057.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SHUSTER:

H.R. 4058.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power. . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution into the Government of the United States, or in any Department or Officer thereof.

By Mrs. BLACK:

H.R. 4059.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . .''

By Mr. VARGAS:

H.R. 4060.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, as enumerated in Article IV, Section 3, Clause 2 of the U.S. Constitution.

By Mr. PALLONE:
H.R. 4061.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution of the United States.
By Mr. MARCHANT:
H.R. 4062.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 clause 1 : The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;
Article 1, Section 8, clause 18 : To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.
By Mr. BILIRAKIS:
H.R. 4063.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.
Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.
By Mr. CICILLINE:
H.R. 4064.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Ms. FRANKEL of Florida:
H.R. 4065.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clauses 1, 3, and 18 of the United States Constitution, which respectively grant Congress the power to lay and collect duties and imposts, to regulate commerce with foreign nations, and to make all laws which shall be neccessary and proper for the execution of those powers.
By Mr. GRAYSON:
H.R. 4066.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, of the United States Constitution.
By Mr. KIND:
H.R. 4067.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 7, Clause 1
''All Bills for raising Revenue shall orginate in the House of Representatives''
By Mrs. LAWRENCE:
H.R. 4068.
Congress has the power to enact this legislation pursuant to the following:
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Ms. LOFGREN:
H.R. 4069.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution, which gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''
By Mr. MCNERNEY:
H.R. 4070.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution.
By Mr. POLIQUIN:
H.R. 4071.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 grants Congress the power to ''regulate Commerce with foreign Nations, and among the several States''
By Ms. SCHAKOWSKY:
H.R. 4072.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section VIII
By Mr. SCHIFF:
H.R. 4073.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact the Child Protection Improvements Act pursuant to ' Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.
By Mr. AUSTIN SCOTT of Georgia:
H.R. 4074.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: ''Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States.''
Article I, Section 8, Clause 4: ''Congress shall have Power To . . . establish an uniform Rule of Naturalization.''
Article I, Section 8, Clause 18: ''Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.
By Mr. SESSIONS:
H.R. 4075.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Mr. TURNER:
H.R. 4076.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. WILLIAMS:
H.R. 4077.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the United States Constitution.
By Mr. YOHO:
H.R. 4078.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 Clause 4 of the United States Constitution
By Mr. EMMER of Minnesota:
H.J. Res. 73.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the Constitution of the United States:
To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;
To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;
To provide and maintain a navy;
To make rules for the government and regulation of the land and naval forces;
To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;
To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 333: Mr. ROONEY of Florida.
H.R. 344: Mrs. WATSON COLEMAN, Mr. CLEAVER, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, and Mr. TAKANO.
H.R. 430: Mr. RUPPERSBERGER.
H.R. 525: Mr. SCOTT of Virginia.
H.R. 556: Mr. BARLETTA and Mr. ALLEN.
H.R. 604: Mr. LOUDERMILK.
H.R. 619: Mr. LOBIONDO.
H.R. 699: Mrs. CAROLYN B. MALONEY of New York.
H.R. 775: Mr. DAVID SCOTT of Georgia, Mr. SWALWELL of California, Mr. CONNOLLY, Mr. MCNERNEY, Mr. PAYNE, Ms. BASS, Mr. ASHFORD, Ms. LORETTA SANCHEZ of California, Mr. WALBERG, Mr. SCHRADER, Ms. GRAHAM, and Mr. BISHOP of Georgia.
H.R. 776: Mr. ROONEY of Florida.
H.R. 793: Mr. FARR and Mr. TONKO.
H.R. 814: Mr. MCKINLEY.
H.R. 816: Mr. LAHOOD.
H.R. 836: Mr. REED, Mr. MCHENRY, and Mr. WENSTRUP.
H.R. 842: Mr. AGUILAR.
H.R. 845: Mr. HECK of Nevada.
H.R. 879: Mr. YOUNG of Indiana.
H.R. 911: Mr. LOWENTHAL and Mr. GUTIÉRREZ.
H.R. 924: Mr. BARR.
H.R. 932: Ms. LINDA T. SÁNCHEZ of California.
H.R. 953: Mr. TED LIEU of California.
H.R. 985: Mr. LOWENTHAL and Mr. DESAULNIER.
H.R. 1061: Ms. TITUS, Mr. BEYER, Mr. REICHERT, Mr. VARGAS, Ms. WILSON of Florida, Mr. HUFFMAN, and Mr. KIND.
H.R. 1076: Miss RICE of New York.
H.R. 1153: Mr. POMPEO.
H.R. 1188: Mr. HUNTER.
H.R. 1192: Mr. LEWIS, Ms. LINDA T. SÁNCHEZ of California, Mr. SIRES, Mr. HONDA, Mr. GRAYSON, Mr. PIERLUISI, and Mr. BARTON.
H.R. 1197: Mr. LOBIONDO and Mrs. RADEWAGEN.
H.R. 1206: Mr. GOSAR.
H.R. 1218: Mr. BARTON and Mr. LOEBSACK.
H.R. 1220: Mr. MCHENRY, Mr. CONYERS, Mrs. KIRKPATRICK, Mr. RATCLIFFE, Mr. RENACCI, Ms. SLAUGHTER, Mr. NEWHOUSE, and Mr. LARSON of Connecticut.
H.R. 1298: Mr. BARLETTA.
H.R. 1299: Mr. POSEY.
H.R. 1309: Mr. SHUSTER.
H.R. 1312: Mr. NORCROSS.
H.R. 1377: Mr. TAKAI and Mr. SERRANO.
H.R. 1388: Mr. FARENTHOLD.
H.R. 1439: Mr. AGUILAR.
H.R. 1453: Mr. COLE.
H.R. 1457: Mrs. WATSON COLEMAN.
H.R. 1567: Mr. WELCH and Ms. PINGREE.
H.R. 1655: Ms. BONAMICI.
H.R. 1671: Mr. STIVERS.
H.R. 1733: Mrs. WATSON COLEMAN and Mr. MCDERMOTT.
H.R. 1751: Mr. ENGEL.
H.R. 1769: Mrs. BEATTY, Mr. HUFFMAN, and Mr. NUGENT.
H.R. 1786: Mr. BECERRA, Mrs. MIMI WALTERS of California, Mrs. BROOKS of Indiana,

Mr. BUCSHON, Mr. COOK, and Mr. GRAVES of Missouri.

H.R. 1854: Mrs. LAWRENCE and Ms. MCCOLLUM.

H.R. 1887: Mr. SERRANO.

H.R. 2017: Mr. ALLEN.

H.R. 2043: Mr. LANCE, Mr. CARSON of Indiana, Mrs. ROBY, and Ms. MATSUI.

H.R. 2058: Mrs. BLACKBURN.

H.R. 2067: Mr. PASCRELL.

H.R. 2083: Mr. AGUILAR.

H.R. 2101: Ms. SCHAKOWSKY, Ms. MAXINE WATERS of California, and Mr. JEFFRIES.

H.R. 2218: Mr. HANNA, Ms. BORDALLO, and Mrs. MILLER of Michigan.

H.R. 2278: Mr. POMPEO.

H.R. 2292: Mr. ROTHFUS.

H.R. 2536: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2540: Ms. NORTON.

H.R. 2553: Mr. TAKAI, Ms. WILSON of Florida, and Mr. TAKANO.

H.R. 2675: Mr. ASHFORD.

H.R. 2680: Mrs. BEATTY.

H.R. 2698: Mr. HUNTER, Mr. AMODEI, and Mr. DENHAM.

H.R. 2713: Mr. AGUILAR.

H.R. 2739: Mr. LOBIONDO and Ms. NORTON.

H.R. 2799: Mr. HIGGINS.

H.R. 2844: Mr. PETERSON, Mrs. DINGELL, Mr. JOHNSON of Georgia, and Mr. YARMUTH.

H.R. 2896: Mr. JOLLY.

H.R. 2903: Mrs. LUMMIS and Mr. DUFFY.

H.R. 2916: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2917: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2931: Ms. ESTY and Mr. HANNA.

H.R. 2989: Ms. BROWNLEY of California and Mr. ADERHOLT.

H.R. 3024: Mr. PAULSEN and Mr. REED.

H.R. 3048: Mrs. LOVE and Mr. GROTHMAN.

H.R. 3136: Mr. BOST.

H.R. 3190: Mrs. BEATTY.

H.R. 3220: Mr. BOUSTANY and Mr. KIND.

H.R. 3222: Mr. FARENTHOLD, Mr. LONG, Mr. BRIDENSTINE, Mr. JODY B. HICE of Georgia, Mr. FORBES, and Mr. DESANTIS.

H.R. 3225: Mr. WALZ and Mr. ABRAHAM.

H.R. 3244: Mr. KELLY of Pennsylvania.

H.R. 3314: Mr. NEWHOUSE, Mr. MICA, Mr. JOYCE, and Mr. KELLY of Mississippi.

H.R. 3321: Mr. ABRAHAM.

H.R. 3326: Mr. WESTMORELAND and Mr. WOMACK.

H.R. 3351: Ms. CLARKE of New York and Mr. TAKANO.

H.R. 3359: Mr. WELCH and Mr. PETERS.

H.R. 3381: Mr. LAMBORN, Mr. GIBSON, Mr. CULBERSON, and Mr. LUETKEMEYER.

H.R. 3384: Ms. SCHAKOWSKY and Mr. CAPUANO.

H.R. 3399: Ms. NORTON, Mr. COHEN, Mrs. BEATTY, Ms. JACKSON LEE, and Mr. TAKANO.

H.R. 3422: Mr. STUTZMAN.

H.R. 3445: Ms. NORTON, Mr. PASCRELL, and Mr. WELCH.

H.R. 3516: Mr. FRANKS of Arizona, Mr. FINCHER, Mr. LONG, Mr. HULTGREN, Mr. GIBBS, Mrs. BLACKBURN, Mr. FORBES, and Mr. PALMER.

H.R. 3535: Mr. SWALWELL of California.

H.R. 3539: Ms. JENKINS of Kansas.

H.R. 3542: Mr. DESAULNIER.

H.R. 3573: Mr. JODY B. HICE of Georgia, Mr. MICA, Mr. DONOVAN, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. STIVERS, Mrs. ELLMERS of North Carolina, Mr. CHABOT, Mr. JOHNSON of Ohio, Mr. LONG, Mr. VALADAO, and Mr. ROKITA.

H.R. 3632: Mr. PASCRELL.

H.R. 3637: Ms. MOORE.

H.R. 3696: Ms. MENG.

H.R. 3706: Mr. POCAN and Mr. KINZINGER of Illinois.

H.R. 3711: Mr. PIERLUISI, Mr. SERRANO, and Mr. SABLAN.

H.R. 3714: Mr. GIBSON.

H.R. 3746: Mr. COHEN.

H.R. 3750: Mr. GIBSON.

H.R. 3760: Mr. HUFFMAN and Mr. FARR.

H.R. 3765: Mr. VALADAO.

H.R. 3802: Mr. JODY B. HICE of Georgia.

H.R. 3805: Mr. FORBES, Mr. KENNEDY, and Mr. THOMPSON of California.

H.R. 3815: Mr. WEBER of Texas.

H.R. 3832: Mr. KILMER.

H.R. 3841: Mr. KIND, Mr. SWALWELL of California, and Mrs. LOWEY.

H.R. 3845: Mr. YODER, Mr. SMITH of Missouri, Mr. ALLEN, Mr. ADERHOLT, Mr. FORTENBERRY, and Mr. MOOLENAAR.

H.R. 3856: Mr. KILMER.

H.R. 3914: Mr. WALKER.

H.R. 3916: Ms. PINGREE and Mr. GRIJALVA.

H.R. 3917: Mr. DOLD, Mr. BISHOP of Utah, Mr. MCCLINTOCK, Mr. FARENTHOLD, Mr. DELANEY, Mr. YARMUTH, Mrs. WALORSKI, Mr. CUMMINGS, Mr. LIPINSKI, Mr. HOLDING, Mr. COOPER, and Mrs. KIRKPATRICK.

H.R. 3920: Mr. BARLETTA.

H.R. 3940: Mr. MARCHANT, Mr. AUSTIN SCOTT of Georgia, Mrs. HARTZLER, Mr. KIND, Mr. POMPEO, Mr. WOODALL, Mr. MCKINLEY, Mr. LANCE, Mr. DUNCAN of South Carolina, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. WITTMAN, and Mr. TIBERI.

H.R. 3949: Mr. HASTINGS.

H.R. 3952: Mr. MCGOVERN.

H.R. 3956: Mr. BILIRAKIS.

H.R. 3958: Mr. HONDA and Mr. KING of New York.

H.R. 3973: Mr. BLUMENAUER.

H.R. 3986: Mr. GARAMENDI.

H.R. 3988: Ms. BONAMICI.

H.R. 3999: Mr. ASHFORD, Mr. HENSARLING, Mr. SCHWEIKERT, Mr. BOUSTANY, Mr. RATCLIFFE, Mr. SANFORD, Mr. WALKER, Mr. MEADOWS, Mr. MILLER of Florida, Mr. KNIGHT, Mr. BUCSHON, Mrs. WALORSKI, Mr. NEWHOUSE, Mr. COLLINS of New York, Mrs. BLACK, Mr. GIBSON, Mr. JENKINS of West Virginia, and Mr. MICA.

H.R. 4000: Mr. MCKINLEY, Mr. HARPER, Mr. POMPEO, Mr. ASHFORD, and Mrs. WALORSKI.

H.R. 4001: Ms. JACKSON LEE, Mr. BISHOP of Michigan, Mrs. MIMI WALTERS of California, Mr. FORBES, and Mr. RATCLIFFE.

H.R. 4002: Mr. FORBES and Mr. BISHOP of Michigan.

H.R. 4003: Mr. RATCLIFFE.

H.R. 4006: Mr. BLUMENAUER.

H.R. 4016: Mr. KIND, Mr. TIBERI, and Mrs. NOEM.

H.R. 4022: Mr. JODY B. HICE of Georgia and Mr. FORBES.

H.R. 4023: Mr. BISHOP of Michigan.

H.R. 4025: Mr. ZELDIN, Mr. ROUZER, Mr. SMITH of Texas, Mr. CRAMER, Mr. MICA, and Mr. GOWDY.

H.R. 4031: Mr. JONES, Mr. GROTHMAN, and Mr. ROGERS of Alabama.

H.R. 4032: Mr. GROTHMAN, Mr. MCCAUL, Mr. ZELDIN, Mr. MICA, Mr. BARTON, Mr. CARTER of Texas, Mr. ROHRABACHER, Mr. GOWDY, and Mr. TOM PRICE of Georgia.

H.R. 4033: Mr. MICA.

H.R. 4038: Mrs. HARTZLER, Mr. ASHFORD, Mr. CALVERT, Mr. OLSON, Mr. GRAVES of Missouri, Mrs. WALORSKI, Mr. LANCE, Mr. GUINTA, Mr. EMMER of Minnesota, Mr. SMITH of Nebraska, Mr. BOST, Mr. WEBER of Texas, Mr. HOLDING, Mr. NEUGEBAUER, Mr. HENSARLING, Mr. BARR, Mr. LOUDERMILK, Mr. WILLIAMS, Mr. MEEHAN, Mr. LUETKEMEYER, Mr. GOWDY, Mr. ROUZER, Mr. BUCSHON, Mr. BILIRAKIS, Mr. BOUSTANY, Mr. FARENTHOLD, Mr. ROSKAM, Mr. SANFORD, Mr. BARTON, Mr. LAMBORN, Mr. MULLIN, Mr. TIPTON, Mr. TURNER, Mr. SESSIONS, Mr. RATCLIFFE, Mr. WOODALL, Ms. GRANGER, Mr. CARTER of Georgia, Mr. FLORES, Mr. PITTENGER, Mr. WALKER, Mr. VALADAO, Mrs. WAGNER, Mr. FLEISCHMANN, Mr. GROTHMAN, Mrs. BLACK, Mr. ROONEY of Florida, Mr. HARPER, Mr. ZINKE, Mr. JENKINS of West Virginia, Mr. MESSER, Mr. CRAMER, Mr. BRADY of Texas, Mr. BURGESS, Mr. GOODLATTE, Mr. THORNBERRY, Mr. NUNES, Mr. MEADOWS, Mr. ROYCE, Mr. CLAWSON of Florida, Mr. SHUSTER, Mr. PITTS, Mr. ABRAHAM, Mr. CRENSHAW, Mr. HILL, Mr. WILSON of South Carolina, Mr. CULBERSON, Mr. NEWHOUSE, Mr. ZELDIN, Mr. MICA, Mr. SHIMKUS, Mr. POE of Texas, Mr. CONAWAY, Mr. BISHOP of Michigan, Mr. POMPEO, Mr. GUTHRIE, Mr. WITTMAN, Mr. CARTER of Texas, Mr. FRELINGHUYSEN, Mr. BENISHEK, Mr. GIBSON, Mr. WESTERMAN, Mr. WOMACK, Mr. LAMALFA, Mr. REED, Mr. KLINE, Mrs. NOEM, and Mr. COSTELLO of Pennsylvania.

H.R. 4048: Mr. MICA.

H.J. Res. 71: Mr. KELLY of Mississippi, Mr. FARENTHOLD, Ms. FOXX, Mr. BABIN, Mr. WESTERMAN, Mrs. WAGNER, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. MIMI WALTERS of California, Mr. CRENSHAW, Mr. CHABOT, Mr. MOOLENAAR, Mr. DESANTIS, Mr. WOMACK, Mr. MASSIE, Mr. SCALISE, Mr. EMMER of Minnesota, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. MESSER, and Mr. STIVERS.

H.J. Res. 72: Mr. KELLY of Mississippi, Mr. FARENTHOLD, Ms. FOXX, Mr. BABIN, Mr. WESTERMAN, Mrs. WAGNER, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. MIMI WALTERS of California, Mr. CRENSHAW, Mr. CHABOT, Mr. MOOLENAAR, Mr. DESANTIS, Mr. WOMACK, Mr. MASSIE, Mr. SCALISE, Mr. EMMER of Minnesota, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. MESSER, and Mr. STIVERS.

H. Con. Res. 40: Mr. KINZINGER of Illinois.

H. Con. Res. 59: Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Con. Res. 75: Mr. LANCE, Mr. LAMBORN, Mr. MOULTON, Mr. GOHMERT, Mr. MILLER of Florida, Mr. YOUNG of Iowa, and Mrs. LOWEY.

H. Res. 110: Mr. CLAWSON of Florida and Mr. RUPPERSBERGER.

H. Res. 220: Mr. ISRAEL, Ms. MAXINE WATERS of California, Mr. SENSENBRENNER, and Mr. KINZINGER of Illinois.

H. Res. 296: Mr. HASTINGS.

H. Res. 469: Mr. KINZINGER of Illinois, Mr. WEBER of Texas, and Mr. MILLER of Florida.

H. Res. 514: Mr. GROTHMAN, Mr. KELLY of Mississippi, Mr. PETERSON, and Mr. LIPINSKI.

H. Res. 530: Mr. ROONEY of Florida, Ms. NORTON, Mr. CRAMER, Mr. PITTENGER, Mr. WALBERG, Mr. BURGESS, Mr. YODER, Mr. NEUGEBAUER, Mr. PITTS, Mrs. BLACKBURN, Mr. LAMALFA, Mr. JODY B. HICE of Georgia, Mr. CARTER of Georgia, Mr. ADERHOLT, and Mr. FORBES.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, list or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 4038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3403: Mrs. LAWRENCE.

PETITIONS, ETC.

Under clause 3 of rule XII,

36. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not prevent presidential and congressional elections from proceeding as scheduled and does not perpetuate a term-limited or defeated presidential or congressional incumbent in office beyond the expiration of the term to which that incumbent was last elected; which was referred to the Committee on the Judiciary.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, WEDNESDAY, NOVEMBER 18, 2015 No. 170

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal Father, who established the Heavens, give our lawmakers a faith that will hold strong and steady in life's storms. Help them to remember that You are with them every moment of every day. Blessed by Your loving providence, may they trust You to surround our Nation with the shield of Your favor. Give them a quiet confidence for facing the difficulties of our times. Lord, make our Senators instruments of Your will for the healing of our Nation and world. Thank You for the rewards You give to those who live for You.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

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

TRANSPORTATION-HUD APPROPRIATIONS BILL

Mr. MCCONNELL. Mr. President, from the outset, the new Senate has worked to realize a smarter and more inclusive appropriations process. That is why we passed a budget, moving past 6 years of inaction. That is why we passed all 12 appropriations bills through committee, moving past 6 years of inaction. Nearly all of those bills passed on a bipartisan basis. That is why it is so disappointing to see voices on the other side try to tie them up in gridlock.

We never lost sight of the goal. We never stopped trying to move the Senate forward and our country ahead. Because we kept pushing, we are steadily overcoming the partisan gridlock of the past and steadily moving back to regular order on appropriations. Last week we passed one bipartisan appropriations bill—the bill that funds America's veterans. Today we will begin to advance another—the bill that funds America's transportation and housing infrastructure.

I would like to recognize the Senator from Maine, Ms. COLLINS, for her work in crafting a bipartisan bill that makes smart investments in critical transportation and infrastructure priorities. This is a bipartisan bill that will help ensure our transportation systems are reliable, efficient, and safe. This is a bipartisan bill that will increase the efficiency and affordability of Federal housing programs.

For example, the expanded Moving to Work Program it contains will offer a helping hand to lower income Americans. Moving to Work is one of the many success stories of the bipartisan welfare reform effort of the 1990s, and by expanding it from 39 to 339 housing authorities, we can help more Americans achieve the self-sufficiency that is at the core of our national dream.

Americans who strive for a better life deserve real opportunity. They deserve serious policies that can make positive differences in their lives. That is what Moving to Work aims to achieve. It is just one more reason to pass the bipartisan transportation infrastructure bill before us.

Again, I want to thank our colleague from Maine for her important work across the aisle to craft it. We look forward to debating the bill today.

MEASURE PLACED ON THE CALENDAR—S. 2288

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2288) to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

EVERY CHILD ACHIEVES ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message accompanying S. 1177.

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

Resolved, That the House insist upon its amendment to the bill (S. 1177) entitled ''An Act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves,'' and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. Mr. President, I move to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees.

CLOTURE MOTION

Mr. President, I send a cloture motion to the desk for the motion to go to conference with respect to S. 1177.

The PRESIDING OFFICER. The cloture motion having been presented

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

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 disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, David Perdue, Shelley Moore Capito, Daniel Coats, John Cornyn, John Barrasso, John Hoeven, Cory Gardner, Johnny Isakson, Lamar Alexander, Michael B. Enzi, Kelly Ayotte, Mark Kirk, John Thune, John Boozman, Chuck Grassley, Bill Cassidy.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

APPROPRIATIONS PROCESS

Mr. REID. Mr. President, I too agree with the distinguished Republican leader that it is good we are moving through the appropriations process. The key to getting this done is December 11. I have checked with the subcommittees, I have been in touch with the White House, and they have made significant progress. I would hope they will be working hard during the recess that we are going to have for Thanksgiving. By the time we get back here it is going to be time to start making some really difficult decisions, which we have to do. I look forward to the appropriations process succeeding, and next year I hope we can move through the bills individually. That would be the best thing to happen to the Senate in a long time.

Mr. President, on the bill that is before the Senate at this stage, the education bill, we have two of the finest Senators I have had the pleasure of serving with who are the managers of this legislation, the distinguished senior Senator from the State of Washington, of course, a member of the Senate Democratic leadership, and the distinguished senior Senator from Tennessee, LAMAR ALEXANDER. They have worked together well, and it is easy to work well with either one of them. They understand what a legislator is. A legislator can't get everything they want, but they have to work for the good of the country. These two have done that with this legislation.

Had I been writing this legislation and advocating on behalf of this legislation, I probably would have done it a little differently than they did, but it is a fine piece of legislation, put together by two very fine Senators. I look forward to it being completed in the immediate future.

SURFACE TRANSPORTATION FUNDING

Mr. President, one of the Founding Fathers, Benjamin Franklin, said: ''You may delay, but time will not.'' For far too long Republicans have delayed doing anything to address our Nation's insolvent transportation system or to address other vitally important infrastructure problems. As PAUL RYAN said earlier this year on the House floor:

Instead of fixing the problem, we've dodged it. Five times we've come up with temporary solutions and transferred money from the general fund into the trust fund—which, in English, means we've patched a pothole and not fixed the problem.

Sadly, that is what has happened, and it looks like it is going to happen again—which is too bad—and we are going to have another short-term extension because the conferees couldn't work out their differences.

My Republican colleagues have delayed, but time has marched on, and it has wreaked havoc on our Nation's tens of thousands of roads that are in disrepair. This is a problem and a very dangerous one. We have 61,000 roads and bridges that have been deemed structurally deficient.

Just a short distance from where we are here—just a couple of miles—is the Memorial Bridge that connects Arlington National Cemetery with the National Mall. That bridge is corroded and it is failing. They have closed down several lanes of that bridge. Vehicles that pass over this Memorial Bridge are subject to weight restrictions. Why? Because of the bad condition of the road and the bridge itself. Construction experts are working now to fix the problem, but here is the kicker: The Memorial Bridge is just 1 of 14 structurally deficient bridges in our Nation's Capital, according to the American Road and Transportation Builders Association. There are 14 structurally deficient bridges in our Nation's Capital alone. It is a staggering figure.

But around the country, we have about 60,000 others where we have a problem. The problem is bigger than thousands of these decrepit bridges. The American Society of Civil Engineers estimates that one-third of all U.S. roads are in poor or mediocre condition. That is 1.3 million miles of roadway. The former Secretary of the Treasury and an academic said in a steering committee chaired by Senator KLOBUCHAR recently that each year an American motorist who drives a car in effect is paying an extra $2,000 in damage to their car. Drive around and feel the crashes as you hit those big potholes.

It is not only in Washington, DC. It is all over the country, and that is to say nothing of the time and resources wasted each year because of our struggling transportation system in other ways. We Americans waste nearly 7 billion hours in our cars due to traffic congestion. We waste 3 billion gallons of fuel. We need real, long-term investment in America's surface transportation infrastructure.

Right now we are spending about $90 billion a year, including State and local funds, just to maintain the current poor condition. People don't like to hear this but the fact is that we need to do more.

The Federal Highway Administration estimates it will take $170 billion a year to improve the condition of our roads and bridges. If we don't increase that funding, it will only get worse. The American Society of Civil Engineers maintains that by 2020 the United States will need to invest $3.6 trillion in our infrastructure to bring it up to par. If Congress continues the current baseline funding, in the next 6 years our transportation infrastructure will be a disaster, but it looks like that is where we are headed with the new highway bill.

Instead of maintaining the status quo, now is the time for Congress to increase surface transportation funding. There is no reason for any Republican to balk at spending more money for our Nation's roads and bridges. We can be conservative and still support fixing our roads and bridges. Think about $2,000 per driver because of the condition of the roads and highways.

We need look no further than the senior Senator from Oklahoma. Is there anybody in the world who could say JIM INHOFE is not a conservative? Of course he is. But he has worked hard with liberal BARBARA BOXER to address this critical need. Their bill is not everything I would like—and that is an understatement—but I appreciate their efforts. We need other Republicans to step up, as did INHOFE, and do the right thing. We need a long-term highway bill with increased funding for our roads and our bridges. We shouldn't delay. Now is the time to be bold with adequate resources to address our infrastructure needs.

SARAH WINNEMUCCA AND NATIVE AMERICAN HERITAGE MONTH

Mr. REID. Mr. President, in the Capitol Visitor Center, there is a statue of a Nevada Paiute woman named Sarah Winnemucca. Each State gets two statues; one of ours is Sarah Winnemucca. I wish the other one would just go away, but it all has to be done legislatively. That is a subject for another discussion. I am referring to the other one from Nevada.

The statue of Sarah Winnemucca is beautiful. The artist was a 23-year-old young man. When the contest was being held to find out who would get the benefit of being able to sculpt it for Statuary Hall and they brought in his design, the judges gasped. It was so unbelievable. Her skirt is blowing in the breeze. He depicted her with a shellflower in one hand and her autobiography in the other, her dress blowing in the wind. I admire that statue. In fact, I have a smaller version of that statue in my Capitol office.

Think about her accomplishments. She was the first Native American to

publish an autobiography. She was a scholar who spoke five languages. She was a defender of her people. She even met with the President of the United States, Rutherford B. Hayes, to negotiate settlement for the Paiute Tribe.

Sarah Winnemucca was courageous and resolute. She was good for her people and good for her country. She is one of Nevada's heroes.

November marks Native American Heritage Month. During this month, we honor the contributions of American Indian, Alaska Native, and Native Hawaiian cultures and their impact on the United States. We honor the contributions of Native Americans such as Sarah Winnemucca.

Native American heritage is a pillar of America's foundation and certainly the foundation of so many different States. Nevada has 22 separate tribal organizations. We feel that is an important part of our history in the State of Nevada. The Native American cultures are uniquely embedded within the fabric of our Nation, and their contributions must never be forgotten.

Would the Chair announce the business of the day.

COMPOUND MOTION

The PRESIDING OFFICER. The compound motion to go to conference on S. 1177 is the pending business.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from Washington and I are here to recommend to Members of the Senate that we vote yes on allowing the majority leader and the minority leader to appoint conferees so our committee can continue its work on a bill to fix No Child Left Behind.

The vote we are about to have is not a vote on the merits of the bill. The reason it is not a vote on the merits of the bill is because there is no bill.

What we are asking for is the usually routine request to permit us to take our legislation, which passed the Senate 81 to 17, and to meet with Members of the House of Representatives, who passed a similar bill, and see whether we can come up with a bill that the conference would recommend to the House and the Senate to approve. When that occurs—and it could occur this week—then Senators would have at least a week to consider whether to vote for or against the bill.

I emphasize to Senators and their staffs who may be watching that this is a routine request. This is the kind of request that the Senate should almost always approve, giving our leaders a chance to allow us to continue our committee work, especially given this bill.

Newsweek magazine recently reminded us what everybody knows. Everybody knows this law needs to be fixed. We are 7 years overdue.

The Senator from Washington and I spent an entire year working with our committee, which is as diverse as any committee in the Senate, to produce a result. The process allowed numerous amendments. Everybody who wanted an amendment got one in committee. As a result of the process, all 22 voted to report the bill to the Senate. It was a remarkable event considering the diversity of views on our committee. Then we came to the floor of the Senate. We had a full debate. We considered more than 70 amendments. The vote was 81 to 17—a remarkable event. This is a bill which has alligators lurking in every part of the pond, and the Senate is about to get a result on something that affects 100,000 public schools, 3.5 million teachers, and 50 million students.

Since the Senate passed its bill and the House passed its bill, the Senator from Washington and I have been meeting with our counterparts, the chairman and ranking member of the House education committee. Our staffs have been talking, and we have been trying to take the two bills, which are very similar, and see if we could suggest to the conference a way that we could get a result. We don't have the result because we haven't had a meeting of the conference. We can't have a meeting of the conference until the leaders are allowed to appoint the Members of the conference.

On Monday evening, the Rules Committee of the House of Representatives reported a rule to allow the leader to appoint members of the conference, and they did it yesterday, Tuesday, by voice vote. We should be able to do this by consent.

I would think everybody in the Senate would want us to go to work to see if we can produce a result on this bill. We will have a chance, apparently, in a few minutes to vote yes, we want to allow our leaders to appoint conferees so that we can see if we can get a result. This is not a vote on the merits of the bill. Almost everybody voted for the bill in the Senate last time, but even if you didn't, this is not a vote on the merits of the bill. If you want to vote ''no'' later—which I hope you don't; I hope we will come up with something you will support—you will have a chance to do that and you will have a week to do it.

We have 22 members of our committee. That is about a quarter of the Senate. We have been talking for years. We have offered amendments. The members of the committee have had the staff draft for the last several days. They have been briefed for the last several days. No amendments can be offered, no bill can be offered until the conference actually meets. So this is a vote to allow leaders to appoint conferees so that we can move ahead on the urgent business of seeing whether we can produce a bill that we will recommend to the House and to the Senate that we will fix No Child Left Behind.

I thank the Senator from Washington for her leadership. It was her advice that led us down this path which so far has produced a good result. I thank the majority leader for making time to put this bill on the floor. I also thank the Democratic leader, Senator REID, who has worked to make this easy for us to do during this process.

We have had excellent cooperation from Senators. I think everybody wants a result, and we hope we can go to work to do it. So vote yes to give us a chance to finish our work, and then take a look at our work. You will have a week to read it. We will be pleased to visit with you about it. And then I hope you vote yes again, but that will be the vote on the merit. This is a vote simply on whether you trust the leaders to appoint conferees to allow the committees to finish our work.

Mr. President, I reserve the last 5 minutes before the debates ends for any additional comments I might make.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are all in agreement that Congress absolutely needs to work together to finally fix the broken No Child Left Behind law for our students, our teachers, our parents, and the communities in my home State of Washington and across the country. Today we will have the chance to take another step forward toward that goal.

As the Presiding Officer heard from our chairman, Senator ALEXANDER, since February of this year, he and I have worked together on a bipartisan education bill that would remove the harmful one-size-fits-all mandates of No Child Left Behind, while also including Federal guardrails to make sure all of our students have access to a quality education.

We improved on our bipartisan bill in the HELP Committee with the help of our colleagues and a number of amendments that were agreed to, and in July the Senate voted to pass that bipartisan bill with a vote of 81 to 17. The House also passed their bill in July.

Since then, Chairman ALEXANDER and I—as he just mentioned—have been working with House Education and the Workforce Committee Chairman KLINE and Ranking Member SCOTT. The four of us have had very good conversations about making sure the conference is successful, and I hope we will be able to continue our bipartisan work in the conference, continue to bring in the priorities and ideas of our fellow Senators and Members of the House, and make sure that the final product we will bring forward is something that can pass both Chambers and that President Obama can sign into law. But first we need to take the next step in the legislative process by approving this compound motion to name conferees and allow the Senate to proceed to conference with the House.

In the Senate, we want to appoint every member of the HELP Committee. Our committee members have worked very hard to craft the Senate bill, and we want to make sure their voices are heard in the conference meeting.

I urge our Members to support this compound motion in a few minutes so

we can continue this incredibly important work to finally fix No Child Left Behind.

I once again thank Chairman ALEXANDER for the tremendous job he has done in moving the legislation to this point.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEE. Mr. President, shortly the Senate will vote on the motion to appoint conferees—or what is often called the motion to go to conference—for a bill that reauthorizes the Elementary and Secondary Education Act, the ESEA, which is the legislation governing our Federal K–12 education policy. Because most Americans have probably never heard of this obscure parliamentary procedure—the motion to appoint conferees, that is—I wish to take just a moment to explain how it works or at least how it should work.

When the House and the Senate each pass separate but similar bills, the two Chambers have the ability to convene what is called a conference, a conference committee. A conference is essentially a meeting where delegates from each Chamber come together to iron out any differences between their respective—similar but somewhat different—bills and then put together what is called a conference report, which is a single piece of legislation that reconciles any disparities between the House-passed bill and the Senate-passed counterpart to that bill. Once the delegates to the conference—the conferees, as they are sometimes known—agree on a conference report, they bring it back to their respective Chambers, to the House and the Senate, for a final vote.

It is important to note that once the conference report is sent to the House and the Senate for a final vote, there is no opportunity to amend the legislation. It is an up-or-down vote. Each Chamber can either approve or reject the conference report in its entirety. If each Chamber votes to approve the conference report, then it is sent to the President, who can either sign it into law or veto it. So what we are doing today is voting on the motion to appoint conferees for the reauthorization of the Elementary and Secondary Education Act.

Earlier this year, both the House and the Senate passed their own ESEA reauthorizations and now we are voting to proceed to the conference process and to appoint certain Senators to participate in that process as conferees. Historically, and according to the way the conference process is supposed to work, this vote is not that big of a deal. Voting on the motion to appoint conferees is usually, and mostly, a matter of routine, but it is not a vote that should be rushed through on a moment's notice because it is the last opportunity for Senators and Representatives who are not conferees, such as I, to influence the outcome of the conference process.

We can do that by offering what are called motions to instruct the conferees. For example, let's say I was not chosen to be a conferee on a particular bill, but there was an issue related to the bill that was important to me and to the people I represent. In that case I could ask the Senate to vote on a set of instructions that would be sent to the conference to inform the conference's deliberations and influence the substance of the conference report.

This is how the conference process is supposed to work, but it is not how the conference process has been conducted with respect to this bill—the Elementary and Secondary Education Act reauthorization. Sure, we are still voting to appoint conferees and those conferees will still convene a conference and that conference will still produce a conference report. So from the surface it will still look like the conference process is happening, is unfolding in the manner in which it is supposed to, but beneath the surface we know that all of this has already been prearranged, precooked, predetermined by a select few Members of Congress working behind closed doors free from scrutiny, and we know this vote was scheduled on extremely short notice so it would be difficult, if not impossible, for the rest of us to influence the substance of the conference report through motions to instruct.

Why does this matter? We know the American people care deeply about K–12 education policy, but why should they care about this obscure parliamentary procedure in the Senate? They should care, and we know they do care, because the process influences the policy. In this case, the process expedites the passage of policies we know don't work, policies to which the American people are strongly opposed. For instance, it is my understanding this bill would authorize $250 million in new spending on Federal pre-K programs—what amounts to a downpayment on the kind of universal, federally run pre-K programs advocated by President Obama. This would be a disaster not only for American children and American families but for our 21st century economy that increasingly requires investments in human capital.

We know a good education starting at a young age is an essential ingredient for upward economic mobility later in life. A mountain of recent social science research proves what experience and intuition have been teaching mankind for millennia; that a child's first few years of life are critical in their cognitive and emotional development. Yet we also know that too many of America's public schools, especially those public schools in low-income and disadvantaged neighborhoods, often fail to prepare their students to succeed. Nowhere has the top-down, centrally planned model of public education failed more emphatically than in our Nation's public pre-K programs. The epitome of Federal preschool programs is Head Start, which has consistently failed to improve the lives and educational achievements of the children it ostensibly serves.

According to a 2012 study by President Obama's own Department of Health and Human Services, whatever benefits children gain from the program disappear by the time they reach the third grade, but because bureaucracies invariably measure success in terms of inputs instead of on the basis of actual outcomes, Head Start and its $8 billion annual budget is the model for Democrats as they seek to expand Federal control over childcare programs in communities all across this country.

This bill also doubles down on the discredited common-core approach to elementary and secondary education the American people have roundly and consistently rejected. Parents and teachers across America are frustrated by the heavy-handed, overly prescriptive approach to education policy by Washington, DC. I have heard from countless moms and dads in Utah who feel as though anonymous government officials living and working 2,000 miles away have a greater say in the education of their own children than they do. The only way to improve our K–12 education system in America is to empower parents, educators and local policymakers to meet the unique needs of their communities and serve the low-income families the status quo is leaving behind.

With early childhood education, we could start block-granting the Head Start budget to the States. This would allow those closest to the children and families being served to design their own programs rather than spending all their time complying with onerous, one-size-fits-all mandates and designate eligible public and private preschools to receive grants. We know this works because many States are already doing it. In my home State of Utah, for instance, the United Way of Salt Lake has partnered with two private financial institutions, Goldman Sachs and J.B. Pritzker, to provide first-rate early education programs to thousands of Utah children. They call it a pay-for-success loan. With no upfront cost or risk to the taxpayers, private capital is invested in the Utah High Quality Preschool Program, which is implemented and overseen by the United Way. If, as expected, the preschool program results in increased school readiness and improved academic performance, the State of Utah repays the private investors with the public funds it would have spent on remedial services the children would have needed between kindergarten and the 12th grade had they not participated in the program.

Washington policymakers should not look at Utah's pay-for-success initiatives and other local success stories like them as potential Federal programs but rather as a testament to the power of State and local control, of State and local ingenuity. We should not expand Washington's control over America's schools and pre-K programs. Instead, Congress must advance reforms that empower parents with flexibility and with choice to do what is in the best interests of their children. The policies in this bill, as I understand them, move in the opposite direction.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I know there are a number of Senators who have important appointments. I know the Senator from Oklahoma has a military funeral he wants to attend, so I intend to make about 3 or 4 minutes of concluding remarks and then yield back the rest of the Republican time.

I would say this to my friend from Utah. Critics of this body say we are not able to get a result. We are often able to get a result, and this vote is about whether we are able to get a result. That is what this vote is about.

We have big differences. That is why we are sent here—to resolve our big differences. If all we want to do is announce our differences, we could stay home and speak on a street corner. After we announce our differences, our job is to get a result. We are not the Iraqi Parliament, we are the United States Senate. Under our rules, after we have had a full process, our leaders—the Republican leader and the Democratic leader—appoint Members of the Senate to work with Members of the House and see if we can get a result—see if we can get a result.

As I said earlier, this went through committee—22 members on the committee. As diverse a committee as we have, unanimously they recommended a result, with many amendments. This came to the floor, we had more than 70 amendments, and with a vote of 81 to 17 we got a result. We have our instructions. It came from this Senate—81 to 17. We have our instructions.

We will work with Members of the House of Representatives, if given permission, and see if we can get a final bill. All 22 members of our committee will be on that conference. There will be more Members than that on the conference. So all of the education committee members will be continuing our work to get a result. Why would we slow this down when the American people have waited 7 years for us to get a result on fixing No Child Left Behind?

So, Mr. President, however you voted on the bill earlier—and almost everyone voted for it—I hope you will support Senator MCCONNELL, Senator REID, Senator MURRAY and me and our committee and our efforts to continue our work to get a result. This is not a vote on the merits of the bill because there is no bill. We are asking for permission to go write a bill and then we will bring it back here and Senators will have at least a week to consider it and then they can vote yes or no. We need a result. I urge a ''yes'' vote.

I yield back our time.

Mrs. MURRAY. I yield back all time on the Democratic side.

The PRESIDING OFFICER. Is there objection to yielding back all time?

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object, I ask unanimous consent to speak for 1 more minute following his comments.

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

Mr. LEE. Mr. President, I thank my friend and distinguished colleague from Tennessee for his remarks.

In light of the fact that this bill does involve a complicated process, in light of the fact that this bill—the original Senate bill—was many hundreds of pages long, in light of the fact that the conference report is likely to be lengthy, I would hope and I would urge my colleagues to have a say in the matter. I hope we will all work toward a process that can result in at least allowing the American people to see this bill before it comes back in conference report form—at least a week or so before we actually have a vote on the conference report. I think the American people deserve to see what is in it before their representatives in the House and in the Senate have an opportunity to vote on it. I hope that will be the case and I hope my colleagues will agree to that.

Mr. ALEXANDER. Mr. President, as the Senator from Utah knows, that is the case. I said that to him yesterday and I just said it on the floor. We hope to complete our work this week. We may or we may not, but the bill will be out for at least a week for Members of this body to consider it.

We considered it in committee with many amendments, on the floor with many amendments, and 22 Members of the Senate are reading the staff recommendations right now. We hope to get a bill. We will get a result. And, yes, all Members—I am glad we are having this discussion. We haven't had conferences in years around here. Senator MIKULSKI has mentioned that. Maybe this discussion will help us understand how to get a result in the Senate.

I yield the floor, and I call for a vote.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

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 disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, David Perdue, Shelley Moore Capito, Daniel Coats, John Cornyn, John Barrasso, John Hoeven, Cory Gardner, Johnny Isakson, Lamar Alexander, Michael B. Enzi, Kelly Ayotte, Mark Kirk, John Thune, John Boozman, Chuck Grassley, Bill Cassidy.

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 compound motion to go to conference for S. 1177 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 Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 91, nays 6, as follows:

[Rollcall Vote No. 308 Leg.]

YEAS—91

Alexander	Flake	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Perdue
Barrasso	Gillibrand	Peters
Bennet	Grassley	Portman
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Booker	Heitkamp	Roberts
Boozman	Heller	Rounds
Boxer	Hirono	Sanders
Brown	Hoeven	Sasse
Burr	Inhofe	Schatz
Cantwell	Isakson	Schumer
Capito	Johnson	Scott
Cardin	Kaine	Sessions
Carper	King	Shaheen
Casey	Kirk	Shelby
Cassidy	Klobuchar	Stabenow
Coats	Lankford	Sullivan
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Corker	McCain	Toomey
Cornyn	McCaskill	Udall
Cotton	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	
Fischer	Murphy	

NAYS—6

Crapo	Daines	Paul
Cruz	Lee	Risch

NOT VOTING—3

Graham	Rubio	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 6.

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

Cloture having been invoked, the question occurs on agreeing to the motion to go to conference.

The motion was agreed to.

The Presiding Officer appointed Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. ISAKSON, Mr. PAUL, Ms. COLLINS, Ms. MURKOWSKI, Mr. KIRK, Mr. SCOTT, Mr. HATCH, Mr. ROBERTS, Mr. CASSIDY, Mrs. MURRAY, Ms. MIKULSKI, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN conferees on the part of the Senate.

The PRESIDING OFFICER. The majority leader.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. MCCONNELL. Mr. President, pursuant to the previous order, I ask that the Senate proceed to the consideration of H.R. 2577.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 2577

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $110,738,000, of which not to exceed $2,734,000 shall be available for the immediate Office of the Secretary; not to exceed $1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,109,000 shall be available for the Office of the General Counsel; not to exceed $10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $27,411,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,029,000 shall be available for the Office of Public Affairs; not to exceed $1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,880,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112–141: Provided further, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by $100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $13,000,000, of which $8,218,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $500,000,000, to remain available through September 30, 2019: Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: Provided further, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): Provided further, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading shall be not less than $10,000,000 and not greater than $100,000,000: Provided further, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: Provided further, That of the amount made available under this heading, the Secretary may use an amount not to exceed $25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: Provided further, That grants awarded under the previous proviso shall not be subject to a minimum grant size: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to $20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $5,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $8,000,000, to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,678,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $6,000,000.

INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation

infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, $4,000,000, to remain available until expended: Provided, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $190,039,000 shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $336,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $597,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,084,000, to remain available until September 30, 2017: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: Provided, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act shall be used to finalize or implement sections 256.1 through 256.5 and 399.80 of the Department of Transportation's proposed rulemaking, as published in the Federal Register on Friday, May 23, 2014 (79 FR 29969), relating to Transparency of Airline Ancillary Fees and Other Consumer Protection Issues.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $9,897,818,000 of which $8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,505,293,000 shall be available for air traffic organization activities; not to exceed $1,258,411,000 shall be available for aviation safety activities; not to exceed $17,425,000 shall be available for commercial space transportation activities; not to exceed $748,969,000 shall be available for finance and management activities; not to exceed $60,089,000 shall be available for NextGen and operations planning activities; not to exceed $100,880,000 shall be available for security and hazardous materials safety; and not to exceed $206,751,000 shall be available for staff offices: Provided, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 2 percent: Provided further, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: Provided further, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $154,400,000 shall be for the contract tower program, including the contract tower cost share program: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,600,000,000, of which

$467,000,000 shall remain available until September 30, 2016, and $2,133,000,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $163,325,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of funds limited under this heading, not more than $107,100,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $31,000,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program: Provided further, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section 48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112–141 shall not exceed total obligations of $40,256,000,000 for fiscal year 2016: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, $40,995,000,000 derived from the Highway Trust

Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highways programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highways and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112–141), the amount of $22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: Provided, That this provision shall not apply to funds distributed in accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112–141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109–59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112–141): Provided further, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: Provided further, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes under section 104(a) of title 23, United States Code.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

''(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate

Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

''(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, and routes otherwise made eligible for designation as Interstate Route 69 in Texas.

''(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

''(1) a vehicle that could legally operate on the segment before the date of such designation at the posted speed limit may continue to operate on that segment; and

''(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.''.

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term ''earmarked amount'' means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 31112(c)(5) of title 49, United States Code, is amended—

(1) by striking ''Nebraska may'' and inserting ''Nebraska and Kansas may''; and

(2) by striking ''the State of Nebraska'' and inserting ''the relevant state''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 31112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

''(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—'';

(2) by striking ''; and'' at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting ''; and''.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, $259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $259,000,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2016, of which $9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which $34,545,000, to remain available for obligation until September 30, 2018, is for information management: Provided further, That $1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, $313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $313,000,000 in fiscal year 2016 for ''Motor Carrier Safety Grants''; of which $218,000,000 shall be available for the motor carrier safety assistance program, $30,000,000 shall be available for commercial driver's license program improvement grants, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for performance and registration information system management grants, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for safety data improvement grants: Provided further, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107–87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner's permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner's permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds limited or otherwise made available under the heading ''Motor Carrier Safety Operations and Programs'' may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier's Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. Funds appropriated or otherwise made available by this Act or any other Act shall be used hereafter to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, only if the final report issued by the Secretary required by section 133 of division K of Public Law 113–235 finds that the July 1, 2013 restart provisions resulted in statistically significant net safety benefits and the Inspector General certifies that the final report meets the statutory requirements of Public Law 113–235.

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

(1) in subsection (14) by striking ''or'';

(2) in subsection (15) by striking ''.'' and inserting ''; or''; and

(3) by inserting at the end, ''(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.''.

SEC. 137. (a) Section 31111(b)(1)(A) of title 49, United States Code, is amended by striking ''or of less than 28 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,'' and inserting ''or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,''.

(b) Section 31111(f) of title 49, United States Code, the term ''chief executive officer of a State'' shall include ''chief executive officer of a State Department of Transportation''.

(c) The Secretary of Transportation is directed to conduct a study comparing crash data between 28 foot and 33 foot semitrailers or trailers operating in a truck tractor-semitrailer-trailer configuration. The Secretary shall submit its study to the House and Senate Committees on Appropriations no later than three years after the date of enactment of this Act.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $130,500,000, of which $20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $118,500,000, of which $113,500,000 shall be for programs authorized under 23 U.S.C. 403 and $5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the $118,500,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER PURPOSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, section 31101(a)(6) of Public Law 112–141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, $575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, section 31101(a)(6) of Public Law 112–141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which $235,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $272,000,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59, as amended by Public Law 112–141; $25,500,000 shall be for ''Administrative Expenses'' under section 31101(a)(6) of Public Law 112–141: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: Provided further, That $10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109–59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: Provided further, That $4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109–59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: Provided further, That the additional $14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109–59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $199,000,000, of which $15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, $50,000,000, of which not to exceed $25,000,000 shall be available to carry out 49 U.S.C. 20167; not to exceed $15,000,000 shall be made available to carry out 49 U.S.C. 20158; and not to exceed $10,000,000 shall be made available for projects as defined in section 22501 of title 49, United States Code, to remain available until expended.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $288,500,000, to remain available until expended: Provided, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: Provided further, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: Provided further, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: Provided further, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: Provided further, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: Provided further, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: Provided further, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $1,101,500,000, to remain available until expended, of which not to exceed $160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: Provided, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: Provided further, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided

to the Corporation only on a reimbursable basis: Provided further, That of the amounts made available under this heading, up to $50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading ''Operating Grants to the National Railroad Passenger Corporation'' be insufficient to meet operational costs for fiscal year 2016: Provided further, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110–432, of which up to $500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110–432: Provided further, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: Provided further, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: Provided further, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: Provided further, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: Provided further, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: $4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—''Rail Line Relocation and Improvement Program'', $2,241,385; and ''Railroad Research and Development'', $1,960,000: Provided, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended: Provided further, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: Provided further, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: $5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110–432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and $11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—''Grants to the National Railroad Passenger Corporation'', $267,019; ''Next Generation High-Speed Rail'', $4,944,504; and ''Safety and Operations'', $6,710,477: Provided, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: Provided further, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $107,000,000, of which not less than $5,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: Provided, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, $9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, shall not exceed total obligations of $8,595,000,000 in fiscal year 2016.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, $32,500,000, to remain available until expended: Provided, That $30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and $2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), $3,153,000, to remain available until expended: Provided, That $2,653,000 shall be for activities authorized under 49 U.S.C. 5314 and $500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, $1,585,000,000, to remain available until expended: Provided, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: Provided further, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading ''Fixed Guideway Capital Investment'' of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by

September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part.

SEC. 164. Notwithstanding the requirements of 49 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as a result of any and all Federal public transportation assistance related to and for the use, encumbrance, transfer or disposition of property originally built as a prototype having icebreaking capabilities will be fully and completely satisfied by the property's use—

(1) in the areas of Arctic research;

(2) to map the Arctic;

(3) to collect and analyze data in the Arctic;

(4) to support activities that further Arctic exploration, research, or development; or

(5) for educational purposes or humanitarian relief efforts.

SEC. 165. Projects selected for the pilot program for expedited project delivery under section 20008(b) of MAP–21 shall be exempt from the requirements of 49 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this exemption, in determining whether a recipient has the financial capacity to carry out the eligible project, the Secretary of Transportation shall apply the requirements and considerations of 49 U.S.C. 5309(f).

SEC. 166. Of the unobligated amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309, $10,000,000 is hereby rescinded.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for fiscal year 2016.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $186,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $170,000,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which $1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which $18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which $5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 section 55601(b)(1) and 55601(b)(3): Provided, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: Provided further, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $5,000,000 to remain available until expended: Provided, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $8,135,000, of which $5,000,000 shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That not to exceed $3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for ''Operations and Training'', Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $22,500,000: Provided, That $1,500,000 shall be transferred to ''Pipeline Safety'' in order to fund ''Pipeline Safety Information Grants to Communities'' as authorized under section 60130 of title 49, United States Code: Provided further, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $49,000,000, of which $2,300,000 shall remain available until September 30, 2018: Provided, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $146,623,000, of which $19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which $127,123,000 shall be derived from the Pipeline Safety Fund, of which $66,309,000 shall remain available until September 30, 2018: Provided, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: Provided, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): Provided further, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to

develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $87,472,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: Provided further, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $32,375,000: Provided, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than $31,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 191. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary of Transportation shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Technical Assistance and Training'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings ''National Infrastructure Investments'' in this Act:

Provided, That the Secretary of Transportation gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 197. Amounts made available in this or any other Act that the Secretary of Transportation determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: Provided further, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 199. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the ''Department of Transportation Appropriations Act, 2016''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,500,000: Provided, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $568,244,000, of which not to exceed $44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed $96,000,000 shall be available for the Office of the General Counsel; not to exceed $208,604,000 shall be available for the Office of Administration; not to exceed $61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed $50,000,000 shall be available for the Office of Field Policy and Management; not to exceed $17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed $3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed $4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed $82,802,000 shall be available for the Office of the Chief Information Officer: Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $207,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $107,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $382,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $23,100,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $69,500,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $6,800,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading are provided as follows:

(1) $17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: Provided further, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and

carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110–329;

(3) $1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided, That no less than $1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) $20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: Provided, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

(7) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $1,742,870,000, to remain available until September 30, 2019: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further, That up to $3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: Provided further, That up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed $23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Provided further, That of the amount made available under the previous proviso, not less than $6,000,000 shall be for safety and security measures: Provided further, That of the total amount provided under this heading $35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,500,000,000, to remain available until September 30, 2017.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $65,000,000, to remain available until September 30, 2018: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the

community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amount provided, not less than $40,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That no more than $5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: Provided further, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2017: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2020: Provided, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: Provided further, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,452,007: Provided further, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading, $60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,111,111,000, to remain available until expended: Provided further, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: Provided further, That a grantee's share shall not reflect a loss greater than 10 percent or a gain greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: Provided further, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.), $2,900,000,000, to remain available until September 30, 2018: Provided, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $66,000,000, to remain available until September 30, 2019: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: Provided further, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the ''Full-Year Continuing Appropriations Act, 2013'', shall not

apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled ''Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards'' which became effective on such date: Provided further, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2018: Provided, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: Provided further, That $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: Provided further, That an additional $5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113–291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,235,000,000, to remain available until September 30, 2018: Provided, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: Provided further, That not less than $250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than $1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That up to $2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway Homeless Youth Act (42 U.S.C. 5714–25), notwithstanding section 204 of this title: Provided further, That up to $33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: Provided further, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to $5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: Provided further, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private nonprofit organizations: Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: Provided further, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: Provided further, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2015), and $400,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: Provided further, That of the total amounts provided under this heading, not to exceed $215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly

under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $420,000,000 to remain available until September 30, 2019: Provided, That of the amount provided under this heading, up to $77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $137,000,000, to remain available until September 30, 2019: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $47,000,000, to remain available until September 30, 2017, including up to $4,500,000 for administrative contract services: Provided, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: Provided further, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $30,000,000, to remain available until expended: Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

MANUFACTURED HOUSING STANDARDS PROGRAM

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $10,000,000, to remain available until expended, of which $10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2017: Provided, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2017: Provided further, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2016, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: Provided, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2017: Provided, That $23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2016, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $50,000,000, to remain available until September 30, 2017.

Of the amounts made available in this title under each of the headings specified in the report accompanying this Act, the Secretary may transfer to this account up to 0.1 percent from each such account, and such transferred amounts shall be available until September 30, 2017, for (1) technical assistance and capacity building; and (2) research, evaluation, and program metrics: Provided, That the Secretary may not transfer more than $40,000,000 to this account.

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: Provided further, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2017, of which $38,600,000 shall be to carry out activities pursuant to such section 561: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $110,000,000, to remain available until September 30, 2017, of which $25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, $45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: Provided further, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $250,000,000, shall remain available until September 30, 2017: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $126,000,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available under this title may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York–Wayne–White Plains, New York–New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York–Newark–Edison, NY–NJ–PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware–Maryland–New Jersey Metropolitan Division (hereafter ''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this title or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for fiscal year 2016 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 210. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance

under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 213. The funds made available under NAHASDA for Native Alaskans under the heading ''Indian Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 214. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts ''Executive Offices'' and ''Administrative Support Offices,'' as well as each account receiving appropriations for ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any office funded under the heading ''Administrative Support Offices'' to any other office funded under such heading: Provided, That no appropriation for any office funded under the heading ''Administrative Support Offices'' shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading ''Program Office Salaries and Expenses'' to any other account funded under such heading: Provided further, That no appropriation for any account funded under the general heading ''Program Office Salaries and Expenses'' shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading ''Administrative Support Offices'' and any account funded under the general heading ''Program Office Salaries and Expenses'', but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a ''program of the Department of Housing and Urban Development'' under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 225. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 227. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''fiscal year'' and all that follows through the period at the end and inserting ''fiscal year 2016.''; and

(2) in subsection (o), by striking ''September'' and all that follows through the period at the end and inserting ''September 30, 2016.''.

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office of Inspector General account), a total of up to $5,000,000 may be transferred to and merged with amounts made available in the ''Information Technology Fund'' account under this title.

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: ''Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law).''.

SEC. 234. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2016, including suspension from work.

SEC. 235. The language under the heading ''Rental Assistance Demonstration'' in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55) is amended:

(1) in proviso four, by striking ''185,000'' and inserting ''200,000'';

(2) in proviso eighteen, by inserting ''for fiscal year 2012 and hereafter,'' after ''Provided further, That''; and

(3) In proviso nineteen, by striking '', which may extend beyond fiscal year 2016 as necessary to allow processing of all timely applications,''.

SEC. 236. Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended by—

(1) inserting at the end of subsection (j)—

''(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established in subsection (9)(n).''; and

(2) inserting at the end of subsection (m)—

''(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

''(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

''(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency's Capital Fund into a replacement reserve subject to the following:

''(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a Replacement Reserve, funds originating from additional sources.

''(B) No minimum transfer of funds to a replacement reserve shall be required.

''(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

''(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

''(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

''(4) EXPENDITURE.—Funds in a replacement reserve may be used for purposes authorized by subparagraph (d)(1) and contained in its Capital Fund 5 Year Action Plan.

''(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.''.

SEC. 237. Section 9(g)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)) is amended by—

(1) inserting ''(A)'' immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: ''; and''; and

(3) inserting the following new paragraph:

''(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use.''.

SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the National Housing Act is amended by inserting at the end of subsection (b)—

''(c) The Secretary may establish an exception to any minimum property standard established under this section in order to address alternative water systems, including cisterns, which meet requirements of State and local building codes that ensure health and safety standards.''.

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601–5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001–22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency may be selected as a regional agency if the Secretary determines

that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

SEC. 240. Section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding at the end the following new paragraph:

''(6) REVIEWS OF FAMILY INCOME.—

''(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

''(i) in the case of all families, upon the initial provision of housing assistance for the family; and

''(ii) no less than annually thereafter, except as provided in subparagraph (B)(i);

''(B) FIXED-INCOME FAMILIES.—

''(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

''(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

''(iii) FIXED INCOME.—For purposes of this subparagraph, the term 'fixed income' includes income from—

''(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93–66;

''(II) Social Security payments;

''(III) Federal, State, local and private pension plans; and

''(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

''(C) INFLATIONARY ADJUSTMENT FOR FIXED INCOME FAMILIES.—

''(i) IN GENERAL.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

''(ii) EXEMPTION FROM ADJUSTMENT.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.''.

SEC. 241. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), is amended by striking ''18 months'' and inserting ''36 months''.

SEC. 242. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall establish a demonstration program during the period beginning on the date of enactment of this Act, and ending on September 30, 2020, entering into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 150,000 residential units in multifamily buildings participating in—

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive Housing for Persons with Disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated for the renewal of contracts under a program described in subsection (a).

SEC. 243. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development may establish, through notice in the Federal Register, a demonstration program to incent public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (in this section referred to as ''the Act''), to implement measures to reduce their energy and water consumption.

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

(2) FIRST YEAR UTILITY COST SAVINGS.—For the first year that an approved plan is in effect, the Secretary shall allocate the utility consumption level in the public housing operating fund using the base utility consumption level.

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) USE OF UTILITY COST SAVINGS.—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

(5) DURATION OF PLAN.—The length in years of the utility conservation plan shall not exceed the number of percentage points in utility consumption reduction a public housing agency achieves through the energy conservation measures implemented under this demonstration, but in no case shall it exceed 20 years.

(6) OTHER REQUIREMENTS.—The Secretary may establish such other requirements as necessary to further the purposes of this demonstration.

(7) EVALUATION.—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

(d) TERMINATION.—Public housing agencies may enter into this demonstration for 5 years after the date on which the demonstration program is commenced.

SEC. 244. (a) AUTHORITY.—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

(b) CAPITAL ADVANCES.—Interest shall not be due and repayment of a capital advance shall not be triggered by a transfer pursuant to this section.

(c) PHASED AND PROPORTIONAL TRANSFERS.—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) CONDITIONS.—The transfers authorized by this section shall be subject to the following conditions:

(1) the owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State, and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

(e) PUBLIC NOTICE.—The Secretary shall publish a notice in the Federal Register of the terms and conditions, including criteria for the Department's approval of transfers pursuant to this section no later than 30 days before the effective date of such notice.

SEC. 245. (a) Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading ''General and Special Risk Program Account'', and for the cost of guaranteed notes and other obligations under the heading ''Native American Housing Block Grants'', $12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings ''Rural Housing and Economic Development'', and ''Homeownership and Opportunity for People Everywhere Grants'' are hereby rescinded.

SEC. 246. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

SEC. 247. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: Provided, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 248. None of the funds made available under this title shall be used to enforce compliance with the Green Physical Needs Assessment for public housing agencies with 250 housing units or less.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2016''.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,023,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $25,660,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,999,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: Provided further, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $105,170,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42

U.S.C. 8101–8107), $140,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314) is amended in section 204(a) by striking ''level V'' and inserting ''level IV''.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: Provided, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: Provided further, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfields as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole-source contracts by no later than July 30, 2016. Such report shall include the contractor, the amount of the contract and the rationale for using a sole-source contract.

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 411. None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 412. None of the funds made available in this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 413. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 414. (a) None of the funds made available in this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.–E.U.–Iceland–Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.–E.U.–Iceland–Norway Air Transport Agreement and United States law.

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016''.

The PRESIDING OFFICER. The Senator from Maine.

COMMITTEE-REPORTED AMENDMENT WITHDRAWN

Ms. COLLINS. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. WICKER. Mr. President, reserving the right to object, I understand that we are moving to consideration of the Transportation and HUD appropriations bill. Is that correct, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. Reserving the right to object, just for point of clarification, I am under the assumption that the bill will move under regular order requiring a 50-vote threshold for all amendments.

I ask, through the Chair, if the Senator from Maine can tell me if I am operating under the correct assumption.

Ms. COLLINS. Mr. President, I want to assure the Senator from Mississippi that for germane amendments, regular order will be in effect.

Mr. WICKER. Mr. President, I thank the Senator for her assurance, and I withdraw my objection.

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

The amendment is withdrawn.

AMENDMENT NO. 2812

(Purpose: In the nature of a substitute)

Ms. COLLINS. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 2813 TO AMENDMENT NO. 2812

Ms. COLLINS. Mr. President, I send a first-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2813 to amendment No. 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make a technical amendment)

On page 55, line 22, strike ''2015'' and insert ''2016''.

Ms. COLLINS. Mr. President, I am pleased to begin the floor consideration of the fiscal year 2016 appropriations bill for Transportation, Housing and Urban Development, and related agencies. This bill funds programs that are essential to the American people. Our bill provides $18.5 billion for the Department of Transportation and $38.5 billion for the Department of Housing and Urban Development to meet the housing needs of low-income, disabled, and older Americans, to shelter the homeless and to boost our economy and to create jobs through much-needed investments in our roads, bridges, seaports, railroads, transit systems, and airports.

Let me begin my remarks by thanking the chairman of the full committee, Senator COCHRAN, and the vice chairman, Senator MIKULSKI, for their leadership in advancing these appropriations bills. As Chairman COCHRAN has previously noted, this is the first time in 6 years that the Appropriations Committee has approved all 12 of the funding bills, and I will point out that we did so months ago. I also wish to thank and acknowledge the hard work of the ranking member of the subcommittee, Senator JACK REED. I am very pleased that he is cosponsoring this legislation and that we are offering these substitute amendments that have just been filed together. The two of us have worked very closely in drafting this bill, and we have listened to the recommendations from Members on both sides of the aisle. Through considerable negotiation and compromise, we have crafted a bipartisan bill that targets limited resources to those programs that meet our most essential transportation and housing needs.

As a result of hard work and compromise by many of our colleagues and the administration, the recent bipartisan budget bill allows the legislation before us today to be made even more effective. As I mentioned, I have offered on behalf of Senator REED and myself a substitute that reflects the new allocation made possible by the budget agreement. This additional funding has allowed for further investments in key programs, such as increasing the HOME Program by $830 million for a total of $900 million, increasing the Community Development Block Grant Program by $100 million for a total of $3 billion. I must note that those are the current funding levels.

The bill also provides $255 million in additional funds for the FAA's facilities and equipment account for a total of $2.8 billion, which is the budget-requested level to ensure that critical aviation programs are not delayed. These programs offer a wide range of support, from space-based surveillance, data communications, to everyday basic needs, ensuring that power systems are fully supplied to support the aviation and air traffic systems that operate 24 hours, 7 days a week.

We have also allocated an additional $100 million for the TIGER Program for a total of $600 million for this important and much-in-demand program that supports infrastructure, economic development, and job creation throughout the Nation. In fact, every State in the Nation has benefited from the TIGER Program.

We are bringing the Maritime Security Program up by $24 million for a total of $210 million to match the recently passed authorized level.

Finally, we are providing an additional $311 million for FTA's Capital Investment Grants Program, for a total of approximately $1.9 billion, which supports transit systems across the country.

This bill is critical to meeting the vast needs of our Nation's crumbling infrastructure. We have all heard of the low grades that the American Association of Civil Engineers has given to our bridges and highways. Many of us—particularly those of us who represent large rural States—know about the deplorable conditions of far too many of our roads and highways and the need for the State departments of transportation to post bridges that are no longer able to accommodate weight loads and modern traffic.

The TIGER Program will help us meet the needs of our crumbling infrastructure. This highly competitive program creates jobs and supports economic growth in every one of our States. The need for the program is demonstrated by the statistics. Listen to this, my colleagues: The Department of Transportation has received 627 eligible applications requesting more than $10 billion for fiscal year 2015 from all over the country, but only 39 of those 627 eligible applications were able to be funded. Only $500 million of the more than $10.1 billion in requested funds could be granted. This is a successful program with an overwhelming demand, and I am happy that the new allocation allows us to give it a modest increase. It doesn't begin to match the application level for this program, which, again, is a reflection of our infrastructure needs in this country.

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. These investments are creating safer skies and a more efficient airspace to move the flying public.

I have been very troubled by the devastating rail accidents that have occurred in recent years. In 2013, the runaway train near the Maine border in the Province of Quebec, Canada, devastated the community of Lac-Megantic, and the inferno killed 47 people. First responders from Maine responded to the calls for help from their Canadian counterparts and helped to put out that terrible fire. More recently, we saw an Amtrak train in Pennsylvania derail, killing eight passengers. We have seen case after case of railcars turning over and spilling hazardous substances. This is a real problem, and it is one this bill addresses. To improve rail safety, our legislation provides $50 million in new funding for infrastructure improvements, rail grade crossings, and positive train control safety technology.

In addition to rail, we have included several important provisions to enhance truck safety on our Nation's

highways. For example, our bill requires the Department of Transportation to finalize a rule mandating electronic logging devices within 60 days of enactment. This rule is critical to ensuring that bad actors will not be able to falsify their records. It will bring greater accountability to the industry. It helps those good truck drivers, the vast majority of our truck drivers. It separates them from the bad apples who are falsifying their logs.

The bill also requires the Department of Transportation to publish a proposed rule on speed governors, which limit the speed at which trucks can operate. The Department has delayed this important rulemaking 22 times since 2011. It is far past time to get this important safety rule completed and to implement it. It isn't just the ranking member and I who think so, this is also supported by the trucking industry itself.

We need to make progress in both the areas of electronic logs and speed governors, and our bill will ensure that that occurs.

We also provide funding for the Office of Defects Investigation at the National Highway Traffic Safety Administration to analyze consumers' complaints and trends related to vehicle safety defects. The Presiding Officer may recall that this agency came under scrutiny this past year for failing to discover and act on defective airbags, as well as faulty ignition safety switches. We must ensure that remedies are implemented promptly and make certain the public is better informed of critical defects.

Our bill also provides for critical housing programs. It preserves existing rental assistance for vulnerable families and individuals, and it improves the Federal response to the problem of youth homelessness. Both of these were priorities for me. I wanted to make sure that those vulnerable, low-income families, our disabled citizens, and low-income seniors did not lose the subsidized housing to which they are entitled and in which they are already living. So that is a very important provision. I would note, when we look at the budget of the Department of Housing and Urban Development, that more than 83 percent of the budget is devoted to these programs that are so vital to ensuring safe and affordable housing for some of the most vulnerable Americans.

Improving the Federal response to homelessness is also an important priority for me. That is why we placed a special emphasis in this bill on the growing problem of youth homelessness, and we have funded additional vouchers for what is known as the VASH Program that is aimed at our homeless veterans. Sufficient funding is provided to keep pace with the rising cost of housing vulnerable families. I will note that doing so this year has been especially challenging, given the administration's decision to lower mortgage insurance premiums, because that reduced FHA receipts by nearly $1.1 billion, but despite this challenge, this bill, by setting priorities, ensures that the more than 4.7 million individuals and families currently housed will not have to worry about losing their assistance. Again, let me emphasize, without this assistance, many of these families, many of our disabled Americans, and many of our low-income seniors could become homeless. We are preventing that.

The increase in youth homelessness is especially troubling and warrants more attention. Reflecting this concern, $40 million is provided to expand efforts to reduce youth homelessness. In addition, the bill includes funding for more than 2,500 family unification vouchers to assist our young people who are exiting the foster care system, and it extends the amount of time these youth can use their vouchers.

I am sure if the Presiding Officer talked to foster youth in his State, the situation would be the same as mine. He would find that when they reach a certain age, they are no longer eligible for care by foster families and they have nowhere to go. Oftentimes, they end up in shelters. That is not an acceptable situation. So by expanding these family unification vouchers, we are hoping to ensure that these youth are not homeless or forced to live in shelters.

These efforts build on our success in reducing veterans' homelessness. We have had real success in this area. VASH is a program that actually works. We have reduced the number of homeless veterans by one-third, but the job is not done. We have a goal in this country of ending homelessness among our veterans who have served our country. We provide an additional 10,000 vouchers for our homeless veterans so we can complete our work and reach that goal.

Our bill is also an important source for local development. We worked hard to provide $3 billion for the Community Development Block Grant Programs. This is an extremely popular program with the States and communities because it allows them to tailor Federal funds to support local economic and job creation projects. In fact, in my State, it is one of the most popular economic development programs—and I think that is true across America—because it isn't a top-down Federal Government dictating how the funds are used; instead, there is great flexibility in providing funds to States and communities, and they decide what is needed. They match the funds. There is often private sector money involved as well which may be used to revitalize the downtown to build affordable housing or whatever that particular community decides will spur economic development and create jobs. This is a job creation program, and it is one that is flexible and recognizes that those at the local and State level know best what their economic development and job creation priorities are.

The bill before us does not solve all of the problems facing housing and transportation in this country. We simply do not have the money to do that, even with the higher allocation, in this era where we are facing a $17 trillion debt. This is a fiscally responsible bill. It reflects priorities. We cannot fund every good program out there. We have to make choices. We certainly don't want to fund programs that are not effective. We have put our money on our priority programs that will make a real difference.

I appreciate the opportunity to present our appropriations bill to this Chamber. Again, I want to thank my ranking member, Senator JACK REED, with whom we have worked very closely on the substitute amendment.

As we begin debate on the Transportation-HUD appropriations bill, I urge my colleagues to consider the careful balance struck by the compromise that our subcommittee and our full committee worked so hard to achieve.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise with my colleague Senator COLLINS in support of the Transportation, Housing and Urban Development appropriations bill before us.

I begin first by commending the chairman for her extraordinary work, her thoughtful, careful consideration of all of these issues, and her willingness to include priorities of members on both sides. As always, she did this in a fair, considerate, and transparent manner, along with the staff who also did a remarkable job. So I thank her for her leadership and for her consideration.

As a result of the budget agreement, we have a higher allocation—an allocation that will allow us to make more responsible investments in key transportation and housing initiatives that will help grow our economy, create jobs, strengthen neighborhoods, and better meet our affordable housing goals throughout the country. We need to improve housing stability for our most vulnerable citizens, and this allocation will allow us to preserve HUD's housing and homeless assistance programs, which are vital to our Nation's security and the progress and opportunity for all of our people.

Over half of HUD's rental assistance goes to support someone who is elderly or disabled or both, so these programs are particularly important for seniors and for Americans with disabilities who need the kind of security that only adequate housing can give. Without these programs, frankly, many of these individuals would be homeless or paying more than half of their income in rent alone and, as a result, unable to support the other basics of life, including food and clothing and just basically getting around.

Overall, this bill makes important contributions toward improving the safety of our roads—another area of our responsibility is transportation—in helping people better connect to jobs and opportunities. It is often overlooked that housing is critical in every

aspect, particularly in being able to get and maintain a job, and that certainly is something we want to encourage. Also, these investments can serve as a catalyst for economic development, enhancing the community, preserving community assets, allowing Federal resources to leverage—many times over, in some cases—private resources and local resources.

Among the critical transportation investments that this bill provides is $16 billion to the Federal Aviation Administration, fully funding the agency's budget request for air traffic control, safety oversight, and its facilities and equipment. Again, so much of our commercial activity depends upon a solid aviation infrastructure. We are fully funding their request, ensuring that they have adequate infrastructure, particularly when it comes to air traffic control in an age in which there are technological revolutions, causing them to reinvest constantly in better equipment and better preparation. For the past 3 years, in fact, maintenance on the agency's basic infrastructure has been deferred so the air traffic control challenges could be met and could be fully funded, but that is not a sustainable long-term strategy. The bill in front of us today, under the leadership of the chairman, puts the FAA back on track, and we want to keep it on track.

As the chairman has pointed out, in the transportation area, $600 million is allocated for the TIGER Program, which fully funds local solutions to transportation problems. One of the commendable aspects—and there are many in this program—is these are localities coming to the Department of Transportation with specific requests that they know will help their economy, that will help move people and goods and services and improve the competitiveness of not only the locality but the Nation.

In addition to that, $41 billion in highway grants and another $8.6 billion in transit formula grants are allocated that States and local government rely on every year.

In addition to these provisions, the bill makes strong investments in Amtrak and rail safety, providing $50 million for rail safety grants and targeted new investments along the Northeast corridor, which is one of the major thoroughfares of commerce and travel in our country.

It also allows the Federal Railroad Administration to hire 84 new inspectors and safety staff to address the safe transportation of passengers and energy products. We have seen repeated incidents of tragic accidents caused by outdated equipment and caused by many factors. We hope that with this legislation, we will not only reduce them but eliminate them.

We have also seen accidents in the center of the United States, in the far West, where products were being transported by rail and there were problems there too. Again, these energy products are necessary for the whole economy, and we need to be on the job inspecting, to ensure that they are moving safely through all of our communities.

These investments are necessary. They are necessary for safety, they are necessary for efficiency, and they are necessary to build the kind of transportation system that supports jobs and economic growth. I think most people—and most people back home, certainly—understand the connection between good infrastructure, good jobs, and a prosperous economy. They get it, and this legislation gets it also.

At the Department of Housing and Urban Development, the bill makes important investments in our communities. Again, as the chairman has pointed out, the Community Development Block Grant Program—CDBG—is an extraordinarily effective tool for local governments to spur innovation and economic investment. Again, as the chairman indicated, it comes from the bottom up, not the top down. It allows mayors and city councils and local planning agencies that are able to utilize this money in combination with other resources to fund projects that make their communities more effective and more efficient. It is based upon their perspective, not our perspective, and it is a very efficient and very helpful program. It gives communities the tools to address their ailing infrastructure problems, and it brings critical services to many who need them the most.

The legislation also includes additional resources for affordable housing production through the HOME Program—an investment we know is necessary as our Nation faces a lack of affordable housing nationwide.

The bill also protects some of our most vulnerable citizens by providing critical resources to prevent and end homelessness, among veterans and youth in particular. This bill provides an additional 10,000 vouchers to move us closer to eliminating homelessness among our Nation's veterans. Just a few days ago we celebrated Veterans Day, but we can't celebrate it 1 day a year, we have to celebrate it every day. One way we can do that is to put the resources where they need to be so every veteran, we hope, can achieve affordable, decent, and safe housing. In that way, we celebrate their service every day, and this bill tries to do that. We have already seen success in this regard—about a 33-percent reduction in veterans' homelessness since 2009—but it is not good enough. There is still work to be done. That is a commitment that Senator COLLINS and I share, and her leadership has helped us move forward to achieve that objective.

Youth experiences in homelessness is another phenomenon, and the chairman spoke very eloquently about the fact that we are able to target resources to help some of these programs for young people to find homes. In particular, the chairman made the point about young people who are aging out of foster care. We have a fairly substantial system to help young people until they reach their adulthood, and after that it seems to go away. And so with resources we are helping children through foster homes and suddenly they have to go and they are on their own. This legislation is going to help them make a transition, at least to have the housing they need so they can use their skills productively for the benefit of everyone.

It also helps us improve coordination across the government so that these young people don't fall through the cracks. Some of it is resources and some of it is just working together cooperatively in a governmentwide approach and the legislation helps encourage that.

As I said and as I am repeating what the chairman said so well, homelessness is a barrier to education, employment, and opportunity. If you have to move three or four times a year and you are a young child, your education is going to be very challenging from school to school to school. If you are a person who doesn't have an address or moves frequently, how do you get that callback for the job interview if they can't find you and you can't find them? All of this instability can be significantly reduced and opportunity better achieved if we have dependable housing, and that is at the essence of our proposal today. So it applies to youth, families, and it applies to a whole span of Americans. Again, let me thank the Senator for her leadership in crafting this bill. On the whole it achieves a balanced compromise that responds to the priorities of the Members of this Chamber within the allocation we received.

We don't have unlimited resources so we had to figure out innovative ways to deliver better results with what we have, and I think we have gone a long way in doing that. We also have to continue to look to the future: making smart investments today that will help us build a much better tomorrow with a better transportation system, better housing options and, again, this legislation does that.

As with any legislative proposal, there are aspects of the legislation that could be improved. I hope we can improve them going forward. There are provisions, for example, with respect to addressing the safety of double 33 trailers which already passed the Senate on a bipartisan basis. Those are issues that we can and must work on to go forward, but overall this proposal does a great deal to respond to the needs of the American public.

Again, let me thank the chairman. It has been very challenging, but it is very enjoyable to work with her. We also have quickly an omnibus we must prepare. So we are literally going from the floor to meet with our colleagues, so hopefully we can pull this all together so we will have the opportunity to present to the full Senate a bill that is thoughtful and achieves the needs of our people.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m., on Monday, November 30, the Senate proceed to executive session to consider the following nomination: Calendar No. 268; that there be 30 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The Senator from Maine.

Ms. COLLINS. Mr. President, I just want to make a brief announcement before yielding to Senator BLUNT and Senator KLOBUCHAR, and that is that we are open for business as far as amendments are concerned.

I would invite my colleagues to start sharing their proposals with Senator REED, with me, and with our staffs so we can see if there are some that can be cleared, and perhaps, later in the day, we can move by unanimous consent a package of those that are acceptable and noncontroversial to both sides. The sooner we can get going on the review of those amendments, the better. I would encourage my colleagues to proceed.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 315, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 315) expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

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

Mr. BLUNT. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. BLUNT. Mr. President, before I start my remarks, let me say how pleased I am to see Senator REED and Senator COLLINS here with this important bill, the opportunity to amend the bill and do the business we should be doing.

This Senator is also glad to be here with Senator KLOBUCHAR. She and I cochair the Senate side of the congressional caucus on adoption, and the resolution that was just agreed to adopts November as National Adoption Month, and November 21 as National Adoption Day. While we are here talking about this, all of our States have kids who need to be adopted.

If you went to the Missouri Department of Social Services Web site today, you would find 114 foster youth who are ready and waiting to be adopted. If you looked around the country today, you would find that there are 415,000 children in the U.S. foster care system and 108,000 of those kids are waiting to be adopted. Last year 22,000 young men and women aged out of the foster care system and they never got that opportunity for the permanent home, the forever home that could make such a difference in their lives, not only as a kid but their lives as an adult.

I have two or three kids I want to talk about. Austin is 12. He is full of energy. He has a great smile. He is extremely active, as lots of 12-year-old boys are. He loves to be outside. He enjoys, as he would phrase it, ''going on adventures.'' He likes animals. He would like to live on a farm one day. He likes basketball. He likes being on his basketball team, but mostly he would like to have a family. Mostly his dream is the dream that he would have a family to encourage him and support him.

There are two other young brothers, aged 11 and 7. When you first meet Mykez, you can tell he is relaxed. He is laid back. He is an easy guy to be with. In his free time he likes being active. He likes to be on his bike. He likes to play football. If it is possible being outdoors, he would like to be outdoors, but he is also happy with a video game or with the TV. At school he likes history class the best, but his best grade in school is art. His brother Jameer appears to be pretty shy and quiet, but once he gets to know you, he easily turns on the charm. He is a football and basketball guy as well, but he enjoys quiet activities such as drawing, reading, and coloring. He loves being with his brother. He loves video games. His favorite class is math, earning his highest grade there. But what they would like is a family. They would like a family that would allow them to keep in contact with their siblings but would also give them some structure, some attention, and some consistency that has been missing in their life.

Marissa is 5. She has some challenges. She is a sweet, loving girl. She is happy, curious, and loves to laugh. She has a hard time right now expressing herself in lots of other ways. She is working on building her vowels and consonant sounds. She works on her sign language vocabulary. She has a spunky attitude, but she would melt the heart of a future family if those things ever become connected.

There are tens of thousands of children all over the country just like them who just need a family—tens of thousands of children where a family could make all the difference in the world, not only when they are growing up but when they are adults and they have that family to turn back to.

Nobody is better to work with on these issues than Senator KLOBUCHAR. I ask unanimous consent to enter into a colloquy with her and then come back to me in a little bit after she has had a chance to talk about the importance of National Adoption Month and National Adoption Day.

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

Ms. KLOBUCHAR. Mr. President, I actually would have a question, first, of Senator BLUNT, because I know he is the parent of an adopted child from Russia.

I heard a rumor they are traveling to every State in the Union; is that correct?

Mr. BLUNT. We are trying.

Ms. KLOBUCHAR. OK, good. I wanted to get that on the record because I know he wanted to come to North Dakota, which is everyone's dream, and so Senator BLUNT asked for some advice from me to go to the great State of North Dakota.

Your child whom you adopted is Russian, and we have so many issues with some of these countries, from Russia to the Congo. I know families in Minnesota who have adopted children from Russia, and they were just ready to adopt the sibling. They met the brother or sister—and of course the kids know the brother or sister—and then the curtain was brought down, and those kids were literally pawns in a political game when Russia stopped all adoptions.

Senator BLUNT is hosting a meeting with the people involved in adoptions in the Congo. We have had a similar situation where the visas were pulled and the parents who visited these kids and are ready to adopt these kids haven't been able to do that.

I wondered if Senator BLUNT could comment on the situation with these countries and what the Senator thinks we can do.

Mr. BLUNT. I think this is a problem, and there are lots of families in the United States who would love to

have kids from wherever in the world kids are who need families. The two examples you have just given are some of the frustrations of international adoption in just the last few years, where thousands of kids were coming to the United States from other countries such as China, Ethiopia, Guatemala, the Democratic Republic of the Congo, and certainly from Russia.

The tragedy of so many of these stories is that the child has suddenly seen that opportunity, they have bonded with families, and they have gone through the whole process. Many people, when Russia stopped Russian adoptions, were ready to go to court, had been to Russia multiple times and had exchanged visits and photos. Not only is it that the family is ready for the adoption to occur, but, more importantly, the person who is to be adopted is ready for the adoption to occur.

Just to show what can happen, in the case of Russia, the kids who were closest to being adopted by American families, the Russian Government suddenly created incentives to put them at the top of a list that doesn't get much attention, which gave special incentives to Russian families to adopt these kids before the American families who were ready to welcome them could adopt them.

We are having a meeting today with the Ambassador from the Democratic Republic of the Congo, and I am grateful the Ambassador would come. Our real concern there is that there are many kids in the Congo who had actually been adopted. There was a commission that had been put in place to study the question of why they can't get their exit visas now to leave with the families the courts in the Democratic Republic of the Congo have said could adopt these kids and that group has been disbanded. All that is necessary there is the exit opportunity—the exit permission—to leave the country to go with the families who have already legally adopted them.

The Senator and I and several of our colleagues are going to meet with the Ambassador today. We are glad he is coming. We would like to see that meeting result in going back and looking at cases where their government has already decided this is a great match for these kids and these families and figure out how to let those families get their kids to the United States.

Ms. KLOBUCHAR. Thank you. This is also very important in my State. As I mentioned, we have the highest rate of international adoptions in the country. We have families who have opened their hearts and their homes to kids from every country, including Vietnam, Guatemala, Nepal, and Haiti.

In my background as county attorney, for 8 years I oversaw the lawyers who worked with foster care and adoptions. We made it a huge priority to try to speed up the process for kids to be adopted from foster care. Right now in our country nearly 400,000 children are living without permanent families in the foster care system. Over 100,000 of these children are eligible for adoption, but too many of them will languish for years in foster care—oftentimes with very good families for them, but obviously a permanent home is what you want.

We talked about international adoptions around the world. There are estimated to be nearly 18 million orphans who have lost both parents and are living in orphanages or on the streets who want, again, a permanent home.

Senator BLUNT talked about some examples from his own State. One example is the Hatch family. Emerson Hatch was one of these orphaned children. They started the process to adopt her from India in 2000. Emerson was one of 300 kids living in an orphanage built to house 34 children.

The Indian Government refused to release her, and the family had to endure a 2-year wait, an earthquake, and a contested election in India before they were finally able to get her out of India with 1 minute to spare before her passport expired. She was malnourished, 2 years old but only weighed 14 pounds and was in poor health.

But with a lot of love and the help of the Adoption Medicine Clinic at the University of Minnesota, Emerson and the Hatch family are thriving. She is in high school, and the family is passionate about giving orphans permanent, loving homes.

There are many things that this Senate can do. The first, as Senator BLUNT explained, is leading efforts when countries put up barriers for no good reason. Obviously, sometimes you will have legal issues in countries with corruption or other reasons why there is a pause in adoptions. But when countries are putting up barriers for no good reasons and for reasons that are fairly transparent, we must lead and work with other Senators across the aisle to get this done.

The second is legislation. We have had a number of successful bills passed in the Senate. The bill I am probably proudest of is something that I did with Senator SESSIONS and Senator INHOFE, which was to allow older siblings to come in internationally when a younger sibling had been adopted. What was happening is kids would turn 17 after holding the family together as the oldest sibling, and then they would no longer be eligible for adoption.

We had a family out of the Philippines with nine children, and the oldest two kids helped hold them together in an orphanage and then they turned too old to be adopted. That family I will never forget. The Merkourises came to me and said: Well, we have these choices. We can adopt the seven kids and leave the two behind—it was like a ''Sophie's Choice''—or we can leave them all there because we want them to stay together or you can change the law. That was the discussion.

So I worked with my colleagues. I will never forget. The Merkourises came with pictures of these children on their iPads and went around to the offices of House Members and Senators who were holding up the bill and showed them to their staff members. The staff members would call our staff crying and said: OK, well, we won't hold it up anymore. And we were able to get that passed.

To Senator BLUNT, I was able to be with that family in their home, a farmhouse that they have expanded. It was like a Philippine version of ''The Sound of Music.'' They are an incredible family. I just talked to them a few months ago, and they are doing very well.

This is, I would argue to our colleagues, a bipartisan area in Congress. It is something we can do across the aisle, but it is also something where we can make significant difference—not just in one family's life but in many, many families' lives.

I thank the Senator for his work and his continued leadership in this area.

Mr. BLUNT. I would say in this regard that there are several things we are trying to do that we are still working on with Senator KLOBUCHAR and others together. Clearly, there are great stories to be told.

One thing we don't want to forget with National Adoption Month and National Adoption Day is the many families and the many individuals who benefit from adoptions. It is very easy to talk about the frustrations of trying to make things work better—the foster kids who aren't adopted, the international kids who should be here who have families who want them to be here.

We also want to talk about the many success stories. We had an Angels in Adoption event just a few weeks ago and recognized from virtually every State a family that had done something extraordinary, such as the family who took a family from the Philippines. Expanding the farmhouse is probably job one if you are going to bring nine more people into your house.

The Supporting Adoptive Families Act, the Timely Mental Health for Foster Youth Act, and the Adoption Tax Credit Refundability Act all need attention to make adoption work and to make it easier. It is life changing for everybody involved and, in most cases, it is life changing not just for the family but for anybody who really knows the family and sees what happens when people are able to reach out, become a family, and make a difference in the moment but also to make a difference forever.

I will let Senator KLOBUCHAR finish, but working on these issues is important, and it is bipartisan. You are never going to find anybody who says: Well, we don't need that. But we do need to be sure we are paying the kind of attention that we need to make this work better, to make it easier, and to increase the chances that adoptive families not only are able to become adoptive families but that they are

also able and more likely to be successful adoptive families.

Again, I thank Senator KLOBUCHAR for her leadership and for her work.

Ms. KLOBUCHAR. Thank you.

As you know, our work is never done. We have a number of bills out there for which we have bipartisan support and that we are going to work on.

I think my last statement would be that our kids deserve so much more than just a roof over their heads and a bed to sleep in. Each and every child deserves a loving home, a nurturing family, and a brighter future. That is what National Adoption Month is all about, and that is why Senator BLUNT and I are on the floor today. That is why all of us have a responsibility to carry on this torch and to keep fighting for these children.

I thank Senator BLUNT.

I yield the floor.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

Ms. KLOBUCHAR. Mr. President, I ask to speak on one other subject briefly for 2 minutes.

The PRESIDING OFFICER. The Senator from Minnesota.

DEPARTMENT OF VETERANS AFFAIRS PERFORMANCE BONUSES

Ms. KLOBUCHAR. Mr. President, I rise today to express my concern that the Department of Veterans Affairs chose to issue performance bonuses to senior executives, including the director of the St. Paul Regional Office of the Veterans Benefits Administration, despite recent revelations of improper and dishonest conduct.

According to a report released by the VA's Office of the Inspector General in September, two VBA executives used their positions to assign themselves to different jobs that involve fewer responsibilities while maintaining their higher salaries. They actually assigned themselves to a different job where they had to work less and then kept their high salaries.

One of them was a woman named Kim Graves, the director of the Veterans Benefits Administration St. Paul Regional Office since October 2014. The inspector general found that Ms. Graves used her influence as director of the VBA's Eastern Area Office to compel the relocation of the previous St. Paul office director. So she moved that person and then moved herself into the job. She then proceeded to submit her own name for consideration and fill the vacancy that she had just created.

Taking on the job of directing the St. Paul Regional Office was actually a step down in responsibility for Ms. Graves. In the inspector general's words, she ''went from being responsible for oversight of 16 [regional offices] to being responsible for only 1 [regional office],'' but she kept her Senior Executive Service salary of $173,949 per year. She also received over $129,000 in relocation expenses.

In spite of this behavior, Ms. Graves received an $8,687 performance bonus this year. The St. Cloud VA health care system chief of staff, Susan Markstrom, received a performance bonus as well the same year she was reported with some mismanagement issues.

A chief of staff collecting bonuses while running off nurses and doctors and a senior executive using her position to push out one of her colleagues and give herself a plum assignment with fewer responsibilities but the same high salary are the kinds of actions that create a breach of trust. I am generally proud of Veterans Affairs. We obviously have issues in our health system with backlogs and other problems, but there are a lot of hard-working people who work in Veterans Affairs who should be lauded for that work because our veterans deserve nothing but the best.

But in this case, I thank the inspector general for being willing to look into this difficult case and shedding light on what has been happening. The conduct is unacceptable and further erodes trust.

It is commendable that the VA inspector general took action by referring these two cases to the U.S. attorney for possible criminal prosecution. The VA needs to do right by our veterans and taxpayers by holding bad actors accountable and implementing reforms to prevent exploitation such as this from ever happening again.

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

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

UNANIMOUS CONSENT REQUEST—S. 310

Mr. CASSIDY. Mr. President, I rise today in support of S. 310, the Eliminating Government-funded Oil-painting Act, or the EGO Act. I would like to thank my colleagues, Chairman RON JOHNSON and Ranking Member TOM CARPER of the Committee on Homeland Security and Governmental Affairs. Their committee considered the EGO Act in its business meeting of June 24, 2015, and reported it favorably without amendment.

The Eliminating Government-funded Oil-painting Act is commonsense legislation that bans the Federal Government from spending taxpayer dollars on oil paintings of Presidents, Vice Presidents, Cabinet Secretaries, or Members of Congress. These paintings can cost as much as $40,000 and are often placed in a back hall of a government bureaucracy, never to be seen by the public.

I will note that $40,000 is the same as the average annual wage of a worker in Louisiana. Think about it—that worker worked a whole year, and what she earned is what the Federal Government will spend on the painting of a Cabinet Secretary who serves for 6 months, and then the painting is put in the back of a building, never to be seen.

With trillions in debt, there is more to do in our obligation to spend taxpayers' money wisely, but this is a start.

I offer my strong support for the EGO Act and urge its passage.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 165, S. 310; I further ask that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASSIDY. Mr. President, I have no clue why the esteemed Democratic leader objects. All I can say is that is an incredible insensitivity to working families. I have no clue.

There is a family out there right now struggling, not sure if they can pay their rent or their mortgage. They are going to lose their car. Their children will go to school in old clothes and maybe hungry because the amount of money they earn per year is not enough. They look at people in Washington like a new version of ''The Hunger Games''—it is the Capital of this country, and all the riches of this country are brought here to the Capital for paintings of government officials, to be hidden away, while they struggle to make their mortgage, their car note, and to make sure their child is properly fed.

That people in government would be insensitive to those families shows the problem. That people in Washington would be insufficiently aware that the average family is making $40,000 a year—the same as what one of these paintings can cost—and not care is an indictment of those who do not care.

I regret that there is objection to this, but we will bring it up later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here to speak in what is probably my 119th ''Time to Wake Up'' speech related to climate change.

I would like to take this occasion to express my appreciation to a person whom the TV cameras can probably see behind me sitting on the staff bench, Joseph Majkut, who has been a fellow on my staff for over a year now. He has been very instrumental in helping me prepare these speeches. I am grateful to him.

Today, I ask that we imagine a dark castle with looming ramparts and tall towers. It is strongly built, and it is well defended. Its defenders are determined and implacable. They patrol those ramparts and from their castle battlements attack and harass their opponents. The castle's thick walls are built to keep out unwelcome things. In this castle, those unwelcome things are science—the science of climate change; truth—the truth of what carbon pollution does to our atmosphere and oceans; and decency—the human decency, in the face of that information, to try to do the right thing.

This is Denial Castle, the fortress of climate denial constructed by the big polluters. Like many castles, this castle is built on elements that date back to earlier wars. Some parts date back to tobacco companies denying that smoking causes cancer. Some parts of it date back to the lead industries denying that lead paint poisons children. Some parts go back to denial of what acid rain was doing to our New England lakes and denial of what pollution was doing to our atmosphere's ozone layer. There might even be a few bits dating back to denial that seatbelts and airbags were a good idea. But now it is the big carbon polluters who command Denial Castle. They now enjoy the power to pollute for free, so they attack climate science. They send out trolls to disrupt Web sites and blogs. They harass climate scientists. One minion became attorney general of Virginia and so harassed a University of Virginia scientist that Mr. Jefferson's university had to use university lawyers and the State supreme court to get the harassment stopped.

This castle has within it its own little stable of scientists to trot out like trained ponies to create false doubt and uncertainty about the harm carbon pollution causes. Of course, the polluters have mouthpieces, such as the Wall Street Journal editorial page, to help spread their fog of doubt and denial. Most of all, they have weaponry. The weaponry on these dark ramparts is not just pointed outward at science and at the public; those polluter weapons point in, as well, at the Members of Congress who are held hostage inside the castle. This is not just a fortress; it is also a prison. Members know that if they try to escape, the full force of the polluters' political weaponry will fall on them. Many of the hostages are restless, but escape is hazardous. Some are actually happy to help man the ramparts. Look at the effort by Senate Republicans this week to override the Obama administration's Clean Power Plan—our Nation's most significant effort yet to assert global leadership in staving off the worst effects of climate change.

For those Republican Senators who want out of Denial Castle, escape is hazardous because Citizens United, that shameful Supreme Court decision, armed the polluters on the ramparts with a terrifying new weapon: the threat of massive, sudden, anonymous, unlimited political spending. A Republican in a primary has virtually no defense against that. One minute you are on course to reelection; the next moment a primary opponent has millions of dollars, pounding you with negative ads, and the polluter-funded attack machine has turned on you.

One polluter front group actually warned that anyone who crossed them would be ''at a severe disadvantage,'' and that addressing carbon pollution with a price on carbon would be a ''political loser.'' From a group backed by billionaires now threatening to wield, just in this election, $750 million in political spending, that is not a very subtle threat.

Of course, a threatened attack doesn't actually have to happen to have its political effect. A threat, a quiet threat, a secret threat can be enough. We will never see those threats unless we are in the backroom where they are made. That is the unacknowledged danger of Citizens United.

What were the five Republican judges thinking when their Citizens United decision unleashed unlimited political spending and its dark twin, the silent threat of that unlimited political spending? This is not an idle concern. By 2 to 1, Americans think the Justices often let political considerations and personal views influence their decisions. Americans massively oppose the Citizens United decision—80 percent against, with 71 percent strongly opposed. Most tellingly, by a ratio of 9 to 1, Americans now believe our Supreme Court treats corporations more favorably than individuals. Even self-identified conservative Republicans by a 4-to-1 margin now believe the Court treats corporations more favorably than individuals.

Linda Greenhouse, who long resisted drawing such a conclusion, has written that she finds it ''impossible to avoid the conclusion that the Republican-appointed majority is committed to harnessing the Supreme Court to an ideological agenda.'' Other noted Court watchers such as Norm Ornstein at the conservative American Enterprise Institute and Jeffrey Toobin long ago reached a similar conclusion.

Let's look carefully at what those five Justices did in their 5-to-4 Citizens United decision. Let's start where they started, with the First Amendment to the Constitution. The First Amendment protects honest elections by allowing limitations on the influence of money. The First Amendment allows limitations on election spending when they reflect a reasonable concern about corruption.

If you are a judge who wants to unleash unlimited corporate money into elections, you need to get around that problem, which they did by making the factual finding that all this corporate money will not present even a risk of corruption, not a chance. That is obviously false, but they said it anyway, which is interesting. But wait, it gets more interesting still. To make that factual finding, they had to break a venerable rule—the rule that appellate courts don't do factfinding. They broke that rule.

They did something else, too. Every time Congress or the Supreme Court had examined corporate corruption in elections, they found a rich, sordid record of corporate corruption of elections. That is American history. The five Justices knew a record like that in the case would have made it pretty hard to find no risk of corporate corruption of elections. All the evidence would go the other way.

How did the five Justices make sure the case had no good evidentiary record on corporate corruption of elections? Very cleverly. They changed the question in the case—what the Court calls the question presented. They changed the question late in the case, after there was any chance to develop a factual record on that new question presented. It is very unusual, but it is exactly what they did. Then they overruled a hundred years of practice and precedent of earlier Courts.

One could argue that each one of these different steps was wrong. Certainly, the ultimate factual finding, that corporate money can't corrupt an election, is way wrong. But the worst wrong is that these steps are linked together in a chain of necessity you must follow to get that result.

What is the chance that these conservative Justices just happened to change the question presented, which just happened to prevent there being a robust factual record on the very question where they just happened to need to make false factual findings about corruption; which just happened, this of all times, to be the time they broke the rule against appellate fact finding; all of which just happened to provide the exact findings of fact necessary to get around that First Amendment leash on corporate political spending?

Put all those steps together, and what you see is Justices behaving not like an umpire evenly calling balls and strikes, but like a locksmith carefully manufacturing a key, each of whose parts is precisely assembled to fit the tumblers and turn a particular lock. The result was amazing new weaponry for the corporate polluter apparatus, political Gatling guns in a field of muskets, which the polluters have deployed very effectively to silence debate about climate change.

Before Citizens United, Republicans regularly stood up to address climate change. A Republican nominee campaigning for President had a strong climate change platform. A Republican

President spoke of its urgency. Republican Senators authored and sponsored big climate change bills. Republican Congressmen voted for the Waxman-Markey bill in the House or wrote articles favoring a carbon tax and then came over and became Senators.

But after Citizens United, there was virtual silence. The polluters used Citizens United's new political artillery to shut debate down.

Money can be speech, but it isn't always. Money can also be bribery, bullying, intimidation, harassment, shouting down, and drowning out. The legendary turn-of-the-century political fixer Mark Hanna once said:

There are two things that are important in politics. The first is money, and I can't remember what the second one is.

He didn't say that because money is free speech. Money is political artillery. Look at the munitions. My gosh, most dark money political ads in the last election were negative ads. At times, virtually all on the air have been negative ads. Many ads have been reviewed and deemed false or misleading. At times, a majority of the ads running were deemed false or misleading. That is not debate; that is artillery.

The power to fire that artillery opens the way for secret threats and promises to use or not use that artillery. It does cause corruption when a politician will not vote his conscience because he hears those whispered threats and fears that new artillery. But even with all this new political artillery, the Denier Castle is not as secure as it looks. It is built on a foundation of lies—lies that the science of climate change is unsettled, lies that there is no urgency to this, lies that there will be economic harm if we fix the problem. The truth is exactly the opposite. The effects of carbon pollution are deadly real in our atmosphere and oceans. Time is running out to avoid the worst of the peril, and a sensible political response to climate change actually yields broad economic gains.

The Denier Castle's foundation of lies is slowly crumbling. The cracks are already beginning to appear. Twelve Republican House Members escaped from the castle—far enough to sponsor a climate resolution. Young Republicans—under 35—by a majority think climate denial is ignorant, out of touch, or crazy. Conservative heartland farmers see unprecedented weather in their fields and coastal fishermen see unfamiliar fish in their nets. Corporate climate leadership grows, from Walmart, Coke and Pepsi, Ford and GM, Mars and Unilever, General Mills and many others, and whole industries like the property casualty insurance industry. Of course, well-respected military leaders warn of climate change as danger, a catalyst of conflict. With all that comes the economic tide of lower and lower cost clean energy—energy which is probably cheaper already than fossil fuel, if the energy market weren't rigged by the polluters to favor their dirty product.

The blocks of the Denier Castle are loosening and beginning to fall. Mortar sifts down. The whole structure of deceit and denial is creaking and crumbling. Fear is starting to spread within the castle about what will happen when the lies are exposed and all the bullying revealed. Will there really be no price to pay for all that deceit and denial in a world of justice and consequences?

The Wall Street Journal editorial page has gotten so anxious that it accuses me of ''treat[ing] [climate] heretics like Cromwell did Catholics,'' all because I, the junior Senator of the smallest State, had the temerity to say that mighty ExxonMobil, one of the biggest corporations in the history of the world and a Goliath if there ever were one, should maybe have to tell the truth in the place we trust in America to find the truth—an American courtroom. Exxon has gotten so frantic that their public relations people are starting to use bad language, things I can't even say on the Senate floor.

Even this week's Clean Power Plan challenge has an air of desperation—a last-ditch effort to show the fossil fuel industry that folks have done all they could before they stand down and evacuate the castle. The dark castle will fall, and it will fall abruptly. It will collapse. More hostages will break free, and a torrent will follow. When the lies and political influence are all exposed, there will come a day of reckoning. For all faithful stewards of God's Earth, and for our American democracy, that will be a day of joy, a day of honor, and a day of liberation. Each one of us can push a little harder to make that day come a little sooner. Let us lean into our tasks and to our duty.

I yield the floor.

Ms. MIKULSKI. Mr. President, I want to commend Senators COLLINS and REED for their hard work on this bill. The Senators worked closely together, continuing a great tradition of the Appropriations Committee.

The Transportation, Housing and Urban Development (HUD), and Related Agencies bill has two critical missions. It is Congress' annual infrastructure bill, creating jobs in construction, and it meets compelling human needs by strengthening communities. While I support this bill, I also reaffirm my continued commitment to getting a 12-bill omnibus done by December 11—leaving no bill behind and no Christmas crisis.

This bill keeps Americans on the move, delivering Federal formula funding to every State for highways, byways, and mass transit. Thanks to the Bipartisan Budget Act of 2015, which increased the discretionary caps by $50 billion, we are here today to take up the Collins and Reed amendment, adding nearly $1.6 billion to the Senate Committee bill.

The Collins-Reed amendment increases funding for the Federal Aviation Administration, the Federal Transit Administration's New Starts program, and competitive TIGER grants. It recognizes the importance of the U.S. flag fleet and merchant marines to our national security by increasing funding for the Maritime Security Program. The amendment also restores funding to HUD's Community Development Block Grant and HOME programs. These are programs that every county executive and mayor talk to me about.

For my home State of Maryland, this bill fully funds the Washington Metropolitan Area Transit Authority. I am beyond frustrated with Metro, but will not waver in my support for Federal funding to improve the safety and operational reliability of the system because many of my constituents rely upon Metro every day. I included bill and report language requiring strict U.S. Department of Transportation, DOT, oversight of how these taxpayer dollars are spent. And I appreciate the support of Senators COLLINS and REED for my amendment to give DOT the power to appoint and oversee Metro's Federal board members, instead of the General Services Administration.

The bill provides funding for an important Maryland jobs corridor—the Purple Line, which is a new light rail system to be constructed in Montgomery and Prince George's Counties. HUD's Office of Healthy Homes and Lead Hazard Control also receives strong funding, which is critically important to my hometown of Baltimore. Like many older cities in the Northeast, Baltimore has a significant lead paint problem.

This is a good bill. I urge my colleagues to offer only germane amendments, so we can complete our work before Thanksgiving and keep momentum going to complete a 12-bill omnibus before December 11.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to report that the ranking member and I have two amendments that have been cleared by both sides.

Mr. President, it appears that I am premature by a couple of moments, so I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EPILEPSY AWARENESS MONTH

Mr. WHITEHOUSE. Mr. President, I wish to speak for 5 minutes on Epilepsy Awareness Month. If the matter for which Senator WICKER is waiting comes to the floor, I will interrupt my speech immediately so I don't slow down his business at all. I know he has been waiting here for a while, but as long as we were in a quorum call, I will speak in recognition of November as Epilepsy Awareness Month.

Epilepsy is a chronic, debilitating condition that can produce violent, unpredictable seizures. It can be caused by traumatic events such as strokes, tumors, or brain injuries, but for a lot of patients the cause remains unknown. It is no easy thing to live with epilepsy. Yet millions of Americans do so every day, including an estimated 10,000 Rhode Islanders. They include Sawyer, a 12-year-old Warwick resident who recently started seventh grade. I think we all remember what it was like to be a young person in school. I am sure we all know someone who for one reason or another was labeled as different and had a harder time than most. Well, imagine how hard it must be to navigate that world while also struggling with the daily symptoms of epilepsy. It takes a brave person to confront that challenge head-on, and I think we can all admire Sawyer's courage every day as he goes to school and pursues his education amid challenging circumstances.

One reason Sawyer and his mom moved to Rhode Island was to take advantage of the support services provided by the Matty Fund, a local organization dedicated to helping those living with epilepsy and raising awareness of the condition. The organization was founded in 2003 by Richard and Deb Siravo in honor of their son Matty, whom they lost to epilepsy that same year. The group provides services to local families, including Camp Matty, a day camp designed for kids with epilepsy.

Sawyer recently attended Camp Matty and spent time with other kids like him, as well as older camp counselors, who are living with epilepsy and thriving. According to the Matty Fund, Sawyer flourished during his time at the camp. The group's executive director, Marisol Garcies, tells me that Sawyer ''could see in these teenagers and volunteers a glimpse of himself in a few short years, and it comforted him.''

I am proud of the work the Matty Fund is doing to support Rhode Island kids like Sawyer, and I would also like to see us in Congress do more to give hope to him and millions of other Americans living with epilepsy.

Federal funding for epilepsy research through the National Institutes of Health was cut $27 million from fiscal year 2012 to fiscal year 2013 as a result of the recent budget battles. Funding has been restored in the years since, but until we provide the kind of year-to-year funding certainty that big research initiatives need, there will continue to be trouble.

The researchers developing the next generation of medical treatments for epilepsy and countless other conditions shouldn't have to worry that their funding is at risk because Congress is having another political fight. That is why I am proud to be a cosponsor of Senator DURBIN's American Cures Act, which would create a trust fund dedicated to sustaining and expanding funding for health research at the NIH, CDC, Department of Defense, and Department of Veterans Affairs. In addition, I am currently working with my colleagues on the Health, Education, Labor and Pensions Committee to make NIH funding a mandatory part of our annual budget, ensuring that a baseline of Federal research dollars will be available year in and year out. I hope we can get it done.

In the meantime, let's all keep sending our thoughts and prayers to people like Sawyer, and to help to lift the stigma that is too often associated with epilepsy. These brave individuals fight every day to live a normal life against some very real obstacles, and we can help by giving them our admiration and encouragement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the ranking member and I have two amendments that have been cleared by both sides.

AMENDMENTS NOS. 2809 AND 2817 TO AMENDMENT NO. 2812

I ask unanimous consent that the following amendments be called up and agreed to en bloc: Senator MCCAIN's amendment No. 2809 and Senator MIKULSKI's amendment No. 2817.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mr. MCCAIN, proposes an amendment numbered 2809 to amendment No. 2812.

The Senator from Rhode Island [Mr. REED], for Ms. MIKULSKI, proposes an amendment numbered 2817 to amendment No. 2812.

The amendments are as follows:

AMENDMENT NO. 2809

(Purpose: To require the Administrator of the Federal Aviation Administration to review certain decisions to grant categorical exclusions for Next Generation flight procedures and to consult with the airports at which such procedures will be implemented)

After section 119C, insert the following:

SEC. 119D. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

''(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 90 days before applying a categorical exclusion under this subsection to a new procedure at an OEP airport, the Administrator shall—

''(A) notify and consult with the operator of the airport at which the procedure would be implemented; and

''(B) consider consultations or other engagement with the community in the which the airport is located to inform the public of the procedure.

''(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

''(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an OEP airport that was a material change from procedures previously in effect at the airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

''(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an OEP airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

''(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

''(ii) in conducting such consultations, consider the use of alternative flight paths.

''(C) HUMAN ENVIRONMENT DEFINED.—In this paragraph, the term 'human environment' has the meaning given that term in section 1508.14 of title 40, Code of Federal Regulations (as in effect on the day before the date of the enactment of this paragraph).''.

AMENDMENT NO. 2817

(Purpose: To provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority)

At the appropriate place, insert the following:

SEC. ____. (a) In this section—

(1) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat 1324);

(2) the term ''Federal Director'' means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b)(1) Notwithstanding section 601(d)(3) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432; 122 Stat. 4969) and section 1(b)(1) of Public Law 111–62 (123 Stat. 1998), hereafter the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

The PRESIDING OFFICER. Under the previous order, the amendments (Nos. 2809 and 2817) are agreed to.

Ms. COLLINS. I thank the Presiding Officer.

Mr. President, just a very brief explanation on both of these amendments. Senator MIKULSKI's amendment simply allows the Secretary of Transportation to select the Federal appointees for the Washington metro system. That is done by the head of GSA right now, and obviously GSA is an agency with no transportation policy expertise, so this simply makes sense. It is noncontroversial and has already been passed out of the Senate committee of jurisdiction.

Senator MIKULSKI has been very concerned, as have many of us, about the safety and operational issues with Metro, and I believe this amendment is an excellent one, and I am proud to lend my support.

Senator MCCAIN's amendment ensures that the Federal Aviation Administration reviews its procedures when there are complaints from a community about the noise of airplanes that are landing in a particular area and that they do a report.

I think both of these amendments make a great deal of sense, and I am pleased that we were able to clear them and get them adopted.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 2815 TO AMENDMENT NO. 2812

Mr. WICKER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 2815.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER] proposes an amendment numbered 2815 to amendment No. 2812.

Mr. WICKER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize the Secretary of Transportation to increase the minimum length limitation for a truck tractor-semitrailer-trailer combination from 28 to 33 feet if such change would not negatively impact public safety)

Beginning on page 45, strike line 16 and all that follows through line a on page 46 and insert the following:

SEC. 137. The Secretary of Transportation may promulgate a rulemaking to increase the minimum length limitation that a State may prescribe for a truck tractor-semitrailer-trailer combination under section 31111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112–141), that such change would not have a net negative impact on public safety.

Mr. WICKER. Mr. President, I thank the chair and ranking member of the committee and, of course, the staff for working with us on this issue. This is an amendment that should be familiar to Members because essentially the same language was voted on in the form of a motion to instruct conferees last week. The essence of both that motion, which was adopted on a vote of 56 to 31, and this amendment today is to prevent a Federal mandate which has been contained in the committee version of this bill. That mandate would have required all 50 States to allow twin 33 tandem tractor-trailer rigs in each State. Some 12 States allow these twin 33 tandem tractor-trailer trucks and some 38 States prevent them. If the language were to remain in the appropriations bill, all 50 States, including the 38 States that have chosen not to accept these trucks, would be mandated.

I think the vote of the Senate was clear last week. I will simply point out that this will remove a Federal mandate and will assist small business truckers who don't have the capital to move to these new longer double trucks. It will promote public safety and, I would submit, save lives and save $1.2 to $1.8 billion every year in maintenance and repair because of the damage caused by these twin 33 trailers.

I appreciate the committee working with me to get a vote, and at this point I ask that the amendment be adopted.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, we are now prepared to have a voice vote on Senator WICKER's amendment; therefore, I know of no further debate on the Wicker amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2815) was agreed to.

Ms. COLLINS. I thank the Presiding Officer.

Mr. President, I am pleased that we are making progress, and I encourage other Members to come to the floor and share their proposals with us so we can continue to dispense with amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ISIS

Mr. CORNYN. Mr. President, yesterday I spoke about the horrific terror attacks in Paris last week and why they were a stark reminder of two things: first, that the threat of ISIS stretches well beyond Syria and Iraq, and, second, that this terror army has grown in power. It has grown in influence and certainly has grown in territory.

Unfortunately, the administration and the Commander in Chief, in particular, have effectively stood by as spectators without developing an effective strategy to degrade and destroy ISIS as the President claims is his goal. Instead, we have seen airstrikes, which are necessary but not sufficient to deal with the threat of ISIS in Syria and in Iraq.

So more than a year ago, I, among others, called on the President to discuss with the Congress his strategy. My thought is that anytime Americans are sent into harm's way—and there are Americans in harm's way both in Iraq and perhaps throughout the region—there ought to be a clear purpose articulated by the Commander in Chief. It ought to be a joint undertaking between the Congress and the Executive because our men and women in uniform deserve the unqualified support of all Americans, and I think that can best be demonstrated and accomplished by building consensus for this action in Congress.

But what we have seen instead are speeches, interviews, and assurances that have really attempted to hide the fact that the President's so-called strategy against ISIS has been nothing more and nothing less than an abject failure. The picture painted by the administration on the perceived success of this strategy has been overstated at best and disingenuous at worst. Between referring to ISIS, now numbering as many as 30,000 strong, as the ''JV team'' and just hours before the Paris attacks proclaiming in an interview with ABC that they were ''contained,'' the President has simply not shot straight with the American people.

The American people can take the truth; they just haven't heard it yet about the nature of the threat and about an effective strategy to deal with that threat. As we have learned and as the 9/11 Commission observed, one of the worst things we could do for our own national security is allow safe havens for terrorists to develop in places such as Syria and Iraq, places where they can train, arm, and then they can export their attacks, and given the unique capability of ISIS, they can communicate by social media and over the Internet and radicalize people here in the United States, just as they apparently did with people in France.

Criticism of the President's lack of a strategy is not a partisan issue. It is not limited to members of my political party. On Monday, in an interview on MSNBC, the ranking member on the Senate Intelligence Committee, the senior Senator from California, said: ''ISIL is not contained,'' adding, ''I have never been more concerned.'' That is Senator FEINSTEIN the ranking member—I believe they call them vice chair—of the Intelligence Committee. I couldn't agree with my Democratic colleague from California more. ISIL, ISIS, Daesh—whatever you want to call it—has not been contained. I agree with her. I have never been more concerned about a terrorist threat, particularly since 9/11.

It is very clear that in the wake of the tragic events in Paris, what the administration is doing to combat ISIS is failing. It is not working. In Iraq, ISIS has captured city after city over the last 2 years where Americans have shed their blood, where Americans spent their treasure and took years to bring relative peace preceding President Obama's precipitous withdrawal from Iraq.

I can only imagine how hard it is for some of our veterans who served in

Iraq to hear the laundry list of familiar places that have been taken by ISIS almost overnight. Sadly, of course, this includes cities where the precious lives of American heroes were lost, places such as Mosul, Fallujah, and Ramadi. I can only imagine what an American veteran, having lost a limb or suffered other grievous injury, must feel, the rage they must have after seeing those hard-fought gains squandered. And I can't help but think of the Gold Star Mothers, moms who have lost service men and women in combat and in service to our country. What a terrible squandering of hard-fought-for gains. But that is what laid the predicate and created the vacuum for the threat we see today.

From where we stand today, Iraq is undeniably worse than when President Obama took office. He said he wanted to end the war in Iraq and Afghanistan, only to see, because of bad judgment and bad strategy, the war proliferate and get that much more serious—at least the war being conducted against us, our American interests, and our allies. As I said, the result of that bad policy and bad judgment is not one less war, it is a safe haven for ISIS that has been carved out of Syria and Iraq. The border between those two previously separated countries has been completely erased, as 30,000 fighters continue to plunge the region deeper into chaos.

I was struck by the comments of the Director of the Central Intelligence Agency, who spoke at the Center for Strategic and International Studies on Monday. He said that before the current administration, there were probably about 700 adherents left. That is the origin of this problem today which is known as Al Qaeda—700 or so adherents left. And as I have already alluded to, according to news reports, there are between 20,000 and 31,500 fighters across Iraq and Syria. Those are the numbers of troops ISIS can now muster as a result of our failed policies in Iraq and Syria. So according to the CIA Director's own estimate, that means there has been an increase, just during the seven years of the Obama administration, of between 2,700 and 4,400 percent.

Mr. President, your strategy is not working.

As we all know, this is not just about a fight over there; this is about a fight that is coming here, to a neighborhood, to a city near you. According to the media reports on Monday, the CIA Director also warned that ISIS was likely planning additional attacks. On that same day, a new propaganda video popped up online in which ISIS issued a fresh threat to target Washington, DC.

Perhaps most concerning—and it is all concerning—is a serious threat we face at home from a jihadist who is already living here on U.S. soil. Most of the people who carried out the attacks in France were born and grew up in Belgium. Some of them immigrated, one under a fake Syrian passport, apparently. But we need to be concerned about homegrown radicalized terrorists, radicalized by ISIS or like-minded groups via the Internet. In Texas, we have seen this firsthand—the so-called homegrown threats that occurred at Fort Hood in 2009 and in Garland, TX, earlier this year.

But in the face of all of this—the President's own CIA Director talking about the huge increase in the threat over the last 7 years of this failed strategy—and given what has happened in Paris, given the threat against the United States and Washington, DC, in this propaganda video, why in the world would any reasonable person say ''We don't need to change a thing; we need to stay the course''—which is apparently what the President is saying. No rational person would say ''Hey, this is working out just the way I had it planned.'' You would reconsider and you would reevaluate in light of the evidence and the experience. That is what a reasonable person would do.

Well, the Washington Post, on November 16—I guess that was 2 days ago—issued an editorial called ''President Obama's false choice against the Islamic State.'' In the first paragraph, they used a word to describe the President that I thought I understood the meaning of and I think I did, but I looked it up anyway. It is the word ''petulant.'' This is what they said:

> Pressed about his strategy for fighting the Islamic State, a petulant-sounding President Obama insisted Monday, as he has before, that his critics have offered no concrete alternatives for action in Syria and Iraq, other than ''putting large numbers of U.S. troops on the ground.''

Well, ''petulant''—I did look it up. ''Childishly sulky or bad-tempered'' is one definition. So apparently the Washington Post wasn't impressed with the President's response either.

They went on to say that the President's claim was faulty in a number of respects. First, nobody has proposed putting large numbers of U.S. troops on the ground—no one. So this is a straw man the President erects just so he can knock it down to try to discredit anybody who doesn't drink the same Kool-Aid he does on this topic.

The Washington Post went on to say that a number of military experts have proposed a number of constructive ideas that would help us make better progress against this enemy, things such as deploying more Special Operations forces, including forward air controllers who can direct munitions, airstrikes, and bombing raids with much more accuracy than without them.

We could also make sure that we have more Americans to advise the Iraqis' moderate Syrian forces and other people with similar interests on battlefield tactics to make them more effective. The President could send in more advisers to Iraqi battalions and more U.S. specialized assets. There is no one in the world who has a technological advantage on the United States when it comes to our military and our specialized assets, such as drones, for example, among other things.

Then there is the issue of the Kurds. The Peshmerga have been an impressive fighting force. They have been boots-on-the-ground in a large portion of Iraq, and they have been crying out for the sorts of weapons that they need in order to be more effective. The administration has decided: Well, let's send everything through Baghdad. Sadly, most of those weapons don't end up making their way into the hands of the Kurds and the Peshmerga because of political differences between them.

So there is a lot we could do, and the President's straw man that he continually erects so he can just knock it down as he tries to ridicule and criticize anybody who has the temerity to question this failed strategy—it is just not working. It is not working for him, and people increasingly are losing confidence in his judgment.

To eradicate ISIS abroad and neutralize the threat this terror army poses at home, we need a proactive, multifaceted strategy. The President's approach, characterized by ineffectual airstrikes and half measures, has resulted in a tactical stalemate that has kept ISIS's morale high and recruitment steady.

We are blessed with some of the most elite military forces in the world, incredible human beings and great patriots. But not even they can hold on to territory after it is bombed because there simply are not enough of them. That is why, as the Washington Post suggested, it is so important to send in American advisers on tactics and people who will allow the boots on the ground, such as the Kurds, the Peshmerga, to be more effective. They can be the boots on the ground. They are the ones with the most direct interest in the outcome.

It doesn't take an expert military strategist to see that airpower alone will not defeat ISIS. Perhaps the greatest military leader we have had, and certainly in my adult lifetime, GEN David Petraeus, has said that. The President's own military advisers have told him that, but he simply won't listen to them—preferring, it seems to me, to sort of run out the clock on his administration and then have to hand off this terrible mess to his successor. But Heaven help us if in the meantime, as a result of this ineffective strategy and an emboldened ISIS, we see more attacks not over there but over here.

We already have U.S. boots on the ground in Iraq and Syria. I would just remind everyone that there are about 3,500 U.S. troops in Iraq and about 50 U.S. special operators in Syria, as the Obama administration has publicly stated. So if the President is going to put American boots on the ground, why not come up with a strategy, working together with our allies and those with aligned interests, to make them more effective and actually crush ISIS before ISIS hits us here in the homeland?

We know the White House has sought to micromanage the military campaign

and impose unreasonable restrictions on what the troops who are there are allowed to do—so-called caveats. Our warfighters literally have had one arm tied behind their back. This is simply just another recipe for continued failure, and it has to stop, it has to change.

We know that ISIS cannot be dislodged from territory it now holds unless we have effective partners on the ground. That means working closely, as I indicated, with partners such as Iraqi security forces, the Kurdish Peshmerga, the Sunni tribal forces, and supporting them with U.S. airpower and intelligence. To further bolster these ground partners, the President needs to consider embedding American troops as military advisers, as I just said. By employing U.S. troops as joint tactical air controllers, as I mentioned earlier from the Washington Post editorial—that was one of their suggestions—in support of those ground partners, we would make our airstrikes more precise and more lethal.

This is the type of thing that will be needed to clear and to hold territory after recapturing it from ISIS. It doesn't accomplish very much to bomb the living daylights out of some ISIS stronghold and not follow on with troops to hold that territory. We end up doing the same thing over and over again—bombing the same territory, they leave, and then they come back—because there is nothing there to hold that territory.

In the long run, the overall effort to dislodge ISIS from key tribal areas and population centers has to be undergirded by a political framework as well that will sustain the lasting rejection of ISIS's bankrupt ideology. No one is suggesting that military combat alone is going to solve this problem, but in order to bring the people who can—the so-called reconcilables, the people who are willing to try and work toward a long-lasting solution and eradicate the ones who will not—it will take a military strategy and a political framework.

I will just close on this. There has been a lot of concern about refugees. I have heard it in my office and we have all heard it from our constituents back home. Whose heart doesn't break for people who have been run out of their own homeland, who have seen family members murdered by a butcher like Assad in Syria? But this is not a new phenomenon. We have known since the Syrian civil war started, following the Arab Spring in 2011, that hundreds of thousands, indeed millions of Syrians have fled their country, have been dislocated within the country, have moved into refugee camps in Turkey and Jordan, in Lebanon, and now they are going to Europe and some of them are showing up here in the United States.

I would bet, if you ask every single one of them or most of the refugees, would you prefer to live in safety and security in your own land or do you want to go somewhere else, they would say: I want to stay here. So we need a policy that will actually allow Syrians to stay in Syria and Iraqis to stay in Iraq, but in the absence of any kind of military strategy, no political framework, and no solution from the Commander in Chief, these poor people have nowhere else to go. So we need to create safe zones in Syria.

We can do that. We can create a no-fly zone in cooperation with our partners there in the Middle East. We need to create safe zones in Syria, where tens of thousands of refugees who are now trying to flee Syria could actually live, with our help. This means areas where innocent men, women, and children can be protected from attacks both from the air and from the ground, zones where they don't have to worry about being murdered 24 hours a day by ISIS or by the bloodthirsty regime of Bashar al-Assad.

Congress should not have to tell the Commander in Chief how to conduct a successful military campaign or what a strategy looks like. But you know what. It takes the Washington Post editorial to tell the President that what he is saying is the alternative is just not true and that there are constructive ways we can turn the tide against ISIS and provide more stability and safety to people who prefer to stay home and not flee to distant shores and create consternation here in the United States about whether we are adequately screening these refugees to make sure they are not a threat to us here.

It is my hope the President will consider thoughtful options that are being proposed by Members of Congress. I will bet there are thoughtful options being proposed by the President's own military advisers, but he is just simply not listening to them and stubbornly resisting reconsidering his failed strategy—petulant is what the Washington Post called it. Childishly sulky or bad temper, that is what they called the President's attitude.

The American people have seen some of their own countrymen and countrywomen murdered by ISIS in barbaric and horrific fashion in images transmitted around the globe. They are understandably apprehensive about our security as a nation and our receding leadership role in the world. What is basically happening is, as America retreats, the tyrants, the thugs, the terrorists, the bullies fill that void. In this case, just like before 9/11, that void is filled by bad people who want to not only harm the people nearby but the West—meaning the United States and our allies over here.

So the American people deserve a clear, credible strategy from the President, one that will combat this terror threat before the violence we saw last week in Paris shows up here on our own doorstep. More than ever our Nation needs strong leadership, and I hope the President will finally rise to the challenge.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Kansas.

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

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

NIH RESEARCH

Mr. MORAN. Mr. President, as my colleagues know, we are in the process of discussing an appropriations bill—called an omnibus bill. For the first time in a long time we have passed an appropriations bill in the Senate. That is progress. We are working on a second one today as well. As we debate the priorities and spending levels for this final appropriations bill for this year, I want to highlight an opportunity we have to deliver on a promise to provide strong support for the National Institutes of Health and for the lifesaving biomedical research that results in that spending.

I would also mention that we have the opportunity to assist in financial support, in providing resources to advance the efforts of a couple of agencies that are greatly allied with NIH; that being the Food and Drug Administration, the Department of Defense and its medical research as it finds cures and treatments for our military men and women and the consequences of their service, as well as the Centers for Disease Control and Prevention.

What I want to highlight is that if we fulfill a promise in regard to medical and biomedical research, we can position our country to provide steady, predictable growth to NIH, the largest supporter of medical research in the world. This sustained commitment, which has been absent for so long, will benefit our Nation many times over and bring hope to many patients in today's generation and those that follow.

Unfortunately, we have not adequately and we have not always upheld our responsibility in this regard. The purchasing power of the National Institutes of Health has diminished dramatically. If you account for inflation, NIH receives 22 percent less funding than it did in 2003. This has negatively impacted our research capacity.

In the best of times, NIH research proposals were funded one out of three times. So if there were three proposals, one of them was accepted for funding. That ratio has now fallen to one in six, the lowest level in history.

The challenge is ours, and the moment to act is now for our moms, our dads, our family members, our friends, for people we don't even know, and for the fiscal condition of our country. If you care about people, you will be supportive of medical research; and if you care about the fiscal condition of our country, you will be caring about medical research.

I am a member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee on Appropriations, which is responsible for the funding of NIH and

these other agencies. Earlier this year, under the leadership of my colleague and friend from Missouri, the chairman, Senator BLUNT, my Senate appropriations colleagues and I were successful in significantly boosting NIH's budget in the Senate's fiscal year 2016 appropriations bill. We achieved more than a $2 billion increase in NIH. This is an amount around $1.95 billion more than the President's request and more than $880 million above the number contained in the House's version of this legislation. This $2 billion increase would be the greatest baseline boost to NIH since 2003. It bothers me when I say it is a boost to NIH because what it is a boost to is not a Federal agency but rather a boost to the results, the consequences of that investment in research.

With the recent 2-year budget deal that became law recently, it presents a path by which we are able to deliver a much needed budget increase to NIH and to prioritize important research that saves and improves lives, reduces health care costs, and fuels economic growth. This boost would be a tremendous step in putting NIH back on a sound path of predictable, sustainable growth, demonstrating to our Nation's best and brightest researchers, medical doctors, scientists, and students that Congress supports their work and will make sure they have the resources needed to carry out their important research.

The time to achieve this objective is now. If the United States is to continue providing leadership in medical breakthroughs, to develop cures and treat disease, we must commit significantly to supporting this effort. If we fail to lead, researchers will not be able to rely upon that consistency, we will jeopardize our current progress, stunt our Nation's competitiveness, and lose a generation of young researchers to other careers or to other countries' research.

Whenever Congress crafts appropriations bills we face a challenge. We all face this issue of balancing our priorities with the concern about making certain our Nation's fiscal course is on a better path than it has been. Therefore, it is extremely important for us to find those programs that are worthy of funding, that actually work, that are effective, that serve the American people and demonstrate a significant return to the taxpayer who actually pays the bill. Congress should set spending priorities and focus our resources on initiatives that have proven outcomes.

No initiative I know meets these criteria better than biomedical research conducted at the National Institutes of Health and our other Federal allied agencies. NIH-supported research has raised life expectancy, improved quality of life, lowered overall health care costs, and is that economic engine our country so desperately needs as we try to compete in a global economy.

Today we are living longer and we are living healthier lives thanks to NIH research. Deaths from heart disease and stroke have dropped 70 percent in the last half century. U.S. cancer death rates are following about 1 percent each year, but as we know, much work remains. Diseases such as cancer, Alzheimer's disease, stroke, and mental illness touch all of us, touch all of our communities, touch all of our States, and dramatically affect our country.

Half of the men and one-third of all women in the United States will develop cancer in their lifetime. One in three Medicare dollars is spent caring for an individual with diabetes. Nearly one in five Medicare dollars is spent on people with Alzheimer's or other dementias. In 2050, it will be one in every three dollars. In other words, the cost of dementia and Alzheimer's grows dramatically over time.

New scientific findings are what yield the breakthroughs that enable us to confront these staggering financial challenges of these diseases and others. Therefore, in order to advance lifesaving medical research for patients around the world, balance our Federal budget, control Medicare and Medicaid spending, let's prioritize biomedical research and lead in science and in discovery.

I appreciate the opportunity, as we work to fashion this final appropriations bill before the deadline of December 11, to work with my colleagues across the Senate to make sure that biomedical research, NIH, and its allied agencies receive the necessary financial support that benefits all Americans today and in the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

GLOBAL SECURITY CRISIS

Mr. PERDUE. Mr. President, I rise today to speak about our persistent global security crisis, but I also want to connect how our national debt crisis affects that.

Our thoughts and prayers go out to the families of the victims of these tragic events of the last 3 weeks. This week the Senate Foreign Relations Committee hosted the French Ambassador to the United States. In that meeting we shared that our thoughts and prayers are with them and with the people of France. But, more than that, we stand in solidarity with them against these evil forces that manifested themselves in the streets of Paris this past week. The horrific ISIS attacks in Paris—killing more than 130 and injuring more than 350 men, women, and some children—serve as a chilling reminder of the threat we continue to face from international terrorism every day.

Earlier this week, Russia confirmed that it was indeed a terrorist bomb that took down a Russian airliner over the Sinai Peninsula, killing all 224 people onboard. Just last night, we saw two aircraft—thank God, under a false alarm—grounded because of fear of a terrorist attack. In addition, ISIS claimed responsibility for twin suicide attacks in Beirut last week, killing 43 more people. This makes three international attacks in three short weeks.

ISIS continues to be a persistent threat to the West and to the security and stability of the Middle East. Unfortunately, as they have already said several times, these attacks only confirm what ISIS has in mind for the future. ISIS has been very clear about their intention to bring their version of terrorism to our own backyard, here in America. Indeed, ISIS even threatened Paris-styled attacks on our Nation's Capital in a recent video this week.

Earlier this week, CIA Director John Brennan said he would not consider the Paris attacks a one-off event. Director Brennan went on to say:

> It's clear to me that ISIL has an external agenda, that they are determined to carry out these types of attacks. I would anticipate that this is not the only operation that ISIL has in the pipeline.

In light of the latest attacks by ISIS—beyond Iraq and Syria—I could not disagree more with our President, who says that his policies are indeed containing ISIS. The President and his administration continue to underestimate this threat. He even called them the JV team not too long ago. Despite the fact that ISIS has demonstrated its ability to perpetrate large-scale attacks beyond the borders of its so-called Caliphate, President Obama refuses to change his failed strategy.

Beyond the fault of the President, however, fault lies here in Congress as well. Washington is entirely too often focused on the crisis of the day instead of getting at the true underlying problems and solving them directly. It shouldn't take a tragedy like this for Washington to pay attention. Again, the latest terrorist attacks only underscore that we are facing a global security crisis of increasing magnitude, and this is inextricably linked to our own national debt crisis.

As a matter of fact, the biggest threat to our global security is still our Nation's own Federal debt. This is as true today as it was when Admiral Mullen, Chairman of the Joint Chiefs of Staff, in 2012, said the same thing.

In the past 6 years, Washington has spent $21.5 trillion running the Federal Government. That is so large, I have a hard time even grasping how significant that is. But what I can understand is this: Of that $21.5 trillion we spent running the Federal Government, we have actually borrowed $8 trillion of that $21.5 trillion. With over $100 trillion of future unfunded liabilities, on top of the $18.5 trillion we have already built up, this is about $1 million for every household in America. Every family in America today shares in this responsibility of about $1 million per family.

We are so far past the tipping point, it may be at a point of being unmanageable. If interest rates alone were at their 30-year average of 5.5 percent, we would already be paying over $1 trillion in interest. That is unmanageable. That is twice what we spend on our defense investment, and it is twice what we spend on our discretionary nondefense investment. It is unmanageable, and we are well past that tipping point.

Yet, Washington's own dysfunction and gridlock is keeping us from completing the budget process, as I speak today, and passing appropriations bills in the Senate. I might even argue, we may have seen the last truly voted-upon and approved appropriations in the Senate because of the abuses of the rules that we have seen both sides play in recent years. Shockingly, in the last 40 years, only 4 times has the budget process worked the way it was designed, as it was written into law in 1974.

For example, this year we have tried to get onto the defense appropriations bill. That means we are trying to take the appropriations bill that would fund the defense so we can defend Americans abroad and we can defend our interests here at home against threats like ISIS, and we are being blocked from even getting that bill—which passed with a vast majority of votes in committee—from getting to the floor for a vote. No less than three times have the people on the other side of the aisle blocked it from going to the floor for debate, amendment process, and a vote; and three times the Democrats have voted against allowing us to get the defense appropriations bill on the floor, thus making it a political football. It is something I don't understand, not being of the political process here. We have recent attacks from ISIS, and yet we can't even find consensus here in this body to fund our Defense Department. William Few, the very first Senator from Georgia, in whose seat I serve today, would absolutely be appalled. He would remind us of the United States Constitution. There are only 6 reasons why 13 colonies, of which Georgia was one, came together to form this miracle called the United States. One of those was to ''provide for the common defense.'' And here we are, through dysfunction and partisan politics, not acting appropriately to fund the ability to provide for the common defense.

I hope we can learn from recent events and get serious about tackling this debt problem so we can use that resource to fund our strong foreign policy. We need a strong foreign policy to fight these threats abroad. But to have a strong foreign policy, we have to have a strong military. We proved that in the 1980s, when we brought down the Soviet Union with the strength of our economy and the power of our ideas. We are at risk today because of our own intransigence and national debt. To have a strong military, as we proved, we have to have a strong economy. That is in jeopardy because of this growing debt crisis.

To confront this global debt crisis, we have to get serious today. We have to break through. We have to get shoulder to shoulder and defend our country, which means we have to do the hard work on the floor of the Senate and pass the funding so we can defend ourselves against these new threats. Now is the time to solve this debt crisis so we can lead as a country again, to deal with this global security crisis, and to provide for the safety of Americans, wherever they are in the world.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRANSPORTATION FUNDING

Mr. CARPER. Mr. President, let me start by congratulating our colleagues on the Environment and Public Works Committee on which I serve, as well as the banking, commerce, and finance committees, where I also serve, on the recent appointment of a House-Senate conference to attempt to produce a final product for a multiyear transportation plan for our country.

I am a strong supporter, as are many of my colleagues, of investments in our Nation's roads, highways, bridges, and transit systems. I have been so for 15 years as a Senator, for 8 years before that as a Governor, and for years before that as someone who focused an economic development and job creation within the State of Delaware.

I am pleased on one hand that after too many years of short-term extensions in transportation funding, we are set to make rebuilding and modernizing our country's transportation system a long-term national priority again, and God knows we need to. However, I regret that I still have deep concerns for how Congress has decided to pay for these investments. For decades we have paid for our transportation systems—roads, highways, bridges, and transit systems—through the use of user fees in the form of Federal excise taxes and, in some cases, on gasoline and diesel fuel to support the funding of our Nation's transportation system for over a half century—over 50 years. I believe that approach remains the fairest and most efficient way to fund transportation projects. However, since 2008, we have strayed from a user-pays approach. Instead, we rely on $75 billion worth of budget gimmicks, unrelated offsets, and debt to prop up our transportation trust fund to pay for transportation investments. Rather than right our course, both the House and Senate transportation proposals rely on tens of billions of dollars in additional budget gimmicks and unrelated offsets to fund this bill over the next 6 years. That is not the right way to pay for our infrastructure. I think it is the wrong way. It is not unfair, in my view, to ask the businesses and people who use our roads, highways, and bridges to help pay for them. We have done that for 50 years, we know how to do it, it is a reasonably simple system, and I think it is a fair system. We can adjust the earned-income tax credit in order to offset any increase in the user-fee cost that would have an impact on lower income families because this kind of increase in the tax could be seen as not progressive. Having said that, that is not what we are going to do, and what we are going to do instead is do what we have done for the last 7 years and use gimmicks and things that have nothing to do with transportation to ostensibly pay for transportation funding.

All that being said, this is a course that Congress has voted for, and despite my misgivings over the funding, there is still much to commend in both the House and Senate legislation, particularly on the authorization side that comes out of the Environment and Public Works Committee and out of the Transportation Infrastructure Committee in the House.

Among the areas that I believe should be supported and should certainly be preserved in Congress is a robustly funded freight program, competitive grants for major projects, funding to reduce dangerous diesel pollution, and research grants to explore alternatives to user fees—the gas and diesel tax. I hope these provisions are retained in whatever bill emerges from the conference committee. Other provisions, such as caps on investment of freight funding in rail, port, and water transportation projects and cuts to public transit funding in Northeastern States should also be dropped.

Finally, Congress will face the question of how to balance the benefits of long-term investment predictability with the urgent project investment needs around our country. While the long-term predictability is certainly important, we must consider the significant unmet investment needs around our country and the huge economic benefits that transportation investments offer to America's businesses and families.

This legislation would best serve our country by maximizing annual investment levels for all service transportation programs over a shorter authorization period, and instead of having an inadequate amount of money to go to pay for transportation improvements over 6 years, I would hope our conferees would consider maybe using that same amount of money and just spread it over 5 years or even 4 years. We could use every dime of it, and then some, for the transportation needs of our country.

This may be the last talk I give on the Senate floor. I have given a bunch

of speeches on transportation, not so much on the authorization side of it, but mostly about finding a way to pay for it. Writing the transportation authorization legislation—while not easy—is the easy part of the job. The hard part is figuring out how to pay for stuff. For a long time we have used a user-fee approach, such as the gas and diesel tax. We have done that since Dwight Eisenhower was President and when we were building the Interstate Highway System.

We last raised the gas and diesel taxes in 1993, so it has been 22 years. The gas tax today is 18 cents, and after inflation it is worth about a dime. The diesel tax was raised about 22 years ago and is about 23 cents, and today it is worth less than 15 cents.

A couple of days ago, I bought gasoline in Dover, and I think we paid just a tad over $2 a gallon. Last week I was told there are 30,000 gas stations across America where people filled up and paid less than $2 a gallon for gasoline.

Senator DURBIN, Senator FEINSTEIN, and I in the Senate, and others in the House, have offered legislation to restore the purchasing power of the gas and diesel tax. We are not looking to increase it by 25 cents, 50 cents or $1, as some have suggested, but to simply raise it 4 cents a year for 4 years, and at the end of 4 years in 2020, index it to the rate of inflation. If we did that, we would generate something like $220 billion that would be used for our roads, highways, bridges, and transit systems over the next 10 years.

Instead, we are not going to do that. We are going to take money from the increase in TSA fees, which ostensibly was to be used to protect people when they fly on airplanes, and instead we will use it for roads, highways, and bridges. We are taking the money that should go to bolster the strength of our borders so we can make sure we are able to detect drugs and other things that shouldn't be going across our borders—particularly the border crossings where we have huge amounts of commerce moving in and out of our country into Mexico or into Canada—and instead we are going to take that money and ostensibly put it in roads, highways, and bridges.

I found a new way to avoid paying for roads, highways, bridges, and transit systems, and it is kind of a novel way, by saying to the Federal Reserve that we are going to reduce their reserves by $60 billion. The Federal Reserve, or central bank, turns out to have a large portfolio of investments, and a lot of the investments they have are actually Treasury security. During the course of the year, the Federal Reserve, from all of their investments, earns a lot of money, and after they deduct their expenses from all the money they earned—through the interest income that they earn—they turn what is left over to Treasury. They actually remit money during the course of the year—not all at once but during the course of the year.

Last year, the Federal Reserve remitted something like a one-half trillion dollars in net interest and income to the Treasury. That is revenue that enables the Treasury to reduce our deficit. The House came up with the idea of just reaching in and taking $60 billion out of the Federal Reserve and use that for roads, highways, and bridges instead of it being taken and turned over in due course to the Treasury to reduce the deficit.

Some people ask: What is wrong with doing this for transportation? What is wrong with doing this for homeland security? What is wrong with doing this for defense? What is wrong with doing this for agriculture or doing it for anything? I think this sets a terrible precedent and invites future Congresses to do the same thing. Instead of adhering to a policy that has served us well for many years and having those who use our roads, highways, and bridges pay for them, we are resorting to gimmicks and the kind of things we should not deign to do.

Having said that, there is a good deal to like, especially in the authorization language. I applaud those who have worked on this legislation, and I appreciate the chance to help shape and reform some of it, but I wish we had taken a different course with respect to actually paying for this work that needs to be done.

The last thing I will say is this: Our friends at McKinsey consulting firm, an international consulting firm, have an arm of McKinsey consulting called Global Institute. That arm of McKinsey reached out a year or so ago, and they tried to figure out if we were to invest robustly in our roads, highways, bridges, and transit systems, what kind of effect it would have on the unemployment in this country. What kind of effect it would have on the gross domestic product in this country. If we were to truly make the kind of robust investments that are needed—not just the limp-along-level funding, which is woefully inadequate—they calculated that we would add 1.8 million jobs in America.

A lot of the long-term unemployed folks wish they could be hired back again to do construction projects and build roads, highways, bridges, and transit systems. Instead, they are sitting on the sidelines because we don't have the money to pay to hire them to build these projects.

The Global Institute of McKinsey also tells us that robust transportation investments would enable us to grow GDP annually by 1.5 percent. Think about that. We are lucky if we can get GDP up 3 percent per year in this country and so are most developed nations. Simply by making robust investments in our transportation systems—rebuilding America's transportation systems again—we could expect to grow GDP by as much as 1.5 percent per year. The level of funding that is in the legislation before us doesn't come even close to that. I think we missed an opportunity here.

At one of my hearings today, Patty, one of our witnesses, had a funny quote by Yogi Berra, who died earlier this year. She said one of my favorite Yogi Berra quotes: ''When you come to the fork in the road, take it.'' We have come to the fork in the road with respect to transportation funding, and with apologies to Yogi Berra, I think we have taken the wrong fork in that road.

With that, I will call it a day and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ISIL

Mr. HEINRICH. Mr. President, the attacks in Paris were an unconscionable act of terrorism. America stands with the people of France and people of Paris, as we support those grieving and those working to deliver justice to the people involved. Make no mistake; the heinous terrorist attacks in Paris were an act of war. ISIL has barbarically killed and tortured innocent civilians, including Americans, not just in Paris but also recently in Beirut and routinely in Iraq. They operate around the globe, are well funded, well armed, and have no intention of stopping until their radical goals are realized. They continue to prey upon the innocent and manipulate the vulnerable. In some areas ISIL operates freely because of the instability created by persistent ethnic, sectarian, and religious conflicts in Iraq and Syria. But this crisis is not limited to Iraq and Syria, and the world's powers and their interests are quickly aligning in the urgent need to wipe the map clean of ISIL and its affiliates.

To be clear, there are smart ways that we can destroy this barbaric terrorist organization without entangling American troops in another endless and bloody ground war in the Middle East. America has a critical role to play in that effort, but it must be part of a larger strategy and coalition, employing a full range of military might, as well as economic and diplomatic power.

We can further engage in this fight in the following ways. First, we must relentlessly target ISIL headquarters in Raqqa and Mosul through air power and destroy ISIL's large oil infrastructure and refineries. Second, we must strangle the flow of foreign fighters on Syria's northern border. Third, we must compel Russia and other governments to reach a political end to the Syrian civil war so that we can unify and focus on fighting the Islamic State. Fourth, we need new measures to crack down on those who finance this terrorism and this extremism. Finally, it is time to drive a much harder bargain with an Iraqi leadership that

still refuses to build a state that is politically inclusive and decentralized.

Defeating ISIL cannot be solely an American solution nor should American ground troops be on the frontlines. It is past time that our Arab allies began focusing their efforts, with our support, on ISIL, militarily and economically. Ultimately, local Arab ground forces are the only lasting solution to defeating ISIL because they will be the ones left to ensure peace and stability once the more immediate military operations are concluded.

Some say that we should deploy 10,000 American troops to Syria. However, we know that this strategy would require significantly more troops and would not permanently eliminate ISIL or kill their ideology. Instead, doing so may well exacerbate the conflict and further ISIL's recruitment efforts. We can say this because we have a historical reference, and that historical reference is not from some distant land or from another century.

For nearly a decade, our brave men and women in uniform were deployed in Iraq and were asked to clear and hold multiple large cities. At the peak, in 2007, nearly 170,000 Americans were deployed on the ground, providing security in communities all across Iraq. Nearly 4,500—4,494 to be exact—gave their lives. More than 32,000 were wounded.

These tragic losses happened in the very same area where ISIL now occupies a major city in Iraq, Mosul, and a major city in Syria across the border, Raqqa. The point of my bringing up the Iraq war is not to relitigate the past but to keep in mind a very important lesson—that even when deploying nearly 200,000 American men and women to stabilize one country, the strategy of clearing and holding large territory is only a bandaid. It is not the permanent solution.

This is especially true when the political leadership in these countries is unwilling to create an inclusive representative government. The calls for sending 10,000 American troops to fight ISIL and to provide security both in Iraq and Syria would mean asking our sons and daughters to remain in these countries fighting year after year for decades into the future.

We know that when American forces are placed in the heart of these regional conflicts, it will only further delay the more lasting solution of having local partners on the ground and our allies in the Persian Gulf taking responsibility for this region, economically and militarily.

SYRIAN REFUGEE CRISIS

Lastly, I wish to talk a little bit about the issue of the Syrian refugee crisis.

Every single Syrian refugee must be subject to the highest levels of vetting and scrutiny, including repeated biometric screenings, before ever entering the United States of America. Syria is a war zone, and we have a duty to ensure that our own homeland security is intact.

The real priority, however, should be addressing the real security gaps that currently exist under the Visa Waiver Program—something on which Democrats and Republicans agree. Currently the Visa Waiver Program allows citizens of countries that qualify—38 countries, including 31 from Europe—to travel freely and stay in the United States for up to 90 days. Individuals who have purposefully traveled to Iraq or Syria, who have joined training camps or sympathized with ISIL's cause—that is where the real risk to the homeland lies.

The victims who have suffered at the hands of ISIL are not the problem, and we should instead be working to close the loopholes that allow dangerous individuals with violent intentions to potentially enter our country today.

In the coming days, I will be calling for reforms to our Visa Waiver Program so that we can focus on the real threats to our homeland. There is a difference between terrorists and victims of terrorism. The implicit assumption that Syrian refugees—many of whom have suffered brutally at the hands of ISIL—are a threat because of their country of origin is a rejection of American values and represents giving into our worst ethnic and religious prejudices.

I am grateful that when my own father and my grandparents fled Germany in the years leading up to World War II, this country chose to see them for what they were—enthusiastic American immigrants seeking to escape the dangerous politics gripping their former nation. Had this brand of twisted anti-immigrant logic been applied to them, I can only wonder how very different my life would be today.

Let's remember that the enemy in this current scenario is ISIL, not the refugees who flee from their destruction. We simply will not have the moral standing as a nation to lead this international scenario if we ignore those who have lost everything at the hands of these barbaric terrorists.

ISIL has killed and tortured many innocent civilians and is actively plotting to do more harm. We should all agree that ISIL must be eliminated from this Earth, but let's learn from our past mistakes and set to this work in a way that is both strategic and effective.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

TERRORIST ATTACKS AGAINST FRANCE

Mr. FRANKEN. Mr. President, I rise today with a heavy heart to express my condolences to the people of France for the tragedy they have experienced. No words can describe the barbaric and senseless acts of terrorism committed against the innocent victims in Paris, people who are simply going about their lives, people who are just enjoying a meal with their family or attending a concert with friends. These barbaric acts were an affront to the people of France and to all humanity.

This is a time for solidarity with France and with all victims of terrorism. The world has rightly come together to condemn these barbaric acts. Now we have to work together and redouble our efforts to defeat ISIS and other terrorist groups in Syria and Iraq and elsewhere.

SYRIAN REFUGEE CRISIS

As we remember the victims of the attacks in Paris, we cannot forget all those who are fleeing the terror in Syria. The ongoing conflict in that country has created 4 million refugees. These are people who are fleeing Assad's barrel bombs, his brutal assault on them on the ground, and they are fleeing murderous terrorist attacks committed by ISIS and other groups. Of those 4 million refugees, 1.9 million are in Turkey; 650,000 are in Jordan, a country of 6.5 million people; and 1.2 million are in Lebanon, making up a fifth of Lebanon's entire population.

The White House has a very modest plan to bring 10,000 Syrian refugees into the United States over the next year. It is a tiny number compared to what other countries are doing. Even France—the country that just suffered the terrorist attacks—is going to honor its commitment to take 30,000 refugees over the next 2 years. Each one of the 10,000 refugees we are accepting is important because it could be the difference between life and death for those individuals. That is why I was proud to join Senator DURBIN and other Members to urge the White House to do more—because we can and we should do more.

The United States has always been a refuge for the vulnerable, for those who are fleeing political repression or those who are persecuted simply because of their religion. The Syrian refugees the administration is prioritizing for entry are, in fact, the most vulnerable. These are survivors of violence and torture, people with medical conditions, and women and children.

The news site BuzzFeed has published a series of images of children, of young Syrian refugees. I encourage everyone to look at these images because they capture the vulnerability and desperation of the people we are trying to help, children like Ahmed, who is sleeping in this picture I have in the Chamber. As the BuzzFeed story says, Ahmed is a 6-year-old who carries his own bag over the long stretches his family walks by foot. His uncle says: ''He is brave and only cries sometimes in the evenings.'' His uncle has taken care of Ahmed since his father was killed in their hometown in northern Syria.

There are children like Maram. Maram is an 8-year-old, and the story describes how her house was hit by a rocket. A piece of the roof landed right on top of her, and the head trauma

caused her brain hemorrhage. She is no longer in a coma but has a broken jaw and cannot speak.

We can only hope these children won't share the fate of Aylan Kurdi, whose image I can't get out of my mind. He is the drowned 3-year-old boy whose photograph on that beach galvanized the world. He was part of a group of 23 who had set out in two boats to reach the Greek island of Kos, but the vessels capsized. Aylan drowned, as did his 5-year-old brother Galip, and so did the boys' mother, Rehan.

In the aftermath of the gruesome terrorist attacks in Paris, some have taken the view that we should turn our backs on these people, the very people who are fleeing from the terrorists. Some argue that we cannot both help these vulnerable men, women, and children and keep our country safe, but they paint a false choice. We can do both and we should do both.

I wish to take just a minute to describe the stringent and very extensive security screening procedures these individuals go through before they can even enter the country, procedures so extensive that it can take up to 2 years—usually between 1½ years and 2 years—for them to be cleared to come here.

These refugees are subject to the highest levels of security checks of any category of traveler entering the country. Those screenings include the involvement of our security and intelligence agencies, such as the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, and the Department of Defense.

All available biographic and biometric information of these refugees is vetted against law enforcement and intelligence community databases so that the identity of the individual can be confirmed. Every single refugee is interviewed by a trained official from the Department of Homeland Security.

Finally, the screening process accounts for the unique conditions of the Syria crisis and subjects these refugees to additional security screening measures.

We absolutely need to make sure these security measures are as stringent and as thorough as possible, and if there are ways to enhance these screening protocols, we should make sure we are doing that.

Each year the United States accepts tens of thousands of refugees from around the world, and there is no reason why some of those can't be Syrian refugees who are the most vulnerable. We can strike the right balance. We can protect our security and do our part to address the largest refugee crisis since World War II. But rather than showing compassion and standing up for American values, many of my colleagues on the other side of the aisle want to close the door to people who are fleeing the most horrendous forms of persecution. I believe that would betray our core values, and it would send a dangerous message to the world that we judge people based on the country they come from or from their religion, and that would make us less safe by feeding into ISIS's own propaganda that we are at war with Islam.

We are better than this. Remember the closing lines of the poem that is inscribed on the pedestal of the Statue of Liberty, the gift from France to the United States that is a symbol of freedom and of generous welcome to foreigners. The poem, ''The New Colossus,'' was written by Emma Lazarus, who was involved in charitable work for refugees and deeply moved by the plight of Russian Jews—like my grandfather—who had fled to the United States. These are the closing lines of her poem:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!

There should always be a place in this country for men, women, and children who are fleeing horror—the same kind of horror that befell so many innocent people in Paris last week. This is not the time to score political points; this is the time when we come together and show leadership. This is the time—this is now the time—when we uphold the values of the United States of America.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I yield to the Senator from Kentucky for the purposes of describing an amendment that he has filed.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, make no mistake, we have been attacked in the past by refugees or by people posing as refugees. The two Boston bombers were here as refugees. They didn't take very kindly to what we gave them—education, food, clothing—and they chose to attack our country. In Bowling Green, KY, we had two Iraqi refugees who came through the refugee program, posing as refugees, and then promptly decided to buy Stinger missiles. Fortunately, they bought them from an FBI agent, and we caught them. But when we caught them, we discovered their fingerprints were already on bomb fragments in Iraq in our database, yet we had no clue and admitted them anyway.

I think we have an insufficient process for knowing who is here legally and illegally. We have 11 million people in our country illegally, and 40 percent of them have overstayed their visa. Do we know who they are? Do we know where they are? If we extrapolate those statistics to those who are visiting our country from the Middle East, do we know where the 150,000 students are who say they are going to school in our country from the Middle East? I don't think we do.

I don't think we should continue adding people to the rolls of those coming from the Middle East until we absolutely know who is in our country and what their intentions are. So my bill says this—my amendment says this: We are not going to bring them here and put them on government assistance.

When the poem beneath the Statute of Liberty said give me your tired, give me your poor, it didn't say come to our country and we will put you on welfare. In those days you came for opportunity. Many Christian churches have supported refugees. My church has supported refugees coming here. That is charity. But when you put them on welfare, that is not charity.

We borrow $1 million a minute. We don't have enough money to do this; it is a threat to our national security. My amendment would end the housing assistance for refugees in order to send a message to the President: The people have spoken. We are unhappy with your program. If you will not listen to the American people, we will take the money from the purse.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in opposition to the Senator's amendment. All of us recognize that our first obligation as Americans is to ensure the security and well-being to the extent we can of our citizens. That is our first priority.

There are many flaws in the system for admitting people to this country. Those flaws go beyond the problem of people sneaking into our country illegally or overstaying their visas. They extend to the process we use under the Visa Waiver Program. Indeed, one of our colleagues Senator COATS has introduced a thoughtful bill to have us take a better look at that program and whether it is a way for citizens who have been radicalized to come from Western European countries into our country and to do us harm.

There are many ways we can improve the process. I am working with Senator CANTWELL on a bill having to do with biometrics to make sure we have more information. I look at the Senator's amendment, and he lists 34 countries that would be affected by his prohibition—34 countries. They include countries such as Turkey. Turkey is a NATO ally. Turkey is absolutely vital in the war against ISIS. It includes our strong ally Jordan. If Jordan and Turkey and Lebanon, countries that have already taken in 4 million refugees who are fleeing from Syria, are destabilized, what does that mean for the stability of that entire region?

Mr. President, last month I went on an official trip with several of my colleagues to get a better understanding of the migrant crisis that is engulfing Europe. We traveled to the two countries that are the entry points for

many of the refugees fleeing the conflict in Syria and who also are coming from Afghanistan and Iraq and some countries in Africa as well, such as Libya. So we went to Italy, and we went to Greece.

At that time, in the middle of last month, 710,000 individuals had come in through Greece and to Italy to go on to other countries in Western Europe and in Scandinavia. We talked to the officials there, and I was not happy with the responses I received from Greek, Italian, and U.N. officials about their screening of refugees. Even though it is evident that the vast majority of refugees were people who were fearing for their lives and seeking safety, I was worried that ISIS fighters would embed themselves in this flood of refugees.

What the Greeks and the Italians, with help from the U.N. High Commissioner for Refugees, were doing was fingerprinting people, taking their photographs and then essentially sending them on their way. And I asked: Are we comparing these fingerprints, these photos, this other information with our—the American—watch list for terrorists? Are we matching them up against our no-fly list, our TIDE database, which is the larger terrorist watch list? The answer was no, and that needs to change.

I also traveled to a shelter in Athens that was run by Doctors of the World, an organization with which I was previously unfamiliar, and there I met a very young mother with her adorable little girl. They were from Eritrea, and they had been part of the flood of refugees. They pose no harm to our country or to any of the countries in which they might ultimately settle, yet they might need a little bit of assistance, a little bit of help, because the mother was so young and her daughter only about age 2.

I also met two young girls from Afghanistan who both said to me: Please don't take our pictures and put them on Facebook, because we fear for our relatives back in Afghanistan.

Look what has happened in Afghanistan, as the Taliban has regained strength and now is once again oppressing women and girls, denying them an education, forcing them into early marriages.

Another country on this list is Nigeria—certainly a country we have to be very careful about because this is the country where ISIS has a stronghold and where Boko Haram is located. But it is also the country where hundreds of girls were kidnapped for trying to get an education.

In other words, we can't just list 34 countries, some of which are essential to work with us in the war against terrorism, against ISIS, such as Jordan and Turkey. We can't just list all these countries and say they are off limits.

We can't just automatically say no to an Iraqi interpreter who has worked with our special forces and now is in danger of losing his life and having his family slaughtered because he helped to save Americans' lives in Iraq. Are we saying we will not let a single person from 34 countries into our country no matter how many American lives they have saved, no matter whether they pose a threat to us?

Now, I want to make very clear that I do not think our process for screening people to come into this country is good enough. It is not. If it were good enough, we would not have people who could cause us harm in this country. But, you know, perhaps we should be focusing on those Americans—yes, even Americans—who have become radicalized and have traveled to Syria and Iraq and been trained to plot attacks here in this country: lone-wolf attacks, such as Major Hasan at Fort Hood, an American citizen who was radicalized online by an extremist Islamic cleric.

We can't apply a one-size-fits-all to 34 countries that include a NATO ally and other allies that have been helpful in the war against terrorism or countries that include individuals who have helped the cause, who have saved American lives or who pose no threats to us, such as those two young Afghan girls I met at the shelter or the very young mother with her very young little girl.

We do need to tighten our process. We need to do more. You know, I would think that Members of this body who voted just months ago to weaken our ability, even under court orders, to provide surveillance of those who we suspect would do us harm would think again about what they have done in this time when the threats coming at us have never been greater. But this is a meat ax approach. It is too broad, and it does not really address the problem that we face today. We do need to address that problem. Perhaps we need a pause to redo our processes. But this is not the answer.

Finally, as I read this language, the way it is written, it may apply to refugees who already have been legally admitted to this country. Do we want to do that? We need to think about this. We need to get this right, and Senator PAUL's amendment is far too broad and is not the right answer to what is a real problem.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I associate myself with the comments of Senator COLLINS, who described the amendment extremely well. I, too, rise in opposition to the proposed amendment for all the reasons she listed. She was quite vivid and quite concrete in numerous examples: individuals in Afghanistan who have assisted us who are in jeopardy if they don't get an opportunity to come to the United States and people in Jordan who fight with us each day. Who can fail to recall the horrific scene of the young Jordanian pilot who was burned by ISIS? That was a Jordanian patriot fighting with the United States of America against the common enemy, ISIL. Unfortunately, he is deceased. But to tell his family members and his fellow countrymen that they can't come here as they qualify through rigorous procedures as a refugee and are granted asylum—all these reasons have been so well spoken by Senator COLLINS. So I won't go on, but I want to make clear that I, too, oppose the amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

CRUDE OIL EXPORT BAN

Mr. HOEVEN. Mr. President, I rise today to make the case for lifting the 40-year-old ban on exporting crude oil. Lifting the ban is a smart move and it is long overdue. It will benefit not only my home State of North Dakota but also our Nation and our allies. That is why I am proposing to include legislation lifting the ban in the new highway bill that Congress is on track to pass this month.

The highway bill is must-pass legislation, and the benefits of allowing crude oil exports are multiple. Taken together, they make a powerful case for allowing our producers to market their product on the world markets. Doing so would enhance domestic production, increase the global supply of crude oil, grow our economy, create good-paying jobs for our people, and make our Nation more secure. So let's look at these benefits one by one.

First and foremost, crude oil exports will benefit American consumers. The price of oil is based on supply and demand—the more oil on the market, the lower the price. The volatility and the global price of crude oil are felt right down to the consumer level. More global supply means lower prices for gasoline and other fuels and more money in consumers' pockets. Those facts are backed up by studies at both the U.S. Energy Information Administration and the nonpartisan Brookings Institution.

This spring, EIA Administrator Adam Sieminski confirmed these findings in testimony before the Energy and Natural Resources Committee, on which I serve, as does the Presiding Officer. In September, the EIA released a new report that reaffirms the benefits to consumers and businesses that would result from lifting the decades-old crude oil export ban.

Second, in addition to benefiting consumers, crude oil exports will benefit the American economy. Crude oil exports will increase revenues and boost overall economic growth. It will help increase wages, create jobs, and improve our balance of trade.

The one area of our economy that currently enjoys a favorable balance of trade is agriculture. That is because our farmers and ranchers successfully market their products around the globe.

Our crude oil producers should be allowed to do the same. Local economies

also benefit. Service industries, retail, and other businesses in communities centered on oil development would see more economic activity and growth if this antiquated ban is lifted.

Crude oil exports will also benefit the U.S. energy industry. The EIA's latest study concluded that lifting the ban will reduce the discount for light sweet crude oil produced in States such as my State of North Dakota, as well as Texas and other States, and encourage more investment in domestic energy production.

The drop in the price of oil this year has slowed domestic production, but we continue to produce oil. Today my State of North Dakota produces about 1.16 million barrels of oil a day, only down slightly from our peak of more than 1.2 million barrels of oil a day. The reason is that our producers are resilient and innovative. They are developing new technologies and new techniques to become more cost effective and efficient all the time. The American energy industry is here to stay.

The energy sector, moreover, provides high-paying jobs for our people. We know that from experience in North Dakota, which has had the fastest growing rate of per capita personal income in the country among all the States in recent years.

On a national level, crude oil exports will help to bring our energy policy into the 21st century. The crude oil export ban is an economic strategy implemented in the 1970s, and the world has changed dramatically since then. Back then, conventional wisdom was that there was a finite quantity of oil in the world and we pretty much knew where it was. Nobody envisioned the kind of energy revolution we are seeing in States such as North Dakota, Texas, Colorado, and many others. Consequently, the model has shifted from scarcity to abundance, and we need to have a comprehensive approach to energy that reflects the new reality. That means we need additional investments in technology, transportation, and energy infrastructure, such as pipelines, rail, roads, and other industry needs. By leveraging our natural resources and American innovation, the United States is in a position to demonstrate real global energy leadership.

Last but not least, crude oil exports will strengthen national security. U.S. crude oil will provide strategic geopolitical benefits, not only for us but also for our friends around the globe. It will provide our allies with alternative sources of oil and free them from their reliance on energy from Russia, Venezuela, Iran, and other unstable parts of the world.

As a further security advantage, adding more supply would add a buffer against volatile events in the Middle East and elsewhere in the world. We finally have an opportunity to curb the disproportionate influence OPEC has had on the world oil market for 5 decades, and we need to do it. The President's deal with Iran lifts sanctions against Iranian oil, bringing 1 million barrels a day of their product on to global markets. Clearly, it is inconsistent for us to maintain a ban on U.S. oil exports while the President lifts a ban on Iranian exports, sending jobs, revenues, and economic growth to places such as Iran while blocking the same benefits for American citizens.

The ban on crude oil exports has long outlived its usefulness, and repealing it is long overdue. For consumers, jobs, the economy, and national security, we need to come together and lift the ban. We can do that by including legislation lifting the crude oil ban in the bipartisan highway bill set to pass Congress this month.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

Mr. BOOKER. Mr. President, 14 years ago on November 17, 2001, families across New Jersey were still struggling with the grief of empty seats at dinner tables and closets full of clothes never to be worn again. It was 14 years ago that the news headlines were reflecting on one of the greatest tragedies our country had ever witnessed, which were the attacks on 9/11 of the World Trade Center, at the Pentagon, and in Pennsylvania.

Today, the trauma for that is no longer as raw as it once was, yet we are still affected forever, and much still tries the soul of our Nation. While the Sun still rises, the seasons still change, the wounds of that day may never heal. There are so many families across New Jersey who are still struggling with the aftermath of this terror, with the illnesses of loved ones who survived and who served as first responders in the 9/11 attacks.

While the debris has long been cleared and new towers now stand at the World Trade Center site, many of the thousands of brave first responders who sacrificed their safety for the good of our country are still battling very serious health issues. The exposure to debris, to dust, to other hazardous materials and chemicals on September 11 and the weeks and months that followed have caused countless chronic medical problems for tens of thousands of Americans, including many New Jerseyans. They and their families are still burdened every single day with the physical, emotional, and financial costs of the attacks on 9/11.

For too long in the wake of the attacks, there were significant gaps in the access and quality of care for survivors. One such survivor, James Zadroga, an NYPD officer and former Ocean County, NJ, resident, struggled with accessing care to treat his severe and chronic respiratory problems after serving as first responder in the wake of September 11, where we believe he acquired those serious health problems. James passed away just over 4 years after the attacks at the age of 34.

Thanks to the advocacy of the Zadroga family and the State and Federal lawmakers—people like Senator Lautenberg and Senator MENENDEZ—a bill was passed into law to provide health care, treatment, and compensation for survivors like James Zadroga who are dealing with the aftermath and effects of the 9/11 attacks. Because of the James Zadroga 9/11 Health and Compensation Act of 2010, over 70,000 first responders and survivors are now enrolled in the World Trade Center Health Program and receiving quality care.

Over 5,000 survivors and first responders still require medical treatment because of their exposure and/or their service as first responders and because of the Zadroga act, they have had access. Because Congress failed to act, the World Trade Center Health Program expired in September 2015, and without congressional action, funding for the program will run out by next year. Additionally, funding for the September 11th Victim Compensation Fund will likely expire around the same time next year as well.

Earlier this month, the editorial board of one New Jersey newspaper, the Star-Ledger, had this to say about this body's failure to act:

> The bill has overwhelming support from both parties. They understand this is an American problem, with victims from all 50 states, and they know this legislative solution is not radical. We take care of workers with dangerous jobs . . . especially heroes who risked their lives to help humanity while most of us watched from home, paralyzed by grief.

We have not just a patriotic responsibility but a moral obligation to ensure that the Americans who sacrificed so much for the good of our country in the wake of September 11, 2001, are treated with the respect and care they deserve. They are our heroes. They are our champions. They stood up and worked when many ran.

It is incumbent upon this Congress to follow the lead of Senator GILLIBRAND and heed the calls coming from our constituents to pass the James Zadroga 9/11 Health and Compensation Reauthorization Act. I am proud to stand with Senator GILLIBRAND and our colleagues in the Senate and in the House, advocates, and first responders who are urgently calling for the passage of this necessary legislation that reflects our values and our ideals.

I wish to close with the words of a courageous Newark Fire Department captain who responded to the 9/11 attacks at great personal risk and had the following to share with my office about the renewal of the Zadroga act:

> As a member of New Jersey Task Force I, I responded on 9/11. This volunteer State Police team, participated in numerous search

and rescue operations on that day. The thousands of firefighters that worked that day, developed medical issues thereafter, including myself. I have had three surgeries for thyroid cancer. I also developed the 9/11 cough, and have developed side effects from radiation treatment. . . . We are not looking to get rich. We just want to be able to continue serving as firefighters, without worrying about our health because of 9/11.

Those in this Chamber who somehow, remarkably, oppose this bill need to hear this man's words and my own as well. We cannot fail to act. By what we do here now, we not only take care of those heroes from 9/11 but we send a message to all Americans about how we stand up for those who stood for us, who fought for us. When the most perilous times came to be, they were there for us. This country is a nation that takes care of its heroes.

What we do here with this legislation will forever highlight this ideal and celebrate its truth or it will cast a dark shadow over it. I hope today and in the coming days that we move this legislation forward and be the light upon the great men and women who are so patriotically dedicated to our Nation.

Mr. President, before I yield the floor, I would like to also talk briefly about the Transportation appropriations bill this Chamber is considering.

I truly appreciate the hard work that Senator REED and Senator COLLINS have done to get this bill to a place that makes critical investments in transportation and housing and, in particular, for some of our most vulnerable citizens. Their work has been tireless, and I am happy to see much of the progress they are making.

However, this appropriations bill as it currently stands includes some provisions that would weaken highway safety. At a time when 4,000 people are losing their lives annually on American highways and 100,000 are injured due to large truck crashes, it is paramount that Congress do more to improve safety, not remove evidence-based safety policies.

New Jersey alone has some 38,000 miles of public roads that connect people of our State and get them where they need to be. It drives much of the commerce and economy of our State every day. New Jersey is strategically placed, which makes it a very important path through the State and for goods up and down the east coast as well. These roads also see a tremendous amount of truck traffic at all times of the day and night. If you have ever driven on the New Jersey Turnpike, you know what I mean.

I am concerned that we saw an increase in truck accidents from 2009 to 2012, an increase in crash injuries by 40 percent, and truck crash fatalities during this time have increased 16 percent. This is data. These are numbers. But they are also human lives; they are fellow Americans who have had their lives shattered by horrific accidents.

Truckdriver fatigue is a leading cause of these major truck accidents. These drivers who work extremely long days delivering the goods we depend upon deserve basic protections allowing them to get sufficient rest to do their job.

I filed an amendment on the hours of service rules, which were put in place to prevent truckdriver fatigue and ensure that the rules put in place after years of study and robust stakeholder feedback would still be enforceable. Some people believe we should suspend these rules, these commonsense policies, by calling for even more study. My amendment ensures the rules will remain enforceable while further study is conducted so that we don't see more lives put at risk as a result of these delay tactics. What we should be doing is ensuring that safety is first. If it proves not necessary, then pull back.

There are other provisions in this bill that I believe could jeopardize highway safety as well. I am pleased, though, that earlier today we were able to work together and pass an amendment to further study a proposal to allow heavier trucks, longer trucks on the road. Heavier trucks could cause greater damage and destruction to human life and property when these accidents occur. I am grateful to my colleagues for working together on this.

A final example of a commonsense provision we in Congress should address as we work to improve highway safety is the minimum level of insurance required by truckdrivers. When truck crashes do occur and the insurance doesn't cover the cost of these accidents, taxpayers are left to front the bill. We should look to the decades-old minimum levels of insurance and assess whether those minimum insurance standards need to be raised so that families torn apart by truck crashes aren't then thrust into debt because of medical bills.

I have met with some of these families. I have sat with them and heard their stories about how low levels of minimum insurance have left them in dire straits. As taxpayers, we should not be left without the funding to rebuild damaged roads and bridges in the aftermath of such significant crashes. It is time to modernize a minimum level of insurance for truckdrivers so that we are all better equipped in the aftermath of an accident.

Again, I have sat with far too many survivors and their family members. I have seen, talked, and engaged with them, hearing the truth of their stories. We cannot sit silently while truck accidents are increasing in our country and allow commonsense safety to be rolled back in these spending bills. Where there are meaningful and practical solutions to pressing highway safety challenges, these are discussions we need to have. This is a fight worth having, and I look forward to continuing to work with my colleagues to improve the safety on our Nation's highways. We have the capability, we have the know-how, and we have the science to help us to begin to reduce these tragic accidents and fatalities on our highways.

I believe we should show greater urgency in protecting human life and protecting Americans as they ride along our roads.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, very shortly we are going to be adjourning for a very important briefing, but first I feel I should just briefly respond to my friend from New Jersey on a few of the points he raised. I recognize that he is not a member of the Appropriations Committee, and I doubt he was hanging on my every word when I described what was in the bill earlier today, but the fact is we have some very important truck safety provisions that are in the bill. For example, we require the Department to issue long-delayed regulations that deal with requiring speed governors that limit the speed at which trucks can travel. That rulemaking has been delayed an astonishing 22 times. We require the Department to proceed to issue those rules within 60 days of the enactment of this bill. That is a very important provision.

If my colleague is worried about truckdrivers exceeding the speed limit and causing an accident, he should be applauding this bill, which says to the Department, in no uncertain terms: Stop delaying. It is past time to issue this regulation.

Another very important safety provision that is in this bill has to do with requiring electronic logs. This is an important safety provision because it will prevent those few bad actors in the trucking industry from falsifying their paper logs. We will know for certain how long they were behind the wheel and on the road, and we will know whether they are complying with the hours of service provisions. Those are just two of the very important provisions my friend from New Jersey may not be aware of given that he does not serve on the committee and may not have heard my speech this morning.

The Senator from New Jersey also mentioned other issues, such as the insurance requirements. I want to make it very clear to my colleagues that our bill does not prohibit the Department from proceeding with a rulemaking that might increase the minimum insurance requirement, but what it says, in a very logical way, is it should assess the impact—the impact on the insurance market, the impact on the truckdrivers, and the impact on the insurance industry. The fact is that approximately only 1 percent of crashes that occur exceed what is now the minimum insurance requirement. I still think it is worth looking at because it has been many years since this issue has been reviewed. We don't block the rulemaking. We just make sure there is a report that assesses what the impact is before the Department imposes what

could be a huge and unnecessary financial burden.

I did feel it was important to clarify those three points. There is much else I could say about this issue, but I recognize that undoubtedly the Presiding Officer and others are eager to get to the briefing.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 5:05 p.m., recessed subject to the call of the Chair and reassembled at 6:25 p.m. when called to order by the Presiding Officer (Mr. PERDUE).

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER (Mr. PERDUE). The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Collins substitute amendment No. 2812.

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 Senate amendment No. 2812, the substitute amendment to H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Jerry Moran, John Boozman, Steve Daines, John Hoeven, Cory Gardner, Dan Sullivan, Joni Ernst, Daniel Coats, Johnny Isakson, Orrin G. Hatch, Lamar Alexander, Mike Crapo, Richard Burr, Shelley Moore Capito, Michael B. Enzi.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk for the underlying bill, H.R. 2577.

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 Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Jerry Moran, John Boozman, Steve Daines, John Hoeven, Cory Gardner, Dan Sullivan, Daniel Coats, Johnny Isakson, Orrin G. Hatch, Lamar Alexander, Mike Crapo, Richard Burr, Shelley Moore Capito, Michael B. Enzi, Joni Ernst.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII with respect to the cloture motions be waived.

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

The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to speak about an amendment I plan on offering tomorrow to the Transportation bill we are working on right now on the Senate floor. It is a commonsense amendment. It is an amendment about safety. It is an amendment about protecting our citizens. It is an amendment about cutting through redtape. It is an amendment about what the vast majority of Americans want us to do in the Senate, which is to start to get things done in this body. It is a simple amendment.

This is what my amendment does. It would allow States and communities throughout this country of ours the ability to expedite the Federal permitting process, the regulatory process on the construction and rebuilding of bridges. It is pretty simple. It doesn't get much more simple than that.

Everybody needs infrastructure. Every community in America needs bridges. It would only apply to bridges—critical pieces of infrastructure—bridges that are built in the same place, the same size, bridges that in the United States are falling apart.

We have talked about this on the Senate floor for the last several months. Our Nation's infrastructure is crumbling. The American Society of Civil Engineers gives America's infrastructure a D-plus. We are failing. For our infrastructure, in the classroom, we are the D-plus students.

This is, of course, bad for our Nation's economy. There is nothing more central to a country that wants to grow its economy, that wants to compete globally, than sound infrastructure for transportation. In a country of our size facing economic challenges, America's infrastructure can either drive growth and opportunity or it can slow down growth and opportunity and undermine it. Right now, that is what we are doing. We are slowing it down. We are undermining it. It is worse than that. It is worse than just undermining our own economic opportunity. The state of our infrastructure is actually dangerous for our citizens.

I agree that we must have stable funding for infrastructure. That is why I have been a strong supporter of the DRIVE Act and this bill, in terms of a 6-year highway bill, under the DRIVE Act. But we also need to focus on something else that is driving up the cost of our Nation's infrastructure: redtape that is stopping critical projects in America from moving forward. Like so many construction projects in this country, the environmental review process our bridges face is deathly slow and cumbersome and enormously expensive. We live in a redtape nation, particularly when it comes to infrastructure. We can't build the way we used to in this country.

Consider just a few statistics. The average time for environmental reviews for a major transportation project in the United States in 2011 was 8 years. That is up from 3½ years just 10 years earlier. The average environmental impact statement when NEPA was written was 22 pages. Now the average environmental impact statement is over 1,000 pages.

Let me give one example that came up in the Commerce Committee. We were talking about airport infrastructure—again, critical to the country. Seattle had built a new runway. When I asked the witness who was in charge of that runway how long it took to build, he said 3 years. That is a pretty long time, but it is a big runway, kind of complicated. Then I asked how long it took to get the Federal permits and regulatory permission from the Federal Government to build that new runway. The answer: 15 years. Fifteen years. The entire room gasped.

No American wants this. We need to do a lot more to get back to commonsense permitting and regulatory reform for America's infrastructure.

So we are starting on critical pieces of infrastructure that everybody can agree with. That is what this amendment does. It focuses solely on bridges. Our bridges are an increasingly important issue. One in 10 of our Nation's bridges—roughly 607,000 bridges in the United States—is structurally insufficient. Let me repeat that in a different way. In the United States, there are more than 600,000 bridges in need of repair. The average age of our bridges is 42 years old. So we need to repair them. We need to rebuild them. But what we don't need is the Federal Government taking 6 to 7 or 8 to 9 years to give us permission to rebuild bridges. There is not one American who thinks that would be a good idea. Yet, if we keep the law the same, that is exactly what is going to happen.

Communities need to rebuild bridges, and it is going to take several years to get permission from agencies in this town to allow them to do it. To do what? To build on the same land, to just build a bridge. We need to change that.

Thousands of communities across the country are simply keeping their fingers crossed when Americans cross structurally deficient bridges 215 million times a day. Let me repeat that. In this great country, Americans cross structurally deficient bridges 215 million times a day. So we need to fix them. They are being crossed by our trucks, carrying our Nation's commerce, our children in schoolbuses, parents trying to get home in time for dinner. These are people we should be protecting.

That is what my amendment does. It says that we are going to work to fix this infrastructure with the bill that we are working on, that my colleague from Maine is leading on with the DRIVE Act. But we are also going to be smart. We are not going to require Americans to take half a decade to get permission from the Federal Government to rebuild a bridge.

These bridges sustain our economy, they connect our communities, they connect us, they keep us safe, and we need to expedite the ability to fix our infrastructure in this country, starting with our bridges. That is all this amendment does. It is simple. It is common sense. I hope that if I can bring this to the floor, we will get a unanimous vote in favor of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me commend my colleague from Alaska for raising this important issue.

First, it is important to understand that his amendment only applies to structurally deficient bridges. These are bridges that are deteriorating and that need extensive renovation or replacement. And it is important that we address the problem of structurally deficient bridges before they become unsafe to use. That is the risk, and that is what my colleague from Alaska is attempting to address with his amendment. He is proposing that if we are replacing a structurally deficient bridge in exactly the same place, that we do not need to start all over again with an environmental impact statement that may delay the replacement of this structurally deficient bridge for literally years, not to mention the enormous cost that is undertaken when with an environmental impact statement and all the attendant studies are done. He is correct that the amount of time to do this kind of analysis, as well as the length of these studies, has grown enormously in recent years, and that, too, is a problem when we are dealing with a structurally deficient bridge.

I believe this is a commonsense amendment. I would not want to waive environmental impact studies if the bridge were going to be built in a new location. Then we would need to do that kind of careful environmental analysis and review to make sure the environmental impact is well understood. But that is not what Senator SULLIVAN is proposing. He is proposing that for this one category of bridges, we would not have to do the environmental impact statement if it is being rebuilt in exactly the same place. I think this makes sense. I think this is the kind of common sense that my colleague from Alaska has brought to Washington, and I commend him for his amendment.

I do know there are some concerns, I believe, on the other side of the aisle, and I appreciate the Senator from Alaska working with us. But I, for one, believe his amendment does make sense. It is narrowly tailored, and I believe it should be adopted by this body.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to thank my colleague from Maine for her comments. I very much appreciate her support. We will work with the others if they have questions.

I have worked on a number of issues now in my first year in the Senate with my colleague from Rhode Island, and I certainly want to make sure he is comfortable with this commonsense amendment. But I guarantee my colleagues, whether it is in Maine or Alaska or Rhode Island, if our citizens look—it doesn't matter; Democrat or Republican—at an amendment like this, I think the vast majority of them would say: Of course. Of course that is what we should be doing—protecting our citizens, building infrastructure, protecting the environment, but not making things take forever. That is what we are trying to do.

So I appreciate the kind words of the Senator from Maine about the amendment, and I am hoping we can move forward on this tomorrow.

Thank you. I yield the floor.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those 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. Today the Senate agreed to consider H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016, as reported by the Committee on Appropriations. The bill includes a provision related to the Department of Housing and Urban Development's administrative costs for disaster relief activities that results in $1 million in outlays. This provision is designated as an emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Deficit Control Act of 1985. The inclusion of this designation makes this spending eligible for an adjustment under the Congressional Budget Act.

As a result, I am increasing the budgetary aggregate for 2016 by $1 million in outlays. I am also increasing the 2016 allocations to the Appropriations Committee by $1 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 S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016
Current Spending Aggregates:	
Budget Authority	3,033,488
Outlays	3,091,973
Adjustments:	
Budget Authority	0
Outlays	1
Revised Spending Aggregates:	
Budget Authority	3,033,488
Outlays	3,091,974

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)

$ in millions	2016
Current Allocation:	
Revised Security Discretionary Budget Authority	523,091
Revised Nonsecurity Category Discretionary Budget Authority*	494,191
General Purpose Outlays*	1,157,344
Adjustments:	
Revised Security Discretionary Budget Authority	0
Revised Nonsecurity Category Discretionary Budget Authority	0
General Purpose Outlays	1
Revised Allocation:	
Revised Security Discretionary Budget Authority	523,091
Revised Nonsecurity Category Discretionary Budget Authority	494,191
General Purpose Outlays	1,157,345

Memorandum: Above Adjustments by Designation	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority	0	0	0	0
General Purpose Outlays	0	0	1	1

PROVIDING NEW SANCTIONS TOOLS TO TARGET HEZBOLLAH

Mr. BROWN. Mr. President, we acted on a measure I cosponsored to provide new authorities to the President to extend the wide array of existing U.S. sanctions on Hezbollah to any international banks determined by the Treasury Department to facilitate its activities. I commend my colleagues Senators SHAHEEN and RUBIO for introducing an earlier form of this measure and for pressing to ensure Senate action on it.

The bill also requires that a range of new policymaking information be provided to Congress from the administration on Hezbollah's malign activities, including its narcotics trafficking and other criminal activity and its terrorism-related and propaganda activity throughout the Middle East.

Especially in the wake of the Iran nuclear agreement, which I supported and which is now being implemented, it is critical that we continue to do everything we can to shut down Iran's terrorist proxies like Hezbollah, and to impose powerful financial and other sanctions on those who enable its operational or financial networks.

Hezbollah clearly has the potential to continue to threaten Israel, and this must continue to be an important focus of our efforts to confront it directly and to confront those who would finance and support its efforts wherever they may be.

In addition, with regional and international spillover effects of the civil war in Syria, we must also keep in mind the damage being done by Hezbollah's extensive support of the dictatorial Assad government.

The Assad government's violent suppression of the Syrian people's courageous campaign in early 2011 to secure their universal rights resulted in the murder of countless innocent Syrians. The violent crackdown of peaceful protesters and the denial of their legitimate democratic aspirations directly led to fledgling armed opposition groups throughout Syria. Since then, Hezbollah has provided training, logistics, and direct personnel to the Government of Syria's ruthless and criminal efforts to violently crush the opposition, driving many into the arms of extremist groups like ISIL and the Nusra Front.

For years, Iran has provided Hezbollah with training, weapons, and explosives as well as political, diplomatic, monetary, and organizational aid. However, Hezbollah has been enterprising in supplementing its revenue stream through criminal activities like drug trafficking, money laundering, and counterfeiting among others.

The Iran nuclear agreement was necessarily focused exclusively on preventing Iran from obtaining a nuclear weapon. That is because a nuclear-armed Iran would pose an exponentially greater danger to the security of the United States, our ally Israel, and the entire world. In my view, the agreement was the only viable option to prevent such a disastrous scenario.

But now we must do more to confront Hezbollah, as part of our broader efforts to strengthen regional security and antiterrorism efforts in the Middle East. Our goal here is simple: to shut down Hezbollah's funding networks which support its terrorist, narco-trafficking, and other criminal activities.

This bill gives the administration new tools to more aggressively pursue foreign banks that finance Hezbollah and requires key reporting to Congress on whether current efforts by other countries to combat Hezbollah's activities are adequate so that we might reassess our policy on an ongoing basis. In addition, it requires the administration to provide regular briefings for Congress on Hezbollah's narco-trafficking activities and other criminal activities, including prospects for explicit designation under the Foreign Narcotics Kingpin Designation Act or as a transnational criminal organization.

The bill imposes tough, targeted new sanctions measures on Hezbollah and its financiers, while minimizing unintended consequences against innocent third-party banks or countries that have worked hard to combat Hezbollah's reach. I am confident, for example, after consulting with State Department and Treasury officials, that the bill will be implemented to avoid overcompliance by U.S., European, and other financial institutions that could otherwise inadvertently damage Lebanon's banking sector, a key bulwark of its economy. That is especially important as Lebanon's economy is already under pressure, burdened with the highest number of refugees per capita in the world.

I commend this bipartisan legislation to my colleagues. I thank Senators SHAHEEN and RUBIO and Chairman SHELBY for working with me to ensure its passage.

REMEMBERING LA'DARIOUS WYLIE

Mr. SCOTT. Mr. President, I would like to recognize the life and remarkable heroism of La'Darious Wylie, an 11-year-old boy from Chester, SC, who showed his love for his younger sister by saving her life.

On October 27, La'Darious was standing at a schoolbus stop in Chester when he realized a car was heading toward his sister, Sha'Vonta McCrorey. His love for his sister led him to immediately jump in front of the moving car and push his sister out of the way. At that moment, La'Darious saved his sister's life.

La'Darious sacrificed his life in order to save his sister's. This truly touched my heart and moved people across our Nation. La'Darious was brave and selfless during a dangerous situation, and his heroic act says a lot about who he was, even at such a young age: fearless, compassionate, and a leader.

I had an opportunity to speak with La'Darious's mother, Liz McCrorey, and my heart aches for her, La'Darious's sister Sha'Vonta, and his brother Carlos Wylie. My prayers are with them. I ask that everyone will keep them in their thoughts as they continue to heal and grieve.

I am positive La'Darious is in a better place. He was a true hero, and his family should be proud of that.

Today I ask that we honor and celebrate his life. His courage and ultimate sacrifice should never be forgotten.

God bless.

ADDITIONAL STATEMENTS

TRIBUTE TO JIM HARRIGER

● Mr. BLUNT. Mr. President, I wish to honor today the 22 years of service of Jim Harriger as the executive director of Springfield Victory Mission. Since starting his work at the mission, Jim has faithfully dedicated his life to addressing the needs of the most vulnerable members of the Springfield community.

Jim is truly an icon of the philanthropic community in my hometown of Springfield, MO. From the beginning, he has said he felt called by God to serve Springfield in this way. He exemplifies what it means to put faith into action.

At the beginning of his service in 1993, the mission consisted of just two small buildings on Commercial Street. Under Jim's effective leadership, the mission grew to include some of its most well-known programs including the culinary arts school; Victory Trade School; and a student-run restaurant, Cook's Kettle.

The mission has been a place of help and hope for lives affected by poverty and addiction. In the mission's service to those in need, Jim has promoted the idea that we should see a person's God-given potential, rather than defining them by their circumstances.

Lives have been changed, the hungry have been fed, the homeless have gained shelter, and the hopeless have found hope. The work of Victory Mission will continue, and both the mission and Springfield are better because of the work of Jim Harriger.

Jim is set to officially retire on January 31, 2016. There is no doubt that

Jim will continue his exceptional work in the next chapter of his life. I join countless individuals in the Springfield community in expressing my gratitude for his many years of faithful service.●

TRIBUTE TO GREGG AND PEGGY NIBERT

● Mr. SCOTT. Mr. President, I would like to acknowledge Gregg and Peggy Nibert of Clinton, SC, for their dedication and willingness to provide children without families a loving and supportive home.

Mr. and Mrs. Nibert have opened up their hearts and homes through their exceptional service for children in the foster care system. Since entering the foster care program, Gregg and Peggy Nibert have fostered over 38 young children. The couple's very first child was a victim of shaken baby syndrome and blunt force trauma, and after 2 years in their care, the Niberts successfully advocated the child's adoption, resulting in placement with an amazing family.

Dedicating their lives to loving each child that has been placed in their home and extending their support toward fighting for political reform, the Niberts have been working toward providing foster care children with a voice and more rights within the legal system. The Niberts have been working on behalf of foster care children for years and have shown that love and care for others can change lives.

Gregg and Peggy Nibert are an outstanding example of foster parents who have a burning passion and desire not just to provide a home for these children but to love unconditionally and fight relentlessly for them as well. I applaud Gregg and Peggy Nibert for their continued commitment and compassion toward helping foster care children.●

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 511. An act to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

H.R. 1694. An act to amend MAP–21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes.

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The message also announced that the House insists upon its amendment to the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House: Mr. KLINE, Ms. FOXX, Messrs. ROE of Tennessee, THOMPSON of Pennsylvania, GUTHRIE, ROKITA, MESSER, GROTHMAN, RUSSELL, CURBELO of Florida, SCOTT of Virginia, Mrs. DAVIS of California, Ms. FUDGE, Mr. POLIS, Ms. WILSON of Florida, Ms. BONAMICI, and Ms. CLARK of Massachusetts.

The message further announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes:

From the Committee on Armed Services, for consideration of section 1111 of the House amendment, and modifications committed to conference: Messrs. THORNBERRY, ROGERS of Alabama, and Ms. LORETTA Sanchez of California.

From the Committee on Energy and Commerce, for consideration of sections 1109, 1201, 1202, 3003, division B, sections 31101, 31201, and division F of the House amendment and sections 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, sections 51101 and 51201 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, MULLIN, and PALLONE.

From the Committee on Financial Services, for consideration of section 32202 and division G of the House amendment and sections 52203 and 52205 of the Senate amendment, and modifications committed to conference: Messrs. HENSARLING, NEUGEBAUER, and Ms. MAXINE WATERS of California.

From the Committee on the Judiciary, for consideration of sections 1313, 24406, and 43001 of the House amendment and sections 32502 and 35437 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, MARINO, and Ms. LOFGREN.

From the Committee on Natural Resources, for consideration of sections 1114–16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310–13, 1316, 1317, 10001, and 10002 of the House amendment and sections 11024–27, 11101–13, 11116–18, 15006, 31103–05, and 73103 of the Senate amendment, and modifications committed to conference: Messrs. THOMPSON of Pennsylvania, LAHOOD, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and sections 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference: Messrs. MICA, HURD of Texas, and CONNOLLY.

From the Committee on Science, Space, and Technology, for consideration of sections 3008, 3015, 4003, and title VI of the House amendment and sections 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, sections 35105 and 72003 of the Senate amendment, and modifications committed to conference: Mr. SMITH of Texas, Mrs. COMSTOCK, and Ms. EDWARDS.

From the Committee on Ways and Means, for consideration of sections 31101, 31201, and 31203 of the House amendment, and sections 51101, 51201, 51203, 52101, 52103–05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference: Messrs. BRADY of Texas, REICHERT, and LEVIN.

ENROLLED BILLS SIGNED

At 5:40 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:

S. 799. An act to address problems related to prenatal opioid use.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1694. An act to amend MAP–21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2288. A bill to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–106. A resolution adopted by the House of Representatives of the State of Ohio requesting the United States Congress to renew funding for Save the Dream Ohio to help homeowners in the state of Ohio avoid foreclosure; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NUMBER 107

Whereas, The national housing crisis that began in 2007 led to unprecedented home price declines and sustained and higher unemployment in certain parts of the country, including Ohio; and

Whereas, Families in these areas, including Ohio, struggled to make their monthly mortgage payments and to get out from under deeply underwater mortgages; and

Whereas, In 2008, Save the Dream Ohio was created as a multi-agency foreclosure prevention outreach initiative involving partners from state government, nonprofit housing counseling agencies, and legal aid organizations to address this crisis; and

Whereas, In 2010, the Ohio Housing Finance Agency received $570.4 million from the United States Department of the Treasury's Hardest Hit Fund to administer Ohio's foreclosure prevention program through Save the Dream Ohio; and

Whereas, Save the Dream Ohio has worked with 32 United States Department of Housing and Urban Development-approved nonprofit counseling agencies and over 350 mortgage servicers nationwide to provide assistance to over 24,000 homeowners at risk of foreclosure; and

Whereas, An additional $60 million was designated for the Neighborhood Initiative Program to stabilize property values and prevent future foreclosures by removing and greening vacant and blighted properties; and

Whereas, Save the Dream Ohio had to stop accepting applications in August 2014, and payments on behalf of homeowners are expected to end in late 2016; United States Department of the Treasury guidelines specify that funds must be dispersed by December 31, 2017; and

Whereas, The Ohio Housing Finance Agency continues to administer the Save the Dream Ohio hotline to connect homeowners with HUD-approved housing counseling agencies and other resources: Now, therefore, be it

Resolved, That we, the members of the House of Representatives of the 131st General Assembly of the State of Ohio request the Congress of the United States to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the Speaker and Clerk of the United States House of Representatives and the President Pro Tempore and Secretary of the United States Senate.

REPORTS OF COMMITTEES ON NOVEMBER 17, 2015

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 515. A bill to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-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 child-sex offender is seeking to enter the United States, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. Res. 310. A resolution condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2184. A bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

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. 114–167).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Anthony Rosario Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years.

*Coast Guard nomination of Rear Adm. Kurt B. Hinrichs, to be Rear Admiral.

*Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years.

*Coast Guard nomination of Capt. Andrew S. McKinley, to be Rear Admiral (Lower Half).

*Coast Guard nominations beginning with Captain Matthew T. Bell and ending with Captain Anthony J. Vogt, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2015.

Mr. THUNE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

*Coast Guard nominations beginning with Ladonn A. Allen and ending with Jeffrey V. Yarosh, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

*Coast Guard nominations beginning with Sharif A. Abdrabbo and ending with Wilbur A. Velarde, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2020.

*Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training.

*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 Mr. CORNYN:

S. 2296. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CASSIDY):

S. 2297. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. LEE, Mr. CRUZ, Mr. PERDUE, and Mr. PAUL):

S. 2298. A bill to specify the state of mind required for conviction for criminal offenses that lack an expressly identified state of mind, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 2299. A bill to amend the Tariff Act of 1930 to improve enforcement of the trade laws of the United States, and for other purposes; to the Committee on Finance.

By Mr. JOHNSON:

S. 2300. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 2301. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ:

S. 2302. A bill to temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory; to the Committee on the Judiciary.

By Mr. MCCAIN:

S. 2303. A bill to exempt the Department of Defense and other national security agencies from sequestration; to the Committee on the Budget.

By Mr. TESTER (for himself and Mr. SCHATZ):

S. 2304. A bill to provide for tribal demonstration projects for the integration of early childhood development, education, including Native language and culture, and related services, for evaluation of those demonstration projects, and for other purposes; to the Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. INHOFE, Mr. CASEY, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. THUNE, Ms. AYOTTE, Mr. COCHRAN, Mr. HATCH, Mr. PORTMAN, Mr. LANKFORD, Mr. MORAN, Mr. LEE, Mr. ENZI, Mr. ALEXANDER, Mr. MCCAIN, Mr. WYDEN, Mr. WICKER, Mr. DAINES, Ms. HEITKAMP, Mr. FRANKEN, Mr. PETERS, Mr. KING, Mr. HOEVEN, Mrs. MURRAY, Mr. TILLIS, Mrs. ERNST, and Mr. SCOTT):

S. Res. 315. A resolution expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; considered and agreed to.

By Mrs. CAPITO (for herself, Ms. BALDWIN, Mr. KIRK, Ms. MIKULSKI, Ms. WARREN, and Mr. DURBIN):

S. Res. 316. A resolution supporting the goals and ideals of American Education Week; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI:

S. Res. 317. A resolution commemorating the 20th anniversary of the opening of the American Visionary Art Museum; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 318. A resolution to authorize deposition testimony and representation in Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al; considered and agreed to.

ADDITIONAL COSPONSORS

S. 237

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 237, a bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes.

S. 330

At the request of Mr. HELLER, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Arizona (Mr. MCCAIN) 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. 1714

At the request of Mr. MANCHIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1719

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1886

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1886, a bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes.

S. 1893

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1893, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 1998

At the request of Mr. HEINRICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1998, a bill to improve college affordability.

S. 2000

At the request of Mr. HOEVEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2000, a bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes.

S. 2071

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2071, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 2104

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2104, a bill to amend title XVIII of the Social Security Act to provide relief to Medicare Advantage plans with a significant number of dually eligible or low-income subsidy beneficiaries and to prevent the termination of two star plans.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) 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. 2206

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2206, a bill to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2206, supra.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2279

At the request of Mr. MERKLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2279, a bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the

recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes.

S. 2295

At the request of Mr. COTTON, the names of the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2295, a bill to extend the termination date for the authority to collect certain record and make permanent the authority for roving surveillance and to treat individual terrorist as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 2811

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. MARKEY), the Senator from Oregon (Mr. WYDEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 2811 proposed to H.R. 2297, an act to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 2296. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2296

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 ''Workforce Health Improvement Program Act of 2015''.

SEC. 2. EMPLOYER-PROVIDED OFF-PREMISES ATHLETIC AND FITNESS FACILITY SERVICES.

(a) TREATMENT AS FRINGE BENEFIT.—Subparagraph (A) of section 132(j)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

''(A) IN GENERAL.—Gross income shall not include—

''(i) the value of any on-premises athletic facility provided by an employer to the employees of the employer, and

''(ii) so much of the fees, dues, or other membership expenses paid by an employer on behalf of the employees of the employer for membership in or use of an athletic or fitness facility described in subparagraph (C) as does not exceed $900 per year per employee on behalf of whom such amounts are paid.''.

(b) ATHLETIC OR FITNESS FACILITIES.—Paragraph (4) of section 132(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(C) ATHLETIC OR FITNESS FACILITY.—For purposes of subparagraph (A)(ii), an athletic or fitness facility described in this subparagraph is a facility—

''(i) which provides instruction in a program of physical exercise, offers facilities for the preservation, maintenance, encouragement, or development of physical fitness, or serves as the site of such a program of a State or local government,

''(ii) which is not a private club owned and operated by its members,

''(iii) which does not offer golf, hunting, sailing, or riding facilities,

''(iv) the health or fitness component of which is not incidental to its overall function and purpose, and

''(v) which is fully compliant with applicable Federal and State anti-discrimination laws.''.

(c) EXCLUSION APPLIES TO HIGHLY COMPENSATED EMPLOYEES ONLY IF NO DISCRIMINATION.—Paragraph (1) of section 132(j) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Paragraphs (1) and (2) of subsection (a)'' and inserting ''Subsections (a)(1), (a)(2), and (j)(4)'', and

(2) by striking ''EXCLUSIONS UNDER SUBSECTION (A)(1) AND (2)'' in the heading and inserting ''CERTAIN EXCLUSIONS''.

(d) EMPLOYER DEDUCTION.—

(1) IN GENERAL.—Paragraph (3) of section 274(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to amounts to which section 132(j)(4)(A)(ii) applies.''.

(2) CONFORMING AMENDMENT.—The last sentence of paragraph (4) of section 274(e) of such Code is amended by striking ''subsection (a)(3)'' and inserting ''the first sentence of subsection (a)(3)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 315—EXPRESSING SUPPORT FOR THE GOALS OF BOTH NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. INHOFE, Mr. CASEY, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. THUNE, Ms. AYOTTE, Mr. COCHRAN, Mr. HATCH, Mr. PORTMAN, Mr. LANKFORD, Mr. MORAN, Mr. LEE, Mr. ENZI, Mr. ALEXANDER, Mr. MCCAIN, Mr. WYDEN, Mr. WICKER, Mr. DAINES, Ms. HEITKAMP, Mr. FRANKEN, Mr. PETERS, Mr. KING, Mr. HOEVEN, Mrs. MURRAY, Mr. TILLIS, Mrs. ERNST, and Mr. SCOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas there are millions of unparented children in the world, including 415,129 children in the foster care system in the United States, approximately 108,000 of whom are waiting for families to adopt them;

Whereas 62 percent of the children in foster care in the United States are age 10 or younger;

Whereas the average length of time a child spends in foster care is approximately 2 years;

Whereas for many foster children, the wait for a loving family in which the children are nurtured, comforted, and protected seems endless;

Whereas, in 2014, over 22,000 youth ''aged out'' of foster care by reaching adulthood without being placed in a permanent home;

Whereas every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that although ''Americans overwhelmingly support the concept of adoption, and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past 5 years'';

Whereas while 4 in 10 people of the United States have considered adoption, a majority of the people of the United States have misconceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 50 percent of the people of the United States believe that children enter the foster care system because of juvenile delinquency when, in reality, the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 39 percent of the people of the United States believe that foster care adoption is expensive when, in reality, there is no substantial cost for adopting from foster care and financial support is available to adoptive parents after the adoption is finalized;

Whereas family reunification, kinship care, and domestic and inter-county adoption promote permanency and stability to a far greater degree than long-term institutionalization and long-term, often disrupted, foster care;

Whereas both National Adoption Day and National Adoption Month occur in the month of November;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, nearly 54,500 children have joined permanent families during National Adoption Day;

Whereas, in 2014, nearly 400 events were held in the United States finalizing the adoptions of approximately 4,500 children from foster care;

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month; and

Whereas National Adoption Day is on November 21, 2015: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of both National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and all throughout the year.

SENATE RESOLUTION 316—SUPPORTING THE GOALS AND IDEALS OF AMERICAN EDUCATION WEEK

Mrs. CAPITO (for herself, Ms. BALDWIN, Mr. KIRK, Ms. MIKULSKI, Ms. WARREN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 316

Whereas November 16 through November 20, 2015 marks the 94th annual observance of American Education Week;

Whereas public schools are the backbone of the democracy of the United States, providing young people with the tools they need to maintain the precious values of freedom, civility, and equality;

Whereas, by equipping young people in the United States with both practical skills and broader intellectual abilities, public schools give young people hope for, and access to, a productive future;

Whereas people working in the field of public education, including teachers, higher education faculty and staff, paraeducators, custodians, substitute educators, bus drivers, clerical workers, food service professionals, workers in skilled trades, health and student service workers, security guards, technical employees, and librarians, work tirelessly to serve children and communities throughout the United States with care and professionalism; and

Whereas public schools are community linchpins, bringing together adults, children, educators, volunteers, business leaders, and elected officials in a common enterprise: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of American Education Week; and

(2) encourages the people of the United States to observe American Education Week by reflecting on the positive impact of all those who work together to educate children.

SENATE RESOLUTION 317—COMMEMORATING THE 20TH ANNIVERSARY OF THE OPENING OF THE AMERICAN VISIONARY ART MUSEUM

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 317

Whereas the American Visionary Art Museum in Baltimore, Maryland, opened on November 24, 1995;

Whereas, in 1992, Congress designated the American Visionary Art Museum as the national repository and education center for visionary art;

Whereas the American Visionary Art Museum—

(1) is the first museum in North America that is wholly dedicated to assembling a comprehensive national collection of visionary art;

(2) perseveres due largely to the leadership of its founder, Rebecca Alban Hoffberger, who built the idea of assembling a comprehensive national collection of visionary art into an institution;

(3) encourages art as a means of expression for at-risk youth and other individuals who are often overlooked;

(4) seeks to end the stigma associated with disability by illuminating the power to overcome the adversity associated with disability through creativity;

(5) educates, inspires, and entertains over 125,000 visitors each year; and

(6) continues to fulfill its mission to increase awareness of uncommon art that is created out of extraordinary circumstances; and

Whereas it is in the best interest of the national welfare and each United States citizen—

(1) to preserve visionary art; and

(2) to celebrate visionary art as a unique art form: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 20th anniversary of the opening of the American Visionary Art Museum; and

(2) reaffirms that visionary art is a rare and valuable national treasure to which individuals in the United States should devote attention, support, and resources to ensure it is collected, preserved, and understood.

SENATE RESOLUTION 318—TO AUTHORIZE DEPOSITION TESTIMONY AND REPRESENTATION IN CARE ONE MANAGEMENT LLC, ET AL. V. UNITED HEALTHCARE WORKERS EAST, SEIU 1199, ET AL.

Mr. MCCONNELL (for himself and Mr. REID of Nevada) submitted the following resolution; which was considered and agreed to:

S. RES. 318

Whereas, in the case of *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*, No. 2:12–cv–06371, pending in the United States District Court for the District of New Jersey, testimony has been sought from Rachel Pryor, a former employee in the office of Senator Richard Blumenthal, relating to her official responsibilities;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Rachel Pryor, former employee in the Office of Senator Richard Blumenthal, is authorized to testify in a deposition in the case of *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Ms. Pryor in connection with the testimony authorized in section one of this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2812. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 2813. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra.

SA 2814. Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2815. Mr. WICKER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra.

SA 2816. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2817. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra.

SA 2818. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2819. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2820. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2821. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2822. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2823. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2824. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2825. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2826. Mr. BLUMENTHAL submitted an amendment intended to be proposed to

amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2827. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2828. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2829. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2830. Mr. FLAKE (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2831. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2833. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2834. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2835. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2836. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2837. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2838. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2839. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2840. Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2841. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2842. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2843. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2844. Mr. CORNYN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2845. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2846. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2847. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2848. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2849. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2850. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2851. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2852. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2853. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2854. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2812. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $110,738,000, of which not to exceed $2,734,000 shall be available for the immediate Office of the Secretary; not to exceed $1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,109,000 shall be available for the Office of the General Counsel; not to exceed $10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $27,411,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,029,000 shall be available for the Office of Public Affairs; not to exceed $1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,880,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112–141: *Provided further*, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by $100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $13,000,000, of which $8,218,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses

incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $600,000,000, to remain available through September 30, 2019: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $10,000,000 and not greater than $100,000,000: *Provided further*, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed $25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to $20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $5,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $8,000,000, to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,678,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $6,000,000.

INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, $4,000,000, to remain available until expended: *Provided*, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $190,039,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $336,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $597,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,084,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That

the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act shall be used to finalize or implement sections 256.1 through 256.5 and 399.80 of the Department of Transportation's proposed rulemaking, as published in the Federal Register on Friday, May 23, 2014 (79 FR 29969), relating to Transparency of Airline Ancillary Fees and Other Consumer Protection Issues.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $9,897,818,000 of which $8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,505,293,000 shall be available for air traffic organization activities; not to exceed $1,258,411,000 shall be available for aviation safety activities; not to exceed $17,425,000 shall be available for commercial space transportation activities; not to exceed $748,969,000 shall be available for finance and management activities; not to exceed $60,089,000 shall be available for NextGen and operations planning activities; not to exceed $100,880,000 shall be available for security and hazardous materials safety; and not to exceed $206,751,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $154,400,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,855,000,000, of which $470,049,000 shall remain available until September 30, 2016, and $2,384,951,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $163,325,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $107,100,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $31,000,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section

48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112–141 shall not exceed total obligations of $40,256,000,000 for fiscal year 2016: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, $40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highways programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highways and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112–141), the amount of $22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: *Provided*, That this provision shall not apply to funds distributed in accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112–141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109–59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112–141): *Provided further*, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: *Provided further*, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes under section 104(a) of title 23, United States Code.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

''(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

''(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, and routes otherwise made eligible for designation as Interstate Route 69 in Texas.

''(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

''(1) a vehicle that could legally operate on the segment before the date of such designation at the posted speed limit may continue to operate on that segment; and

''(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.''.

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term ''earmarked amount'' means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 31112(c)(5) of title 49, United States Code, is amended—

(1) by striking ''Nebraska may'' and inserting ''Nebraska and Kansas may''; and

(2) by striking ''the State of Nebraska'' and inserting ''the relevant state''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 31112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

''(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—'';

(2) by striking ''; and'' at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting ''; and''.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, $259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $259,000,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2016, of which $9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which $34,545,000, to remain available for obligation until September 30, 2018, is for information management: *Provided further*, That $1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, $313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $313,000,000 in fiscal year 2016 for ''Motor Carrier Safety Grants''; of which $218,000,000 shall be available for the motor carrier safety assistance program, $30,000,000 shall be available for commercial driver's license program improvement grants, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for performance and registration information system management grants, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for safety data improvement grants: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107–87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner's permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner's permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds limited or otherwise made available under the heading ''Motor Carrier Safety Operations and Programs'' may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier's Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. Funds appropriated or otherwise made available by this Act or any other Act shall be used hereafter to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, only if the final report issued by the Secretary required by section 133 of division K of Public Law 113–235 finds that the July 1, 2013 restart provisions resulted in statistically significant net safety benefits and the Inspector General certifies that the final report meets the statutory requirements of Public Law 113–235.

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

(1) in subsection (14) by striking ''or'';

(2) in subsection (15) by striking ''.'' and inserting ''; or''; and

(3) by inserting at the end, ''(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.''.

SEC. 137. (a) Section 31111(b)(1)(A) of title 49, United States Code, is amended by striking ''or of less than 28 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,'' and inserting ''or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,''.

(b) Section 31111(f) of title 49, United States Code, the term ''chief executive officer of a State'' shall include ''chief executive officer of a State Department of Transportation''.

(c) The Secretary of Transportation is directed to conduct a study comparing crash data between 28 foot and 33 foot semitrailers or trailers operating in a truck tractor-semitrailer-trailer configuration. The Secretary shall submit its study to the House and Senate Committees on Appropriations no later than three years after the date of enactment of this Act.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $130,500,000, of which $20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $118,500,000, of which $113,500,000 shall be for programs authorized under 23 U.S.C. 403 and $5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $118,500,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER PURPOSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, section 31101(a)(6) of Public Law 112–141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, $575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, section 31101(a)(6) of Public Law 112–141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which $235,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $272,000,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59, as amended by Public Law 112–141; $25,500,000 shall be for ''Administrative Expenses'' under section 31101(a)(6) of Public Law 112–141: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: *Provided further*, That $10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109–59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: *Provided further*, That $4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109–59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: *Provided further*, That the additional $14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109–59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $199,000,000, of which $15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, $50,000,000, of which not to exceed $25,000,000 shall be available to carry out 49 U.S.C. 20167; not to exceed $15,000,000 shall be made available to carry out 49 U.S.C. 20158; and not to exceed $10,000,000 shall be made available for projects as defined in section 22501 of title 49, United States Code, to remain available until expended.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $288,500,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $1,101,500,000, to remain available until expended, of which not to exceed $160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading ''Operating Grants to the National Railroad Passenger Corporation'' be insufficient to meet operational costs for fiscal year 2016: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110–432, of which up to $500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not

approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: $4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—''Rail Line Relocation and Improvement Program'', $2,241,385; and ''Railroad Research and Development'', $1,960,000: *Provided*, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended: *Provided further*, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: *Provided further*, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: $5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110–432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and $11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—''Grants to the National Railroad Passenger Corporation'', $267,019; ''Next Generation High-Speed Rail'', $4,944,504; and ''Safety and Operations'', $6,710,477: *Provided*, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: *Provided further*, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $107,000,000, of which not less than $5,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, $9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, shall not exceed total obligations of $8,595,000,000 in fiscal year 2016.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, $32,500,000, to remain available until expended: *Provided*, That $30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and $2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), $3,153,000, to remain available until expended: *Provided*, That $2,653,000 shall be for activities authorized under 49 U.S.C. 5314 and $500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, $1,896,000,000, to remain available until expended: *Provided*, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading ''Fixed Guideway Capital Investment'' of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance

with part 604, and then was subsequently granted an exception from said part.

SEC. 164. Notwithstanding the requirements of 49 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as a result of any and all Federal public transportation assistance related to and for the use, encumbrance, transfer or disposition of property originally built as a prototype having icebreaking capabilities will be fully and completely satisfied by the property's use—

(1) in the areas of Arctic research;

(2) to map the Arctic;

(3) to collect and analyze data in the Arctic;

(4) to support activities that further Arctic exploration, research, or development; or

(5) for educational purposes or humanitarian relief efforts.

SEC. 165. Projects selected for the pilot program for expedited project delivery under section 20008(b) of MAP–21 shall be exempt from the requirements of 49 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this exemption, in determining whether a recipient has the financial capacity to carry out the eligible project, the Secretary of Transportation shall apply the requirements and considerations of 49 U.S.C. 5309(f).

SEC. 166. Of the unobligated amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309, $10,000,000 is hereby rescinded.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for fiscal year 2016.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $210,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $170,000,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which $1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which $18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which $5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 section 55601(b)(1) and 55601(b)(3): *Provided*, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: *Provided further*, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $5,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $8,135,000, of which $5,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed $3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for ''Operations and Training'', Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $22,500,000: *Provided*, That $1,500,000 shall be transferred to ''Pipeline Safety'' in order to fund ''Pipeline Safety Information Grants to Communities'' as authorized under section 60130 of title 49, United States Code: *Provided further*, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $49,000,000, of which $2,300,000 shall remain available until September 30, 2018: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $146,623,000, of which $19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which $127,123,000 shall be derived from the Pipeline Safety Fund, of which $66,309,000 shall remain available until September 30, 2018: *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: *Provided*, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of

crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $87,472,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $32,375,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than $31,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 191. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary of Transportation shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Technical Assistance and Training'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings ''National Infrastructure Investments'' in this Act:

Provided, That the Secretary of Transportation gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 197. Amounts made available in this or any other Act that the Secretary of Transportation determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 199. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the ''Department of Transportation Appropriations Act, 2016''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,500,000: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $568,244,000, of which not to exceed $44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed $96,000,000 shall be available for the Office of the General Counsel; not to exceed $208,604,000 shall be available for the Office of Administration; not to exceed $61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed $50,000,000 shall be available for the Office of Field Policy and Management; not to exceed $17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed $3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed $4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed $82,802,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $207,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $107,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $382,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $23,100,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $69,500,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $6,800,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced

vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110–329;

(3) $1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) $20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

(7) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $1,742,870,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: *Provided further*, That of the amount made available under the previous proviso, not less than $6,000,000 shall be for safety and security measures: *Provided further*, That of the total amount provided under this heading $35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents:

Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,500,000,000, to remain available until September 30, 2017.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $65,000,000, to remain available until September 30, 2018: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $40,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2017: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2020: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,452,007: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading, $60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

INDIAN HOUSING LOAN GUARANTEE FUND
PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,111,111,000, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: *Provided further*, That a grantee's share shall not reflect a loss greater than 10 percent or a gain greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: *Provided further*, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of

the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.), $3,000,000,000, to remain available until September 30, 2018: *Provided*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $900,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the ''Full-Year Continuing Appropriations Act, 2013'', shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled ''Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards'' which became effective on such date: *Provided further*, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2018: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional $5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113–291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,235,000,000, to remain available until September 30, 2018: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than $250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than $1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That up to $2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway Homeless Youth Act (42 U.S.C. 5714–25), notwithstanding section 204 of this title: *Provided further*, That up to $33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to $5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: *Provided further*, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private nonprofit organizations: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $400,000,000 previously appropriated under this heading that became available October

1, 2015), and $400,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $420,000,000 to remain available until September 30, 2019: *Provided*, That of the amount provided under this heading, up to $77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $137,000,000, to remain available until September 30, 2019: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $47,000,000, to remain available until September 30, 2017, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $30,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

MANUFACTURED HOUSING STANDARDS PROGRAM

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $10,000,000, to remain available until expended, of which $10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the

Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2017: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2016, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: *Provided,* That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2017: *Provided,* That $23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further,* That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2016, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $50,000,000, to remain available until September 30, 2017.

Of the amounts made available in this title under each of the headings specified in the report accompanying this Act, the Secretary may transfer to this account up to 0.1 percent from each such account, and such transferred amounts shall be available until September 30, 2017, for (1) technical assistance and capacity building; and (2) research, evaluation, and program metrics: *Provided*, That the Secretary may not transfer more than $40,000,000 to this account.

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided*, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: *Provided further*, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2017, of which $38,600,000 shall be to carry out activities pursuant to such section 561: *Provided,* That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $110,000,000, to remain available until September 30, 2017, of which $25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, $45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $250,000,000, shall remain available until September 30, 2017: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $126,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up

to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available under this title may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York–Wayne–White Plains, New York–New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York–Newark–Edison, NY–NJ–PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware–Maryland–New Jersey Metropolitan Division (hereafter ''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this title or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for fiscal year 2016 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 210. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 213. The funds made available under NAHASDA for Native Alaskans under the heading ''Indian Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 214. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder

unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts ''Executive Offices'' and ''Administrative Support Offices,'' as well as each account receiving appropriations for ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any office funded under the heading ''Administrative Support Offices'' to any other office funded under such heading: *Provided*, That no appropriation for any office funded under the heading ''Administrative Support Offices'' shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading ''Program Office Salaries and Expenses'' to any other account funded under such heading: *Provided further*, That no appropriation for any account funded under the general heading ''Program Office Salaries and Expenses'' shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading ''Administrative Support Offices'' and any account funded under the general heading ''Program Office Salaries and Expenses'', but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a ''program of the Department of Housing and Urban Development'' under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 225. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 227. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''fiscal year'' and all that follows through the period at the end and inserting ''fiscal year 2016.''; and

(2) in subsection (o), by striking ''September'' and all that follows through the period at the end and inserting ''September 30, 2016.''.

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office of Inspector General account), a total of up to $5,000,000 may be transferred to and merged with amounts made available in the ''Information Technology Fund'' account under this title.

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: ''Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law).''.

SEC. 234. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2016, including suspension from work.

SEC. 235. The language under the heading ''Rental Assistance Demonstration'' in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55) is amended:

(1) in proviso four, by striking ''185,000'' and inserting ''200,000'';

(2) in proviso eighteen, by inserting ''for fiscal year 2012 and hereafter,'' after ''*Provided further*, That''; and

(3) In proviso nineteen, by striking '', which may extend beyond fiscal year 2016 as necessary to allow processing of all timely applications,''.

SEC. 236. Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended by—

(1) inserting at the end of subsection (j)—

''(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established in subsection (9)(n).''; and

(2) inserting at the end of subsection (m)—

''(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

''(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

''(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency's Capital Fund into a replacement reserve subject to the following:

''(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a Replacement Reserve, funds originating from additional sources.

''(B) No minimum transfer of funds to a replacement reserve shall be required.

''(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

''(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

''(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

''(4) EXPENDITURE.—Funds in a replacement reserve may be used for purposes authorized by subparagraph (d)(1) and contained in its Capital Fund 5 Year Action Plan.

''(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.''.

SEC. 237. Section 9(g)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)) is amended by—

(1) inserting ''(A)'' immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: ''; and''; and

(3) inserting the following new paragraph:

''(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use.''.

SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the National Housing Act is amended by inserting at the end of subsection (b)—

''(c) The Secretary may establish an exception to any minimum property standard established under this section in order to address alternative water systems, including cisterns, which meet requirements of State and local building codes that ensure health and safety standards.''.

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601–5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001–22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency may be selected as a regional agency if the Secretary determines that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

SEC. 240. Section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding at the end the following new paragraph:

''(6) REVIEWS OF FAMILY INCOME.—

''(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

''(i) in the case of all families, upon the initial provision of housing assistance for the family; and

''(ii) no less than annually thereafter, except as provided in subparagraph (B)(i);

''(B) FIXED-INCOME FAMILIES.—

''(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

''(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

''(iii) FIXED INCOME.—For purposes of this subparagraph, the term 'fixed income' includes income from—

''(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an

agreement entered into under section 212(b) of Public Law 93–66;

''(II) Social Security payments;

''(III) Federal, State, local and private pension plans; and

''(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

''(C) INFLATIONARY ADJUSTMENT FOR FIXED INCOME FAMILIES.—

''(i) IN GENERAL.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

''(ii) EXEMPTION FROM ADJUSTMENT.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.''.

SEC. 241. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), is amended by striking ''18 months'' and inserting ''36 months''.

SEC. 242. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall establish a demonstration program during the period beginning on the date of enactment of this Act, and ending on September 30, 2020, entering into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 150,000 residential units in multifamily buildings participating in—

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive Housing for Persons with Disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated for the renewal of contracts under a program described in subsection (a).

SEC. 243. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development may establish, through notice in the Federal Register, a demonstration program to incent public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (in this section referred to as ''the Act''), to implement measures to reduce their energy and water consumption.

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

(2) FIRST YEAR UTILITY COST SAVINGS.—For the first year that an approved plan is in effect, the Secretary shall allocate the utility consumption level in the public housing operating fund using the base utility consumption level.

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) USE OF UTILITY COST SAVINGS.—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

(5) DURATION OF PLAN.—The length in years of the utility conservation plan shall not exceed the number of percentage points in utility consumption reduction a public housing agency achieves through the energy conservation measures implemented under this demonstration, but in no case shall it exceed 20 years.

(6) OTHER REQUIREMENTS.—The Secretary may establish such other requirements as necessary to further the purposes of this demonstration.

(7) EVALUATION.—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

(d) TERMINATION.—Public housing agencies may enter into this demonstration for 5 years after the date on which the demonstration program is commenced.

SEC. 244. (a) AUTHORITY.—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

(b) CAPITAL ADVANCES.—Interest shall not be due and repayment of a capital advance shall not be triggered by a transfer pursuant to this section.

(c) PHASED AND PROPORTIONAL TRANSFERS.—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) CONDITIONS.—The transfers authorized by this section shall be subject to the following conditions:

(1) the owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State,

and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

(e) PUBLIC NOTICE.—The Secretary shall publish a notice in the Federal Register of the terms and conditions, including criteria for the Department's approval of transfers pursuant to this section no later than 30 days before the effective date of such notice.

SEC. 245. (a) Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading ''General and Special Risk Program Account'', and for the cost of guaranteed notes and other obligations under the heading ''Native American Housing Block Grants'', $12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings ''Rural Housing and Economic Development'', and ''Homeownership and Opportunity for People Everywhere Grants'' are hereby rescinded.

SEC. 246. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

SEC. 247. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: *Provided*, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 248. None of the funds made available under this title shall be used to enforce compliance with the Green Physical Needs Assessment for public housing agencies with 250 housing units or less.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2016''.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,023,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $25,660,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,999,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $105,170,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $140,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314) is amended in section 204(a) by striking ''level V'' and inserting ''level IV''.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfields as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole-source contracts by no later than July 30, 2016. Such report shall include the contractor, the amount of the contract and the rationale for using a sole-source contract.

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 411. None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 412. None of the funds made available in this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 413. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 414. (a) None of the funds made available in this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.–E.U.–Iceland–Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.–E.U.–Iceland–Norway Air Transport Agreement and United States law.

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016''.

SA 2813. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 55, line 22, strike ''2015'' and insert ''2016''.

SA 2814. Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the appropriate place, insert the following:

SEC. ____. (a) In this section:

(1) ENTERPRISE.—The term ''enterprise'' has the meaning given the term in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502).

(2) GUARANTEE FEE.—The term ''guarantee fee''—

(A) means a fee in connection with any guarantee of the timely payment of principal and interest on securities, notes, and other obligations based on or backed by mortgages on residential real properties designed principally for occupancy of from 1 to 4 families; and

(B) includes—

(i) the guaranty fee charged by the Federal National Mortgage Association with respect to mortgage-backed securities; and

(ii) the management and guarantee fee charged by the Federal Home Loan Mortgage

Corporation with respect to participation certificates.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(4) SENIOR PREFERRED STOCK PURCHASE AGREEMENT.—The term ''Senior Preferred Stock Purchase Agreement'' means—

(A) the Amended and Restated Senior Preferred Stock Purchase Agreement, dated September 26, 2008, as such Agreement has been amended on May 6, 2009, December 24, 2009, and August 17, 2012, respectively, and as such Agreement may be further amended and restated, entered into between the Department of the Treasury and each enterprise, as applicable; and

(B) any provision of any certificate in connection with such Agreement creating or designating the terms, powers, preferences, privileges, limitations, or any other conditions of the Variable Liquidation Preference Senior Preferred Stock of an enterprise issued or sold pursuant to such Agreement.

(b)(1) In the Senate and the House of Representatives, for purposes of determining budgetary impacts to evaluate points of order under the Congressional Budget Act of 1974, any previous budget resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increase, or extend the increase of, any guarantee fee of an enterprise shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

(2) The prohibition in paragraph (1) shall not apply to any legislation that—

(A) includes a specific instruction to the Secretary on the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement; and

(B) provides for an increase, or extension of an increase, of any guarantee fee of an enterprise to be used for the purpose of financing reforms to the secondary mortgage market.

(c)(1) Notwithstanding any other provision of law or any provision of the Senior Preferred Stock Purchase Agreement, the Secretary may not sell, transfer, relinquish, liquidate, divest, or otherwise dispose of any outstanding shares of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement, until such time as Congress has passed and the President has signed into law legislation that includes a specific instruction to the Secretary regarding the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of the senior preferred stock so acquired.

(2) Nothing in this subsection shall be construed to alter, supersede, or interfere with the final ruling of a court of competent jurisdiction with respect to any provision of the Senior Preferred Stock Purchase Agreement.

SA 2815. Mr. WICKER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Beginning on page 45, strike line 16 and all that follows through line 9 on page 46 and insert the following:

SEC. 137. The Secretary of Transportation may promulgate a rulemaking to increase the minimum length limitation that a State may prescribe for a truck tractor-semitrailer-trailer combination under section 31111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112–141), that such change would not have a net negative impact on public safety.

SA 2816. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

(1) aggravated sexual abuse under section 2241 of title 18, United States Code;

(2) murder under section 1111 of title 18, United States Code, an offense under chapter 110 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) sexual assault or domestic violence, as those terms are defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

(B) child abuse, as defined in section 212 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.).

SA 2817. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) In this section—

(1) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat 1324);

(2) the term ''Federal Director'' means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b)(1) Notwithstanding section 601(d)(3) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432; 122 Stat. 4969) and section 1(b)(1) of Public Law 111–62 (123 Stat. 1998), hereafter the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

SA 2818. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 44, line 6, strike ''only if'' and insert ''until''.

SA 2819. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of the general provisions of title I, add the following:

SEC. _____. Notwithstanding any other provision of law, any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires construction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 2820. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

After section 119C, insert the following:

SEC. 119D. It is the sense of Congress that the National Oceanic and Atmospheric Administration and the Federal Aviation Administration should continue evaluating the benefits of all-digital cylindrical technology and other technologies to be incorporated into the multi-function phased array radar and consider providing appropriate funding for demonstrations of such technologies.

SA 2821. Mr. JOHNSON submitted an amendment intended to be proposed to

amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. CLEARING TRAINS FROM GRADE CROSSINGS.

(a) SHORT TITLE.—This section may be cited as the ''Moving Obstructed Trains Inbetween Openings Now Act'' or the ''MOTION Act''.

(b) GRADE CROSSING EXCEPTION.—

(1) AMENDMENT.—Chapter 211 of title 49, United States Code, is amended by adding at the end the following:

''§ 21110. Grade crossing exception.

''Employees may be allowed to remain or go on duty for a period in excess of the limitations established under this chapter to the extent necessary to clear a blockage of vehicular traffic at a grade crossing.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 211 of such title is amended by adding at the end the following:

''21110. Grade crossing exception.''.

SA 2822. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. _____. Section 127 of title 23, United States Code (as amended by section 125), is amended by adding at the end the following:

''(o) LOGGING VEHICLES IN WISCONSIN.—No limit or other prohibition under this section, except the limit described in this subsection, shall apply to a vehicle with a gross weight of 98,000 pounds or less if the vehicle is—

''(1) transporting raw or unfinished forest product; and

''(2) operating on Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.''.

SA 2823. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. _____. Notwithstanding any other provision of law, any funds apportioned to a State for the national highway performance program under section 119 of title 23, United States Code, may be used for the replacement, rehabilitation, preservation, and protection of bridges on Federal-aid highways not on the National Highway System.

SA 2824. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

Strike section 230.

SA 2825. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

After section 119C, insert the following:

SEC. 119D. For fiscal year 2016, the Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2016 under that section; and

(2) 10,000 or more passenger boardings during calendar year 2012.

SA 2826. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

Beginning on page 44, strike line 13 and all that follows through page 45, line 5.

SA 2827. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the appropriate place in title I, insert the following:

SEC. ____. None of the funds made available under this title may be used for the Wave Streetcar project in Fort Lauderdale, Florida.

SA 2828. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the appropriate place in title I, insert the following:

SEC. ____. None of the funds made available under this title may be used for the Seattle Sound Transit University Link light rail project.

SA 2829. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the appropriate place in title I, insert the following:

SEC. ____. None of the funds made available under this title may be used for the VelociRFTA bus rapid transit project in Roaring Fork Valley, Colorado.

SA 2830. Mr. FLAKE (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 82, between lines 4 and 5, insert the following:

SEC. 199D. UNUSED EARMARKS.

(a) SHORT TITLE.—This section may be cited as the ''Jurassic Pork Act''.

(b) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term ''Executive agency'' under section 105 of title 5, United States Code;

(2) the term ''earmark'' means—

(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term ''unused DOT earmark'' means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) RESCISSION OF UNUSED DOT EARMARKS.—

(1) IN GENERAL.—Except as provided in paragraph (2), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded and shall be transferred to the Highway Trust Fund.

(2) EXCEPTION.—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of amounts from the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(3) APPLICABILITY.—This subsection shall apply for fiscal year 2016 and each fiscal year thereafter to amounts made available for any fiscal year beginning before, on, or after the date of enactment of this Act.

(d) AGENCY-WIDE IDENTIFICATION AND REPORT.—

(1) AGENCY IDENTIFICATION.—Each agency shall identify and submit to the Director of the Office of Management and Budget an annual report—

(A) that identifies each earmark for a project of the agency that is ineligible for funding; and

(B) that discusses each project of the agency for which—

(i) amounts are made available under an earmark; and

(ii) as of the end of a fiscal year, unobligated balances remain available.

(2) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report regarding earmarks (including any earmark that is ineligible for funding) that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c) at the end of the fiscal year during which the report is submitted.

(3) APPLICABILITY.—This subsection shall apply for fiscal year 2016 and each fiscal year thereafter.

SA 2831. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. (a) In this section, the terms ''families'' and ''public housing'' have the meanings given those terms in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(b) None of the funds made available under this Act or any other provision of law may be used to provide public housing or tenant-based or project-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to families with annual gross incomes for two consecutive years of more than $100,000.

SA 2832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. (a) In this section, the term ''covered agency'' means—

(1) the Department of Housing and Urban Development;

(2) the Department of Transportation;

(3) the Federal Maritime Commission;

(4) the National Railroad Passenger Corporation;

(5) the National Transportation Safety Board;

(6) the Neighborhood Reinvestment Corporation; and

(7) the United States Interagency Council on Homelessness.

(b) Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress and post on the website of the Office of Management and Budget a report on projects funded by a covered agency—

(1) that are more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than $1,000,000,000 more than the original cost estimate for the project.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated; and

(D) each primary contractor and grant recipient for the project;

(2) the original expected date for completion of the project;

(3) the current expected date for completion of the project;

(4) the original cost estimate for the project;

(5) the current cost estimate for the project;

(6) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(7) recommendations to reduce the cost for the project that may require legislative action.

SA 2833. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. (a) The Secretary of Housing and Urban Development shall prepare a report, and post such report on the public website of the Department of Housing and Urban Development (in this section referred to as the ''Department''), regarding the number of homes owned by the Department and the cost to taxpayers of acquiring, maintaining, and selling such homes.

(b) The report required under this section shall include—

(1) the number of residential homes that the Department owned during the years 2010 through 2015;

(2) an itemized breakdown of the total annual financial impact, including losses and gains from selling homes and maintenance and acquisition of homes, of home ownership by the Department since 2010;

(3) a detailed explanation of the reasons for the ownership by the Department of the homes;

(4) a list of the 10 urban areas in which the Department owns the most homes and the rate of homelessness in each of those areas; and

(5) a list of the 10 States in which the Department owns the most homes and the rate of homelessness in each of those States.

SA 2834. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

''(3) AIRSPACE MANAGEMENT ADVISORY COMMITTEE.—

''(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Administrator shall establish an advisory committee to review and provide comments on proposals described in subparagraph (B) before any such proposal is made available for public comment and before any such proposal is implemented.

''(B) PROPOSALS DESCRIBED.—A proposal described in this subparagraph is a proposed change in regulations, policies, or guidance of the Federal Aviation Administration relating to airspace that affects airport operations, airport capacity, the environment, or communities in the vicinity of airports.

''(C) MEMBERSHIP.—The membership of the advisory committee established under subparagraph (A) shall include representatives of air carriers, airports of various sizes and types, and State aviation officials.

''(D) DUTIES.—Not later than 100 days after the establishment of the advisory committee under subparagraph (A), the advisory committee shall—

''(i) conduct a review of the practices and procedures of the Federal Aviation Administration for developing proposals described in subparagraph (B), including—

''(I) an assessment of the extent to which there is consultation, or a lack of consultation, with respect to such proposals—

''(aa) between and among the affected elements of the Federal Aviation Administration, including the Air Traffic Organization, the Office of Airports, the Flight Standards Service, the Office of NextGen, and the Office of Energy and Environment; and

''(bb) between the Federal Aviation Administration and affected entities, including airports, communities, and State and local governments;

''(ii) recommend revisions to such practices and procedures to improve communications and coordination between and among affected elements of the Federal Aviation Administration and with other affected entities with respect to proposals described in subparagraph (B) and the potential effects of such proposals;

''(iii) conduct a review of the management by the Federal Aviation Administration of database systems used to evaluate data relating to obstructions to air navigation or navigational facilities under part 77 of title 14, Code of Federal Regulations; and

''(iv) make recommendations to ensure that such data is publicly accessible and

streamlined to ensure developers, airport operators, and other interested parties may obtain relevant information concerning potential obstructions when working to preserve and create a safe and efficient navigable airspace.''.

SA 2835. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. The Secretary of Housing and Urban Development may not make a payment to any person or entity with respect to a property assisted or insured under a program of the Department of Housing and Urban Development (in this section referred to as the ''Department'') that—

(1) on the day before the date of enactment of this Act, is designated by the Department as ''troubled'' for ''life-threatening deficiencies'' or ''poor'' physical conditions on the Online Property Integrated Information System; and

(2) has been designated by the Department as ''troubled'' for ''life-threatening conditions'' or ''poor'' physical condition on the Online Property Integrated Information System not less than once during the 5-year period ending on the day before the date of enactment of this Act.

SA 2836. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. A recipient of grant amounts from the Department of Housing and Urban Development may not use such amounts to pay any amount due on a loan provided to the recipient by the Department of Housing and Urban Development.

SA 2837. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. None of the funds made available under this Act may be used by the Federal Government to interfere with State and local inspections of public housing dwelling units.

SA 2838. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 109, line 8, strike ''$900,000,000'' and insert ''$66,000,000''.

SA 2839. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act shall be used to implement, administer, or enforce any wage requirement under subchapter IV of chapter 31 of title 40, United States Code, except with respect to any contract that is in existence on or prior to the date that is 30 days after the date of enactment of this Act or made pursuant to an invitation for bids outstanding on the date that is 30 days after such date of enactment.

SA 2840. Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the appropriate place, insert the following:

SEC. ____. (a) PROHIBITION ON USE OF FEDERAL FUNDS FOR HUD RULE.—Notwithstanding any other provision of law, no Federal funds may be used to implement, administer, or enforce the final rule of the Department of Housing and Urban Development entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)).

(b) PROHIBITION ON USE OF FEDERAL FUNDS FOR FEDERAL DATABASE.—Notwithstanding any other provision of law, no Federal funds may be used to design, build, maintain, utilize, or provide access to a Federal database of geospatial information on community racial disparities or disparities in access to affordable housing.

SA 2841. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. Of the amount appropriated by this Act for the Federal Aviation Administration for research, engineering, and development, $1,000,000 shall be available for the implementation of the unmanned aircraft operator certification provisions of subpart C of part 107 of title 14, Code of Federal Regulations, as proposed in the notice of proposed rulemaking relating to operation and certification of small unmanned aircraft systems published in the Federal Register on February 23, 2015 (80 Fed. Reg. 9544), or other unmanned aircraft operator certification provisions comparable to such provisions.

SA 2842. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. (a) Of the amounts appropriated under this Act for the Federal Aviation Administration, $2,000,000 shall be available to the Administrator of the Federal Aviation Administration to develop a comprehensive strategy for the integration of unmanned aircraft systems (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note)) into the national airspace system.

(b) In developing the strategy required by subsection (a), the Administrator shall—

(1) effectively leverage the capabilities of the test ranges for unmanned aircraft systems designated by the Federal Aviation Administration under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) in integrating unmanned aircraft systems into the national airspace system; and

(2) consult with interested industry groups, the Administrator of the National Aeronautics and Space Administration, the Secretary of Homeland Security, the Secretary of Defense, the heads of other appropriate Federal agencies, and the operators of the test ranges described in paragraph (1).

(c) The strategy required by subsection (a) shall be submitted to Congress not later than 180 days after the date of the enactment of this Act.

SA 2843. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 194, between lines 2 and 3, insert the following:

SEC. 416. None of the amounts appropriated or otherwise made available under this Act may be used to provide or administer assistance to aliens admitted, on or after November 13, 2015, as refugees or asylees under section 1157 or 1158 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) who were nationals of any of the following countries or territories:

(1) Afghanistan.
(2) Algeria.
(3) Bahrain.
(4) Bangladesh.
(5) Egypt.
(6) Eritrea.
(7) Indonesia.
(8) Iran.
(9) Iraq.
(10) Jordan.
(11) Kazakhstan.
(12) Kuwait.
(13) Kyrgyzstan.

(14) Lebanon.
(15) Libya.
(16) Mali.
(17) Morocco.
(18) Nigeria.
(19) North Korea.
(20) Oman.
(21) Pakistan.
(22) Qatar.
(23) Russia.
(24) Saudi Arabia.
(25) Somalia.
(26) Sudan.
(27) Syria.
(28) Tajikistan.
(29) Tunisia.
(30) Turkey.
(31) United Arab Emirates.
(32) Uzbekistan.
(33) Yemen.
(34) Palestinian Territories.

SA 2844. Mr. CORNYN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. _____. Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) for purposes of determining eligibility for the Contract Tower Program under section 47124(b) of title 49, United States Code, conduct a benefit-to-cost ratio determination using existing cost-benefit methodologies for any airport sponsor that requested such a determination before such date of enactment; and

(2) determine that such an airport sponsor is eligible for the Contract Tower Program if the benefit-to-cost ratio meets the requirements for that ratio under such section 47124(b).

SA 2845. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.

Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking ''An officer'' and inserting ''Except as specified in this subchapter or any other provision of law, an officer''; and

(2) by adding at the end the following:

''(c)(1) In this subsection—

''(A) the term 'covered lapse in appropriations' means a lapse in appropriations that begins on or after October 1, 2015; and

''(B) the term 'excepted employee' means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

''(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee's standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

''(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.''.

SA 2846. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 46, between lines 9 and 10, insert the following:

SEC. 138. Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking ''the price of for-hire motor vehicle transportation by a tow truck, if such transportation is'' and inserting ''the regulation of tow truck operations''.

SA 2847. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. The Secretary of Housing and Urban Development may use community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) to fund public-private economic development projects between State and local entities and private entities to revitalize neighborhoods in distressed urban and rural communities—

(1) where more than 25 percent of the properties contain vacant and blighted structures, as provided by local code or other administrative records; and

(2) the blighted condition of such properties will be removed through rehabilitation, demolition, or other means.

SA 2848. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 163, line 23, insert ''or under the Section Eight Management Assessment Program (SEMAP), if the public housing agency only administers vouchers under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)'' after ''(PHAS)''.

SA 2849. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. PROGRAM INCOME.

For purposes of any program, project, or activity carried out using amounts made available under this Act, the program income for a non-Federal entity shall be determined in accordance with the definition of the term ''program income'' under section 200.80 of title 2, Code of Federal Regulations.

SA 2850. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. 416. NOTICE OF WAIVER REQUESTS.

(a) IN GENERAL.—An agency that receives funds under this Act and that requests a waiver of any requirement or guidance under part 200 of title 2, Code of Federal Regulations, (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards) shall submit notice to—

(1) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) CONTENTS.—The notice submitted by an agency under subsection (a) shall—

(1) specifically identify each provision of part 200 of title 2, Code of Federal Regulations, for which the agency is seeking a waiver;

(2) provide a justification for the requested waiver; and

(3) include any materials provided to the Office of Management and Budget in support of the application for a waiver.

SA 2851. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the appropriate place in title II, insert the following:

SEC. ____. None of the funds made available under this title for the public housing Operating Fund established under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)) may be used by a public

housing agency to pay asset management fees.

SA 2852. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

On page 51, beginning on line 17, strike ''outstanding:'' and all that follows through line 21, and insert ''outstanding.''.

SA 2853. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts made available under this Act may be used by the Surface Transportation Board to take action with respect to the construction of a high-speed rail project in California.

SA 2854. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, 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:

At the end of title IV, add the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts made available under this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, including by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 18, 2015, at 11 a.m., in room SR–253 of the Russell Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 18, 2015, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Examining the International Climate Negotiations.''

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., to conduct a classified briefing entitled ''The Aftermath of Paris: America's Role.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 18, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m.

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

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''National Adoption Month: Stories of Success and Meeting the Challenges of International Adoptions.''

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

COMMITTEE ON VETERANS' AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on November 18, 2015, at 2:30 p.m., in room SR–418 of the Russell Senate Office Building.

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

SUBCOMMITTEE ON SEAPOWER

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on November 18, 2015, at 9:30 a.m.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of all nominations on the Secretary's desk in the Foreign Service; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; 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 nominations considered and confirmed en bloc are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN573–4 FOREIGN SERVICE nominations (20) beginning Bradley Duane Arsenault, and ending Jamshed Zuberi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 10, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING USE OF EMANCIPATION HALL

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 93, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 93) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 93) was agreed to.

SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Ms. COLLINS. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further

consideration of S. Res. 282 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 282) supporting the goals and ideals of American Diabetes Month.

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

Ms. COLLINS. 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. 282) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 8, 2015, under ''Submitted Resolutions.'')

AUTHORIZING DEPOSITION TESTIMONY AND REPRESENTATION

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 318, 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. 318) to authorize deposition testimony and representation in Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.

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

Mr. MCCONNELL. Mr. President, this resolution concerns testimony by a former Senate employee in an ongoing civil action pending in New Jersey Federal district court. The case arises out of a labor dispute between a company that owns and manages five assisted-living facilities and the union that represents the employees at those facilities.

Previously, Senator BLUMENTHAL's office has provided information in this matter, with Senate authorization. In response to a further request from Plaintiffs, Senator BLUMENTHAL is making available a former employee for a limited, additional deposition.

This resolution authorizes that former employee to testify in a deposition, and also authorizes the Senate Legal Counsel to represent the former employee in this matter.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 318) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—H.R. 3762

Ms. COLLINS. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Ms. COLLINS. Mr. President, 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 PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, NOVEMBER 19, 2015

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, November 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leaders remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that at 11 a.m., the Senate then resume consideration of H.R. 2577.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Thursday, November 19, 2015, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 18, 2015:

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BRADLEY DUANE ARSENAULT AND ENDING WITH JAMSHED ZUBERI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 10, 2015.

EXTENSIONS OF REMARKS

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to the National Defense Authorization Act for Fiscal Year 2016 (S. 1356).

The agreement reached in the Bipartisan Budget Act of 2015 was an important step towards adjusting the caps on defense and nondefense discretionary spending. It provided for more stable investments in both national security and domestic programs, and I commend President Obama and Congressional leaders for their bipartisan efforts to provide a more appropriate level of funding. The Bipartisan Budget Act of 2015 mitigated some of the funding concerns surrounding the National Defense Authorization Act for Fiscal Year 2016 (S. 1356) and made this an improved bill. However, the revisions in the bill did nothing to alleviate my concerns regarding detainees at Guantanamo Bay or excess military facilities.

S. 1356 still prevents the responsible transfer of detainees from Guantanamo Bay and the closure of the detention center. Instead, Guantanamo Bay will remain an extremist propaganda tool that undermines our national security. The closure of this facility is long overdue. S. 1356 also continues to ignore testimony from senior leaders in the Department of Defense, Department of the Air Force, and Department of the Army regarding the closure of surplus military facilities. An authorization of Base Realignment and Closure (BRAC) is the best way to address this problem and would save money that could be invested in other national security priorities.

While I recognize that the Bipartisan Budget Act of 2015 provided a measure of funding stability for our Defense leaders, S. 1356 continues to include provisions that are detrimental to our national security and undermines the safety of the women and men who put themselves at risk to defend our nation.

Mr. Speaker, I urge my colleagues to join me in opposing the National Defense Authorization Act for Fiscal Year 2016 (S. 1356).

IN HONOR OF CAPITOL BOOK & NEWS

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mrs. ROBY. Mr. Speaker, I rise today to honor Capitol Book & News, one of Alabama's oldest independent book stores, who will be closing their doors after 65 years of business.

Founded in 1950 by Victor Lavine, Capitol Book & News has been a staple in Montgomery, Alabama's community providing books and recommendations to customers. Thomas and Cheryl Upchurch, owners for the past 37 years, are known for their trusted advice and suggestions on what books to read.

Mr. Speaker, it is my privilege to acknowledge Capitol Book & News' positive impact on Montgomery's community and to thank them for their loyal and dedicated service to their customers.

IN RECOGNITION OF ASSEMBLYWOMAN SHEILA Y. OLIVER

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. PAYNE. Mr. Speaker, I rise today to recognize my dear friend, Assemblywoman Sheila Y. Oliver. Ms. Oliver is a proud class of 1970 graduate of Weequahic High School in Newark, New Jersey. This year, she will be honored at Weequahic's 45th class reunion for her many accomplishments and contributions to her school, community, and state of New Jersey.

Ms. Oliver has served in the New Jersey General Assembly since 2004, where she represents the 34th legislative district. From January 2010 to January 2014, she served as the Speaker of the New Jersey General Assembly. She was the second woman to serve as Speaker in New Jersey history, and the second African American to hold this post.

Currently, she serves in the Assembly on the Higher Education Committee, the Labor Committee, and the Human Services Committee, as its chair. She also served on the Essex County Board of Chosen Freeholders from 1996–1999.

Assemblywoman Oliver was one of the founders of the Newark Coalition for Low Income Housing, an organization that successfully sued the Newark Housing Authority and the United States Department of Housing and Urban Development in federal court to block the demolition of all publicly subsidized low-income housing in Newark, as there was no plan in place for the construction of replacement housing for low-income Newark residents. As a result, the Newark Housing Authority was directed by a federal consent order to build one-for-one replacement housing for low-income residents.

Ms. Oliver's colleagues in political and public life honored her with a place for debating and building consensus, naming the 14th floor conference room in the LeRoy F. Smith Jr. Public Safety Building the "Sheila Y. Oliver Conference Center." It is fitting that Sheila Oliver be recognized for the historic figure that she is. She understands the human condition and understands government can play an integral role in improving the lives of all people.

Ms. Oliver's leadership abilities have consistently been recognized by her peers, and she has often been described as a resourceful, dependable individual who is always willing to assist when needed. She attended Lincoln University and continued her education in graduate school at Columbia University. She once told a crowd of constituents that she never set out to run for office, but her conviction that government can improve lives guided her course. Congratulations to my friend, Assemblywoman Sheila Y. Oliver, on this outstanding honor.

FAIRNESS TO VETERANS FOR INFRASTRUCTURE INVESTMENT ACT OF 2015

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to the Fairness to Veterans for Infrastructure Investment Act of 2015 (H.R. 1694).

H.R. 1694 as drafted would undermine the Department of Transportation's Disadvantaged Business Enterprise (DBE) program to promote women- and minority-owned small businesses and provide them with the opportunity to compete for federal highway construction contracts in an equitable manner. H.R. 1694 would force women- and minority-owned small businesses into the same pool of competition with veteran-owned small businesses to the detriment of everyone the DBE program was intended to help.

The best way to help our veteran-owned small businesses is to establish a separate and specific program to achieve the aim of ensuring veteran-owned businesses receive fair consideration for federal highway contracts. That is why I am a cosponsor of H.R. 3997, which would create a Veteran-owned Business Enterprise program within the Department of Transportation. This program would guarantee that at least 10 percent of federal highway contracts go to veteran-owned small businesses. It would maximize assistance to both veteran-owned and women- and minority-owned small businesses, and would not force competition between them.

Mr. Speaker, I urge my colleagues to join me in opposing the Fairness to Veterans for Infrastructure Investment Act of 2015 (H.R. 1694).

HONORING SISTER JOSETTE PARISI ON THE OCCASION OF HER RETIREMENT AS MANAGER OF SEARLES CASTLE AFTER 25 YEARS OF SERVICE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Sister Josette

Parisi on her retirement after 25 years as the manager of Searles Castle, and thank her for the outstanding work she did during her career.

Sister Josette's continuous effort to improve Searles Castle exemplifies her intelligence, positive attitude, and generous spirit, and because of her commitment, Searles Castle is now available for the public to utilize and enjoy.

Sister Josette's compassion for helping people through difficult times is exceptional, and she leaves an example of strong leadership and compassion for others to emulate in her wake.

It is with great admiration that I congratulate Sister Josette Parisi on her retirement, and wish her the best on all future endeavors.

CELEBRATING THE SUCCESS OF WAYNESBORO COMMUNITY THEATRE PROJECT, INC., AND THE REOPENING OF THE WAYNESBORO THEATRE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Waynesboro Community Theatre Project, Inc. and highlight the successful campaign to rebuild and reopen a long treasured local cinema.

Following an inspired beginning, the Waynesboro Community Theatre Project, Inc. maintained a determined campaign to raise the money necessary to renovate and reopen the Waynesboro Theatre. Thanks to its persistent efforts and generous donors, the historic theatre will again fulfill its roles as a local economic generator and a quality entertainment venue for the Waynesboro community.

Additionally, I believe this project represents a community effort in the truest sense, as many have worked together to see this effort through to completion. The theatre will reopen with impressive renovations, including new seats, an upgraded lobby and concession area, and modern sound and visual technologies. The project will provide fundamental support in keeping downtown Waynesboro vibrant and welcoming.

The Waynesboro Theatre is beloved by the community and I commend all who have put time, effort, and donations into bringing the theatre back to the public. Today I congratulate the Waynesboro Community Theatre Project, Inc. for the completion of this impressive effort to improve the Waynesboro community.

PERSONAL EXPLANATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Ms. TITUS. Mr. Speaker, had I been present on the following roll call votes, my votes would have been:

631 (HR 1694)—NO
632 (HR 3114)—YES
633 (HR 511)—NO

HONORING BRUCE KARSTADT

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. ELLISON. Mr. Speaker, Minneapolis is fortunate to be the home of the American Swedish Institute (ASI). It is a non-profit organization that serves as a museum and a cultural center. Bruce Karstadt has served as the President and CEO of the American Swedish Institute for the past twenty-five years. He is also the Honorary Counsel General of Sweden for the State of Minnesota.

Mr. Karstadt has helped promote trade, diplomacy, and he serves as a conduit between Minnesota and the nation of Sweden. His steadfast leadership has led to several significant and positive changes at ASI. The campus and museum have nearly doubled in size since his tenure began and it has become a favorite destination for residents and tourists to Minneapolis. He has transformed ASI into an influential organization with an inclusive atmosphere that works to involve all cultures in the Twin Cities area. Located in a very diverse neighborhood on the South side of Minneapolis, ASI teaches visitors about the past, and how early Swedish immigrants lived in Minnesota, while serving as a modern gathering place for all in our increasingly diversified community. Today, ASI focuses on the future and provides much inspiration to recent immigrants to our community.

Mr. Karstadt and his staff draw visitors to the historic Turnblad Mansion and motivate them to think about connecting the past with the bright future of Minnesota. I congratulate Mr. Karstadt on his twenty-five years of service to the American Swedish Institute, to Minnesota, our increasingly diversifying community and our visitors from Sweden and the Nordic region.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,660,490,153,278.25. We've added $8,033,613,104,365.17 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. TAKAI. Mr. Speaker, on Tuesday, November 17, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like the record to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "no" on Roll Call 629, ordering the previous question on providing for consideration of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act; providing for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015.

I would have voted "no" on Roll Call 630, providing for consideration of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act; providing for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015.

I would have voted "no" on Roll Call 631, the Fairness to Veterans for infrastructure Investment Act of 2015.

I would have voted "yes" on Roll Call 632, to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces.

I would have voted "no" on Roll Call 633, the Tribal Labor Sovereignty Act of 2015.

CONGRATULATING RUDY FARBER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate Rudy Farber, Chairman of the Board of Community Bank and Trust in Neosho, on being awarded with the Neosho Exchange Club's Book of Golden Deeds for his contributions and service to the Neosho community.

In 1957, at the age of 16, Rudy Farber began working in the bookkeeping department at the Bank of Neosho. He took over as president of the bank in 1979 and in 1997 he was appointed chairman of the board. He introduced an employee stock ownership plan in 1987 and unveiled a plan to make the bank entirely employee owned in 2012. Throughout his time at Community Bank and Trust, Rudy has worked diligently to forge the bank into a safe, stable, and valuable cornerstone of the local community.

Rudy Farber has also accumulated a long list of achievements as a community leader. He has served as Chairman of the Neosho Area Chamber of Commerce Industrial Development Committee and Chairman of the Freeman Southwest Family YMCA Finance Committee. He has served as board member on Missouri Highways and Transportation Commission, multiple City of Neosho and Newton County Committees and is the former president of the Neosho Rotary Club, the Neosho Area Chamber of Commerce, the Neosho Land Development and the Neosho Area Business and Industrial Foundation.

Mr. Speaker, Rudy Farber deserves this body's utmost respect for his lifelong dedication to improving the Neosho Community, and I extend to him my deepest appreciation for his impressive leadership. His efforts have not only contributed greatly to Southwest Missouri, but have made me ever-prouder to serve the people of Missouri's seventh Congressional District.

HONORING BROWNSTOWN ELECTRIC SUPPLY COMPANY

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. YOUNG of Indiana. Mr. Speaker, many Hoosier small businesses across my district power the economic engine of the state, while also playing a critical role in the civic life of their communities. Today it is my honor to highlight one such small business. Brownstown Electric Supply Company, based in Brownstown, Indiana, is a privately-owned electrical supply company that has provided utility companies with technical expertise and electrical supplies for over four decades.

Carl Shake founded Brownstown Electric Supply Company in 1970 after a long career in the electrical supply and utility service industry. Brownstown Electric has grown from a small business in Jackson County, Indiana to a regional company that has expanded its reach as far as Illinois, Kentucky, and Ohio. Brownstown Electric is now run by Carl's son-in-law, Gregg Deck, who stewards the company with the same principles that has made Brownstown Electric a staple of Southern Indiana.

In addition to their economic contribution to the area, Brownstown Electric is an active member of their local community. They regularly sponsor local high school sports teams, participate in the Brownstown High School school-to-work program, and contribute to the Jackson County History Center of Indiana. This heart for service is exemplified in their organization of the Zach Pickard Pelican Run, a 5K run event dedicated to raising awareness for Hutchinson-Gilford progeria syndrome. Employees of Brownstown Electric organized the fundraiser in honor of the son of an employee who lives with the genetic condition.

Brownstown Electric Supply Company is emblematic of the Hoosier ethic. They are a family-owned and operated small business that not only delivers quality products and service, but also maintains a strong commitment to improving their community.

It is an honor to represent businesses like the Brownstown Electric Supply Company. I hope their example serves to inspire other would-be entrepreneurs, and I am pleased to highlight their good work today in this installment of Indiana's 9th District Small Business Spotlight.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on July 27, 2015, I was unable to attend House Roll Call Vote numbers 467, 468 and 469. If present, I would have voted yes on S. 1482, H.R. 1656, and H.R. 2770.

TRIBUTE TO KATHY AZEVEDO

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. CALVERT. Mr. Speaker, I rise today to pay tribute to the career of Kathy Azevedo; a dedicated public servicewoman, community pillar, and local advocate. On Wednesday, November 18, 2015 Azevedo will celebrate her retirement from the Norco City Council after 12 years of service.

For over 45 years, Kathy has been a resident and supporter of the Norco community. Before beginning her public service work, Kathy opened her own Jazzercise studio. Azevedo has been a member of the Norco City Council since 2003. In addition to the Norco City Council, she also served as Mayor in 2005, 2009, and 2013. She has also served with the Norco Chamber of Commerce, as a member of the executive committee of the Western Riverside Council of Governments, and as a board member of the YMCA of Corona-Norco.

Preservation of Norco's rural and natural environment issues have been at the center of Azevedo's time in office. Her service work has helped lead to the establishment of the Horsetown, USA brand for Norco, establishing the largest city-wide residential zoning codes in the state of California, and the creation of Silverlakes Park, a 144-acre equestrian and recreational land space for the enjoyment of future generations.

In addition to her passion for preservation, Councilwoman Azevedo has also been a large champion of women's health and fitness issues. As a cancer survivor, Azevedo brings complexity and depth to these issues through her unique perspective.

Kathy serves as a member of the National Grant Review Board for the American Cancer Society. In addition to the American Cancer Society, Azevedo also was an original member of United Norconians for Life Over Alcohol and Drugs (Unload) and the founder of the nonprofit group Support Sisterz. Support Sisterz is a group of cancer survivors who help to provide assistance and support to individuals battling the disease.

Outside of her public service, Azevedo is an avid horseback rider and dedicated family woman. She married her high school sweetheart, Danny, and together they have two children and three grandchildren. Her family is her passion and she can often be found on the sidelines of her grandchildren's sporting events. I am proud to call Kathy a fellow community member, American and friend. I add my voice to the many who will be congratulating her on the celebration of her career of serving the city of Norco.

IN RECOGNITION OF STRUGGLE FOR FREEDOM AND DEMOCRACY DAY

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. BLUM. Mr. Speaker, I rise in honor of Struggle for Freedom and Democracy Day. Today is a day celebrated by our Czech and Slovak friends to commemorate the difficult road to independence and democracy.

On this day, seventy-six years ago, soldiers from Nazi Germany mercilessly murdered nine Czech students and professors celebrating the independence of the Czechoslovak Republic.

Fifty years later, on November 17, 1989, a peaceful student demonstration honoring those that lost their lives to the Nazis was terminated by riot police, igniting the Velvet Revolution which ended the Communist control in Czechoslovakia and subsequently, the eventual establishment of independent, democratic Slovak and Czech Republics.

Today, we honor and remember those who sacrificed to fight tirelessly against oppressive regimes. The journey to establishing republican governments is perilous and we, as a people, must continue to support democratic institutions in Central Europe and around the world. As a co-chair of the Slovak Caucus and a member of the Czech Caucus, I am proud to support continued political, economic, and cultural ties between the United States, Slovakia, and the Czech Republic.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on May 18, 2015, I was unable to attend House Roll Call Vote number 240. If present, I would have voted yes on H.R. 91.

RECOGNIZING RON BROWN UPON HIS RETIREMENT AS EXECUTIVE DIRECTOR OF SAVE MOUNT DIABLO

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. DESAULNIER. Mr. Speaker, I rise to recognize Ron Brown of Walnut Creek, California upon his retirement after his fifteen years of service to Save Mount Diablo and over forty years as an advocate in the nonprofit sector. Through his service with Save Mount Diablo, Ron has made significant contributions that have improved both the day-to-day operations of the organization and the conservation field at large.

Mount Diablo is the most significant natural landscape in our region, and serves as the landmark that unites much of the 11th Congressional District. Save Mount Diablo has worked since 1971 to preserve the land on and around Mount Diablo to promote healthy ecosystems and continued access for people and wildlife.

Under Ron's leadership, Save Mount Diablo has raised over $25 million to preserve thousands of acres of land, preserved several dozen properties, including the group's largest and most expensive acquisition—the 1,080 acre Curry Canyon Ranch—and has indirectly helped to protect thousands of additional acres throughout the area.

Ron was instrumental in attaining voter-approved "Urban Limit Lines" of every city in

Contra Costa County, helping to maintain the most important wildlife habitat areas in the East Bay. Thanks to Ron's leadership, Save Mount Diablo has grown its programs and capacity, increasing from a modest staff of three to eighteen staff members. Save Mount Diablo has become a leader on issues of land-use advocacy, land purchase for inclusion in parks, and relationship building with local governments and developers.

I applaud Ron's efforts to restore the historic ''Eye of Diablo'' beacon at Mount Diablo's summit, which commemorates the attack on Pearl Harbor. I am honored to have worked with Ron on many of these endeavors, including his efforts to improve various state park roads prior to the Tour de California bicycle race.

I am grateful for Ron's many accomplishments and for the many partnerships he built during his time with Save Mount Diablo. I wish Ron all of the best in his retirement, where I'm told he hopes to spend his time with his grandchildren, enjoying the land he has worked so hard to protect.

Congratulations, Ron, on a remarkable career that has preserved the ecosystems and the icon of the East Bay.

DEFERRED ACTION FOR PARENTS OF AMERICANS AND LAWFUL PERMANENT RESIDENTS AND CHILDHOOD ARRIVALS (DAPA/DACA)

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. HINOJOSA. Mr. Speaker, I rise today to voice support for President Obama's Executive Actions on immigration. These initiatives—namely, the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and an expansion of Deferred Action for Childhood Arrivals (DACA)—could provide as many as 5 million immigrants with temporary relief from deportation.

President Obama has courageously led in the face of a Republican Congress that is derelict in its duty. A legislative solution is the only long term fix to our broken immigration system. Yet, despite the support of the American people, a bipartisan majority in Congress, business groups and the faith community—the Republican leadership has fallen prey to xenophobia and the politics of fear.

Now it appears the Fifth Circuit—in denying the Federal Government's appeal of the preliminary injunction that blocked implementation of President Obama's initiative—is playing politics instead of performing its constitutionally mandated role of interpreting the law.

The Constitution is clear on the powers of the Executive Branch. Prosecutorial Discretion is a well-established principle.

I applaud the Administration's decision to appeal this decision and vigorously defend its executive action on immigration before the Supreme Court. My hope is that the Court takes this important case, and I expect that it would rule in favor of justice and the President's action.

PERSONAL EXPLANATION

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on roll call no. 631 I was absent during passage of H.R. 1694 the afternoon of November 17, 2015 because I was meeting with constituents from Pennsylvania's Fifth Congressional District. Had I been present, I would have voted yes.

RECOGNIZING JOSEPH H. BOER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize Joseph H. Boer, owner of Lake Ozark Missouri's Blue Heron Restaurant, for his service to our nation and entrepreneurial spirit, which has broadened the economic foundations of his community.

Born in Holland, Boer attended culinary school and apprenticed in distinguished restaurants including the Hof Ragaz Spa Hotel in Switzerland before becoming a sous chef at the Belgian Embassy in Den Haag, Netherlands. He was later drafted for service in the Dutch Armed Services where he became skilled in cooking for entire battalions of anti-aircraft personnel.

After surviving World War II and qualifying to be included with a special quota for displaced persons, he immigrated to the United States of America in 1956. Upon his arrival, he worked in Littleton, Colorado but soon moved to Kansas City, MO. There, he went on to work at the Terrace Grill at the Muelbuch Hotel and the Colony Steak House before earning his U.S. citizenship in 1961.

After gaining citizenship, Boer served two years in the U.S. Army. He spent time in Fort Leonard Wood, Fort Smith, Fort Devens, Puerto Rico, and West Point. Because of his knowledge of the German language, he was selected to be a part of the NATO exercise ''Crescendo'' in Germany, which demanded his unique skills as a linguist.

Through these experiences he gained the skill and confidence he needed to open his first restaurant, the Top Deck at Mai Tai, near the Lake of the Ozarks. He went on to work at Lefty's Little Chef Steak House and the Potted Steer Restaurant at Westgate Lanes in Jefferson City before buying the Potted Steer Restaurant at Lake of the Ozarks and purchasing what would become the Blue Heron Restaurant in 1984. Sitting atop the highest point above Lake of the Ozarks, the Blue Heron Restaurant has become known for providing fine quality cuisine as well as an elegant, romantic atmosphere since opening July 4th, 1984.

Mr. Speaker, Joseph H. Boer deserves this body's utmost respect for his incredible life story and dedicated entrepreneurial spirit. I extend to him my deepest appreciation for his impressive efforts, which have contributed greatly to the Lake of the Ozarks community.

SUMMARY OF PRESIDENT MA YING-JEOU REMARKS IN MEETING WITH CHINESE LEADER XI JINPING

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to express my sincere appreciation for the Republic of China (Taiwan) President Ma Ying-jeou's leadership in pursuing long-term peace and stability across the Taiwan Strait. President Ma met with Chinese leader Xi Jinping in Singapore on November 7. This meeting was historic and paved the foundation for future prosperity and peace in the East Asia region. On the same day, our State Department expressed the view that the United States welcomes the meeting between leaders on both sides of the Taiwan Strait and noted the historic improvement in cross-Strait relations in recent years.

I particularly took notice of President Ma's remarks on the importance of consolidation of the ''1992 Consensus'' and the maintenance of peace across the Taiwan Strait.

Below is the summary of President Ma's remarks in meeting with mainland Chinese leader Xi Jinping, which explains clearly the origin and the meaning of the Consensus and shows how it is consistent with the Constitution of the Republic of China. For the full text, please visit the website of the Ministry of Foreign Affairs of the Republic of China: http://www.mofa.gov.tw.

Summary of President Ma's remarks:

Sustainable peace and prosperity is the common goal in the development of cross-strait relations, and the ''1992 Consensus'' is the fundamental basis for achieving this goal. On Aug. 1, 1992, our National Unification Council passed a resolution on the meaning of ''one China,'' which said that both sides of the Taiwan Strait insist on the ''one China'' principle, but they differ as to what that means. The consensus reached between the two sides in November 1992 is that both sides of the Taiwan Strait insist on the ''one China'' principle, and each side can express its interpretation verbally; this is the 1992 Consensus of ''one China, respective interpretations.'' For our part, we stated that the interpretation does not involve ''two Chinas,'' ''one China and one Taiwan,'' or ''Taiwan independence,'' as the Republic of China Constitution does not allow it. This position is very clear, and is accepted by the majority of the people of Taiwan . . . The two sides have together created a model for the peaceful resolution of disputes that should be further consolidated until it becomes the normal state of affairs.

Another goal is the reduction of hostility and the peaceful handling of disputes. Taiwan's people, especially civic leaders, have a negative impression of situations such as our tourists being refused admission to the United Nations Headquarters because of their passport, frustrations our experts have had in participating in NGO meetings, and interventions we have faced when engaging in bilateral or multilateral cooperation on trade. The two sides ought to begin by reducing hostility and confrontation on these fronts. Those participating in these activities are mostly intellectuals or members of our middle class, and this affects our work pertaining to cross-strait ties, and

also the impression our citizens have of the mainland.

We hope for expansion of cross-strait exchanges and mutual benefits. The two sides should move quickly to deal with issues that are currently still under negotiation, including the trade-in-goods agreement, reciprocal establishment of representative offices, and flight transfers in Taiwan for mainland Chinese travelers. We are currently applying to join the Trans-Pacific Partnership (TPP), and hope to join the Regional Comprehensive Economic Partnership (RCEP) in the future. Because these two mechanisms would account for approximately 70 percent of our external trade, we cannot afford not to participate in them. We believe there should be no issue as to which side joins first and which side later.

We proposed establishment of a cross-strait hotline to handle important or urgent matters. There is no contact mechanism between the heads of MAC and TAO. We should take this opportunity to establish one. Of course, further adjustments could be made to raise the level of contact should the need arise in the future. It will be beneficial for both sides to be able to promptly handle important unexpected or crucial matters.

Joint cooperation leads to cross-strait prosperity. I want to reiterate that the people of both sides are Chinese, descendants of the emperors Yan and Huang, sharing a common lineage, history, and culture. The two sides should cooperate to promote cross-strait prosperity. History has bequeathed the two sides a convoluted relationship, and cross-strait exchanges have led to new problems. These issues cannot be resolved overnight. In exchanges and consultations, the two sides need to face the issues squarely, move forward step by step, and build mutual trust.

The peace and prosperity achieved over the last seven years is proof that the two sides have beaten their swords into plowshares, becoming models for stability in the East Asia region as a whole. The two sides need to be confident of this. We hope the mainland Chinese side fully understands this, and realizes that cross-strait relations should be built on the foundation of dignity, respect, sincerity, and good will, for only this will lead to deeper mutual trust, and enable us to go the distance.

Mr. Speaker, there is much to be done to ensure peace and freedom of navigation in the South China Sea and in the Taiwan Strait. But, this historic meeting will go a long way towards a peaceful future for East Asia and for the world.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on March 23, 2015, I was unable to attend House Roll Call Vote numbers 130 and 141. If present, I would have voted yes on H.R. 360 and H. Res. 162.

IN RECOGNITION OF ROC ARNETT, PRESIDENT OF EAST VALLEY PARTNERSHIP

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Ms. SINEMA. Mr. Speaker, I rise today to recognize Mr. Roc Arnett, (Roc) President of the East Valley Partnership, a coalition of business and community leaders dedicated to the sustainable development of the East Valley of the Greater Phoenix Area—one of the fastest growing areas in our great nation. For the past 11 years, Roc has been the anchor and backbone of this important organization and at the end of 2015, Roc retires from his official role as President and CEO of the East Valley Partnership.

Roc is a visionary leader, whose belief in the potential of the East Valley has helped shape the vibrant business and residential communities that now flourish in the area. Roc is a native Arizonan who has lived and worked in the East Valley for his entire life. His love for the area and belief in the unique character of each community within the East Valley has been the motivation behind his work. Mesa, Chandler, Gilbert, Tempe, Ahwautkee, Apache Junction, Queen Creek, San Tan Valley, Guadalupe and Scottsdale are all part of the East Valley; each has its own distinct character and all have benefited from the ingenuity and vision of the East Valley Partnership, under the leadership of Roc Arnett.

It has been my honor to work with Roc for several years. His generosity, his infectious enthusiasm, tenacity and genuine belief in the good in people inspire everyone he touches. He is a master of negotiation and has built enduring business and community partnerships throughout the years. Members, please join me in thanking Roc Arnett for his many years of service to the diverse communities of the East Valley, as President and CEO of the East Valley Partnership. His many contributions have helped to create the East Valley of today and have laid the groundwork for the East Valley of tomorrow.

RECOGNIZING MRS. MEGAN CLUBB, CHIEF EXECUTIVE OFFICER OF BAKER BOYER NATIONAL BANK ON HER RETIREMENT

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to celebrate Mrs. Megan Clubb, the Chief Executive Officer of Baker Boyer National Bank for her years of service to Eastern Washington. As a banking executive, Mrs. Clubb faithfully served Walla Walla, Washington and the entire Inland Northwest for twenty-five years as part of the team at Baker Boyer. Mrs. Clubb is retiring at the end of December and I am pleased to recognize and celebrate her accomplishments and contributions to our great community in Eastern Washington.

As the state's oldest community bank, Baker Boyer has been a distinguished institution in Eastern Washington for more than one hundred and forty-six years. During her notable career, Mrs. Clubb served for fourteen years as President and thirteen years as Chief Executive Officer at Baker Boyer National Bank. Under her leadership, Baker Boyer has ranked in the top two hundred community banks for financial performance each of the last six years, including being ranked at number fourteen this year. Additionally, she led the bank through an innovative new branding transformation and guided Baker Boyer to be honored for 11 straight years as one of the best companies to work for by Seattle Business magazine.

Named one of the 10 Women of Influence by Seattle Magazine, outside of Baker Boyer National Bank, Mrs. Clubb is a recognized leader across the state and spends countless hours mentoring fellow women in the banking industry. She currently serves as a trustee at Whitman College, and is completing a three-year term as an elected member of the Board of Directors of the Federal Reserve Bank of San Francisco. Mrs. Clubb has also served on the Portland branch of the Federal Reserve Bank. Pioneers in the Washington state wine industry, she and her husband, Marty Clubb, are co-owners of L'Ecole No. 41 Winery, and continue to build upon their family's legacy. Even after her retirement, she will continue to devote herself to these important endeavors.

Mrs. Clubb is a passionate advocate for small businesses and a champion for all of Eastern Washington. Following her retirement, Mrs. Clubb will continue to serve as chairman of the Baker Boyer Bancorp Board of Directors. A devoted member of our community, Mrs. Clubb truly redefined what a community bank can accomplish, and profoundly demonstrated the impact one person can have on the lives and legacies of customers and families in those communities.

I would like to thank Mrs. Megan Clubb for her years of dedication and service to Walla Walla and to all of Eastern Washington. I applaud her commitment to our citizens and to the banking community, and wish her the best of luck in the next chapter of her life.

IN HONOR OF THE 5TH ANNIVERSARY OF JILL'S HOUSE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the 5th Anniversary of a truly great institution in Virginia's 10th Congressional District, Jill's House.

Jill's House is a home away from home for children with a variety of disabilities. It gives the hard-working and caring parents of children with disabilities an overnight respite in order to provide parents the time to focus on their marriage and family, rest, and get ahead on work and refresh their lives. Their children spend the night at Jill's House, where they have highly trained staff to provide care.

Lon and Brenda Solomon were two caring parents who had three children and were living a normal life. Brenda then became pregnant with their fourth child, Jill, the daughter they had always wanted. When Jill was just three months old, she began to have seizures. As the seizures grew more and more frequent

and severe, Lon and Brenda were becoming overwhelmed. At their wit's end, they received what appeared to be a sign from God, a call from a woman named Mary. This woman, whom the Solomon's had never met, organized caregivers for Jill in order to allow Lon and Brenda time to rest and renew themselves. They were able to catch up on sleep, spend quality time with their other children, and improve the quality of care Jill received. From this respite grew the idea for Jill's House, a special residential facility where parents of children with special needs can bring their children to stay in a safe and secure environment with professional care.

Jill's House currently serves over 500 families raising children with disabilities. Their facility offers a range of activities for the children including having an on-site moon bounce, a handicapped accessible playground, and a handicapped accessible pool. I have been privileged to work with Jill's House since they opened in 2010 and they have enriched our community and given peace of mind to many parents. This year marks the 5th year Jill's House has been open to help those who need it and I hope there will be many more anniversaries celebrating this blessed place.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on January 12, 2015, I was unable to attend House Roll Call Vote numbers 17, 18 and 19. If present, I would have voted yes on H.R. 203, H.R. 33 and the Journal.

10TH ANNIVERSARY OF THE BRIA FUND FOR FELINE INFECTIOUS PERITONITIS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, today is the 10th anniversary of the Bria Fund for Feline Infectious Peritonitis. The Bria Fund is a worthy organization created on November 18, 2005, by two of my constituents, Susan Gingrich and James Shurskis, who worked together with the Winn Feline Foundation.

Feline Infectious Peritonitis (FIP) is a disease that is considered to be the predominant cause of death for young cats under the age of two, but it can affect cats of any age, including senior cats. FIP remains a terminal disease, with no effective vaccine to prevent it, or treatment to cure it.

Despite these ongoing obstacles, the work of the Bria Fund has resulted in new interest and research into the little known disease of FIP. Since 2005, the Fund has supported 16 FIP research projects, leading to important knowledge in multiple aspects of FIP. The information gained about the FIP virus has led to improvements in testing, diagnosis, and treatment, and better understanding of caring for cats with FIP.

This is an exciting time for FIP research. Despite the lack of a definitive cure, better testing and treatment methods are helping some cats live well despite having FIP. There are also more opportunities for veterinary professionals to learn about FIP in their continuing education programs.

Ms. Gingrich and Mr. Shurskis were inspired by personal experiences to establish the Bria Fund. In early 2005, they lost their nine month old Blue Lynx Point Birman kitten Bria to suspected FIP. They had never heard of FIP before Bria developed it. They soon learned that little was known about this disease, that there were no clinical trials involving FIP, and no treatment for it, except for steroid prescriptions to somewhat ease the pain and suffering of cats with the disease.

After Bria's passing, they were determined to do everything they could to spare future cat owners from the experiences they and Bria had to endure. The Gingrich family is well known for its love of animals. Ms. Gingrich's sisters, Candace Gingrich and Roberta Gingrich Brown, worked hard with their sister to establish the Bria Fund. Her brother, former Speaker of the House, Newt Gingrich, encouraged the organization he created, the Center for Health Transformation, to provide a generous contribution to the Fund.

The Gingrich's could not have picked a more worthy ally in the Winn Feline Foundation. The WFF was established by the Cat Fancier's Association, Inc., to support health-related research benefiting cats. To date, Winn has funded over $5 million in health research for cats at more than 30 partner institutions worldwide. Since the WFF was established in 1968 feline medicine has become a major veterinary specialty. Cats are no longer viewed as small dogs. Today, cat owners expect and receive state-of-the-art medical care.

As the Bria Fund celebrates its 10th anniversary, I encourage my colleagues to pause for a moment in honor of National Feline Infectious Peritonitis (FIP) Awareness, Research, and Education Day and think of all the pets and pet owners in this Nation, especially cats such as Bria.

THE UNAFFORDABILITY OF THE AFFORDABLE CARE ACT

HON. GARRET GRAVES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. GRAVES of Louisiana. Mr. Speaker, I rise today on behalf of the millions of Americans—including many in my home state of Louisiana—who are being forced to bear the cost of president Obama's flawed healthcare law.

The negative impacts of the so-called affordable care act have been felt by people of all walks of life. In many cases, the law has disproportionately hurt the very people it claimed it would help—hardworking, middle-class families.

Five years of Obamacare implementation has produced higher premiums, higher deductibles, higher co-payments and reduced access to care for those who need it most.

In fact, a study published just last week revealed that increases in 2016 premiums for health insurance coverage will once again be in the double digits, exceeding last year's double digit hikes. At least one state could see as much as a 130 percent rate hike next year.

Across the board, the projected hikes for the lowest-priced options in each tier of coverage—bronze, silver, gold and platinum—will surpass the increases we saw last year.

The median cost of the bronze plans, one of the most popular offerings because of its relatively low premiums, will rise by 13% in 2016. As for the high-end insurance coverage options, gold's median premium will jump 15% and platinum's rate will rise by 12%.

Mr. Speaker, these cost increases are simply unworkable for the majority of Americans. I'd like to share the situation of a constituent of mine who recently reached out to me, begging Congress to take action to fix this broken law.

Unable to afford the $1200/month it would cost him to get the family plan through his employer, he turned to the exchange in search of a high deductible plan to provide health insurance for his wife and girls.

He recently received a renewal notice in the mail informing him that his monthly bill will increase 21% in 2016. 21 percent. Despite the fact that he provides 95% of his household's income as his wife finishes school, he is above the income threshold to receive any subsidy to offset the cost.

The first $11,000 of his pre-tax income will go toward government mandated health insurance in 2016—coverage that will still require him to pay a copay and coinsurance on a very high deductible to use it. His alternative is to pay the 2.5% fine and to have no coverage in the event of an emergency.

Mr. Speaker, I am now going to ask you what this man asked me: what's his incentive to work harder? What's his reward for working since age 15, for spending 6 years pursuing an advanced degree in college?

All he can show for it is an irresponsible and unaccountable government that takes a larger portion of his income every year to pay for government programs that punish those who work hard and reward those who don't.

It's time for the president to acknowledge that his signature legislation is fundamentally flawed. It's time we turn the page on Obamacare and provide better solutions. Americans deserve a healthcare system that drives efficiency through competition and places healthcare decisions in the hands of consumers and taxpayers—not the federal government.

TRIBUTE TO MS. JEANETTE LAMAR

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I have never known a more gracious, generous, efficient, engaged, well-liked, admired, respected and beloved person than Ms. Jeanette Lamar.

She and her family became known to me when I was a young block club organizer and they lived in the community of North Lawndale in Chicago, a neighborhood undergoing change. Their home was always immaculate, a place for block club meetings, for neighborhood discussions and a place where you just simply enjoyed being.

She and her husband Rev. William Lamar raised their children to be productive, successful and outstanding citizens who have contributed significantly to society.

Family, church, community engagements are the hallmarks of Ms. Lamar's long and well-lived life.

I count myself blessed and fortunate to have known one of the most delightful ladies known to humankind, Ms. Jeanette Lamar.

IN RECOGNITION OF MILITARY FAMILY MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of November as Military Family Month.

Established in 1993 to honor the sacrifices made every day by the families of the men and women serving in our Armed Forces, the President of the United States signs a proclamation every year to mark this month long recognition.

Since the birth of our nation, members of the Armed Forces have answered the call of duty, unselfishly leaving everything they know and their loved ones at home to protect our freedom. This is a sacrifice and responsibility shared among an entire family. It is the dedication and bravery of our military families that we salute this month.

It is said that the strength of a nation is only as strong as the bonds of family. This could not be truer than of our military families. Time and time again, they demonstrate their commitment, spending much of their lives relocating every few years—spouses must put their careers on hold during deployments and children have to make new friends at every new school. Our military families not only spend extended periods of time away from their loved ones deployed, they are also there for our returning heroes—supporting their recovery and transition back to civilian life.

Every day I am inspired by the resilience and patriotism of our military families both at home and abroad. I am proud of the programs in my district that help our heroes on the home front—including, but not limited to, Falmouth Military Support Group, Pembroke Military Support Group, Military Friends Foundation and Otis Civilian Advisory Council. Their dedication to providing family services, counseling, educational assistance, and financial support is a testament to our strength when we come together as a community.

Mr. Speaker, I urge my colleagues to join me in highlighting this important issue. We have an obligation to care for our servicemembers and their families. Together we can make a difference.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 19, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 1

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the Well Control Rule and other regulations related to offshore oil and gas production.

SD–366

DECEMBER 2

9:30 a.m.

Committee on Armed Services

To hold hearings to examine Department of Defense personnel reform and strengthening the all-volunteer force.

SD–G50

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine agriculture's role in combating global hunger.

SR–328A

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine the Tribal Law and Order Act (TLOA), focusing on whether the justice systems in Indian country have improved.

SD–628

DECEMBER 3

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine implementation of the Alaska National Interest Lands Conservation Act of 1980, including perspectives on the Act's impacts in Alaska and suggestions for improvements to the Act.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8029–S8112

Measures Introduced: Nine bills and four resolutions were introduced, as follows: S. 2296–2304, and S. Res. 315–218. **Page S8079**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution for Fiscal Year 2016". (S. Rept. No. 114–167) **Page S8079**

Measures Passed:

National Adoption Day and National Adoption Month: Senate agreed to S. Res. 315, expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children. **Pages S8058–60**

Authorizing the use of Emancipation Hall: Senate agreed to H. Con. Res. 93, authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment. **Page S8111**

American Diabetes Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 282, supporting the goals and ideals of American Diabetes Month, and the resolution was then agreed to. **Pages S8111–12**

Authorize Deposition Testimony and Representation: Senate agreed to S. Res. 318, to authorize deposition testimony and representation in *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.* **Page S8112**

Measures Considered:

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016—Agreement: Senate began consideration of H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, after withdrawing the committee reported amendment, and taking action on the following amendments proposed thereto: **Pages S8034–58, S8060–75, H8075–76**

Adopted:

Collins (for McCain/Flake) Amendment No. 2809 (to Amendment No. 2812), to require the Administrator of the Federal Aviation Administration to review certain decisions to grant categorical exclusions for Next Generation flight procedures and to consult with the airports at which such procedures will be implemented. **Page S8063**

Reed (for Mikulski) Amendment No. 2817 (to Amendment No. 2812), to provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority. **Page S8063**

Wicker/Feinstein Amendment No. 2815 (to Amendment No. 2812), to authorize the Secretary of Transportation to increase the minimum length limitation for a truck tractor-semitrailer-trailer combination from 28 to 33 feet if such change would not negatively impact public safety. **Page S8064**

Pending:

Collins/Reed Amendment No. 2812, in the nature of a substitute. **Page S8055**

Collins/Reed Amendment No. 2813 (to Amendment No. 2812), to make a technical amendment. **Page S8055**

A motion was entered to close further debate on Collins/Reed Amendment No. 2812 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, November 20, 2015. **Page S8075**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of Collins/Reed Amendment No. 2812. **Page S8075**

Pursuant to the order of Tuesday, November 17, 2015, the motion to invoke cloture on the motion

to proceed to consideration of the bill, was withdrawn. Page S8055

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Thursday, November 19, 2015. Page S8112

House Messages:

Every Child Achieves Act: Senate disagreed to the amendment of the House of Representatives to S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, agreed to the request from the House for a conference, and authorized the Presiding Officer to appoint conferees. Pages S8029–34

During consideration of this measure today, Senate also took the following action:

By 91 yeas to 6 nays (Vote No. 308), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the McConnell motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees. Page S8033

The Chair was authorized to appoint the following conferees on the part of the Senate: Senators Alexander, Enzi, Burr, Isakson, Paul, Collins, Murkowski, Kirk, Scott, Hatch, Roberts, Cassidy, Murray, Mikulski, Sanders, Casey, Franken, Bennet, Whitehouse, Baldwin, Murphy, and Warren. Page S8034

Smith Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, November 30, 2015, Senate begin consideration of the nomination of Gayle Smith, of Ohio, to be Administrator of the United States Agency for International Development; that there be 30 minutes of debate equally divided in the usual form, and that following the use or yielding back of time, Senate vote on confirmation of the nomination, without intervening action or debate; and that no further motions be in order to the nomination. Page S8058

Nominations Confirmed: Senate confirmed the following nominations:

A routine list in the Foreign Service. Page S8111

Messages from the House: Page S8078

Measures Referred: Page S8078

Measures Placed on the Calendar: Page S8078

Measures Read the First Time: Page S8078

Petitions and Memorials: Pages S8078–79

Executive Reports of Committees: Page S8079

Additional Cosponsors: Page S8080

Statements on Introduced Bills/Resolutions: Pages S8081–82

Additional Statements: Pages S8077–78

Amendments Submitted: Pages S8082–S8111

Authorities for Committees to Meet: Page S8111

Record Votes: One record vote was taken today. (Total—308) Page S8033

Adjournment: Senate convened at 10 a.m. and adjourned at 6:53 p.m., until 10 a.m. on Thursday, November 19, 2015. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8112.)

Committee Meetings

(Committees not listed did not meet)

UNDERSEA CRITICAL INFRASTRUCTURE PROTECTION

Committee on Armed Services: Subcommittee on SeaPower received a closed briefing on undersea critical infrastructure protection from J.D. Williams, National Intelligence Officer for Military Issues, Office of the Director of National Intelligence; Brandon Wales, Director, Office of Cyber and Infrastructure Analysis, Department of Homeland Security; and Susan McLellan, Naval Undersea Research and Threat Analysis Center, Office of Naval Intelligence, Captain Wesley Guinn, USN, Chief, Joint Operations Division (EUCOM/NATO), Joint Staff, and Larry Huffman, Director, Center for Operations, Defense Information Systems Agency, all of the Department of Defense.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1143, to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes;

S. 1518, to make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce;

S. 1685, to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications;

S. 1916, to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934;

S. 2044, to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer

to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, with an amendment in the nature of a substitute;

S. 2206, to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, with an amendment in the nature of a substitute; and

The nominations of Anthony Rosario Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years (Reappointment), Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years, and routine lists in the Coast Guard.

INTERNATIONAL CLIMATE NEGOTIATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the international climate negotiations, after receiving testimony from David Waskow, World Resources Institute, Lisa Jacobson, Business Council for Sustainable Energy, and Stephen D. Eule, U.S. Chamber of Commerce Institute for 21st Century Energy, all of Washington, D.C.; Julian Ku, Hofstra University School of Law, Hempstead, New York; and Oren M. Cass, Manhattan Institute for Policy Research, Lenox, Massachusetts.

AFTERMATH OF PARIS

Committee on Foreign Relations: Committee received a closed briefing on the aftermath of Paris, focusing on America's role from Victoria Nuland, Assistant Secretary, Bureau of European and Eurasian Affairs, Anne Richard, Assistant Secretary, Bureau of Population, Refugees, and Migration, and Lawrence R. Silverman, Deputy Assistant Secretary, Bureau of Near Eastern Affairs, all of the Department of State; Matthew D. Emrich, Acting Associate Director, Fraud Detection and National Security Directorate, and Barbara Strack, Chief, Refugee Affairs Division, both of Citizenship and Immigration Services, Department of Homeland Security; and Spencer P. Boyer, National Intelligence Officer for Europe, National Intelligence Council, Office of the Director of National Intelligence.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

H.R. 2820, to reauthorize the Stem Cell Therapeutic and Research Act of 2005, with an amendment in the nature of a substitute;

S. 1719, to provide for the establishment and maintenance of a National Family Caregiving Strategy, with amendment in the nature of a substitute; and

The nominations of Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2020 (Reappointment), and Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 817, to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; and

S. 818, to amend the Grand Ronde Reservation Act to make technical corrections, with an amendment in the nature of a substitute.

INDIAN EDUCATION LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 410, to strengthen Indian education, S. 1163, to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages, and S. 1928, to support the education of Indian children, after receiving testimony from Lillian Sparks Robinson, Administration for Children and Families, Department of Health and Human Services; Robert MoQuino, Pueblo of Acoma, Acoma, New Mexico; Glenabah Martinez, University of New Mexico College of Education, Albuquerque; and Michelle Accardi, National Board for Professional Teaching Standards, Arlington, Virginia.

NATIONAL ADOPTION MONTH

Committee on the Judiciary: Committee concluded a hearing to examine National Adoption Month, focusing on stories of success and meeting the challenges of international adoptions, after receiving testimony from Michele Thoren Bond, Assistant Secretary of State for Consular Affairs; Rick Wilkerson, Northwest Iowa Bone, Joint and Sports Surgeons P.C., Spencer; Christine Hutchins, Cambridge, Vermont; Katie Horton, Alexandria, Virginia; and Nicole Craig, Green Bay, Wisconsin.

VETERANS HEALTH AND BENEFITS LEGISLATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine S. 2106, to require the Secretary of Veterans Affairs to develop and publish an action plan for improving the vocational rehabilitation services and assistance provided by the Department of

Veterans Affairs, S. 2134, to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, S. 2170, to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, S. 2253, to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and S. 2291, to amend title 38, United States Code, to establish procedures within the Department of Veterans Affairs for the processing of whistleblower complaints, after receiving testimony from Curtis L. Coy, Deputy Under Secretary of Veterans Affairs for Economic Opportunity, Veterans Benefits Administration; and Liz Hempowicz, Project on Government Oversight, William Hubbard, Student Veterans of America, Aleks Morosky, Veterans of Foreign Wars of the United States, Diane M. Zumatto, AMVETS, and Tom Porter, Iraq and Afghanistan Veterans of America, all of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 34 public bills, H.R. 4055–4078; and 4 resolutions, H.J. Res. 73; H. Con. Res. 94; and H. Res. 532–533, were introduced. **Pages H8359–60**

Additional Cosponsors: **Pages H8361–62**

Report Filed: A report was filed today as follows:

H. Res. 531, providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes (H. Rept. 114–342). **Page H8359**

Speaker: Read a letter from the Speaker wherein he appointed Representative Jolly to act as Speaker pro tempore for today. **Page H8283**

Recess: The House recessed at 10:48 a.m. and reconvened at 12 noon. **Page H8289**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Christopher Weidner, St. Luke Lutheran Church, Gilbertsville, Pennsylvania. **Page H8289**

Reforming CFPB Indirect Auto Financing Guidance Act: The House passed H.R. 1737, to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending, by a yea-and-nay vote of 332 yeas to 96 nays, Roll No. 637. **Pages H8297–H8311, H8322**

Agreed to:

Gosar amendment (No. 1 printed in H. Rept. 114–340) that ensures that the costs and impacts to any veteran-owned business are included in the study required by this bill for any future auto financing guidance put forth by the Consumer Financial Protection Bureau; **Pages H8309–10**

Smith (MO) amendment (No. 2 printed in H. Rept. 114–340) that requires that CFPB, before issuing guidance on indirect auto financing, should also conduct a study on the cost and impacts such guidance to rural consumers and businesses; and **Page H8310**

Sewell (AL) amendment (No. 3 printed in H. Rept. 114–340) that clarifies that nothing in this bill shall be construed to apply to guidance issued by the Bureau of Consumer Financial Protection that is not primarily related to indirect auto financing. **Pages H8310–11**

H. Res. 526, the rule providing for consideration of the bills (H.R. 1737) and (H.R. 511) was agreed to yesterday, November 17th.

Portfolio Lending and Mortgage Access Act: The House passed H.R. 1210, to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, by a yea-and-nay vote of 255 yeas to 174 nays, Roll No. 636. **Pages H8311–22**

Rejected the Thompson (CA) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 184 yeas to 242 nays, Roll No. 635. **Pages H8319–21**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–34 shall be considered as adopted. **Page H8311**

H. Res. 529, the rule providing for consideration of the bills (H.R. 1210) and (H.R. 3189) was agreed to by a yea-and-nay vote of 243 yeas to 184 nays, Roll No. 634, after the previous question was ordered. **Pages H8292–97**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. tomorrow, November 19. **Page H8322**

Unanimous Consent Agreement: Agreed by unanimous consent that the question of adopting a motion to recommit on H.R. 3189 may be subject to postponement as though under clause 8 of rule 20. **Page H8323**

FORM Act of 2015: The House began consideration of H.R. 3189, to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited. Consideration is expected to resume tomorrow, November 19th. **Pages H8323–42**

Pursuant to the Rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, the amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–35, modified by the amendment printed in part B of H. Rept. 114–341, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as an original bill for the purpose of amendment under the five-minute rule and shall be considered as read. **Page H8331**

Agreed to:

Heck (WA) amendment (No. 2 printed in part C of H. Rept. 114–341) that requires FOMC to use fully revised data rather than the initial readings that are first available; **Pages H8338–39**

Grayson amendment (No. 3 printed in part C of H. Rept. 114–341) that provides for an annual audit of the Federal Reserve; and **Pages H8339–40**

King (IA) amendment (No. 6 printed in part C of H. Rept. 114–341), as modified, that requires the FOMC to make public the full transcriptions of their meetings and requires study of the effects of the GDP output section of the individual mandate on the US economy, Fed Actions, and federal debt. **Pages H8340–42**

Rejected:

Heck (WA) amendment (No. 1 printed in part C of H. Rept. 114–341) that sought to suspend the requirement for rules-based decisionmaking when unemployment or inflation significantly diverges from targets; and **Pages H8337–38**

Grayson amendment (No. 5 printed in part C of H. Rept. 114–341) that sought to establish three new Federal Reserve districts: one for Northern California (located in San Francisco); one for Southern California (located in Los Angeles); and one for Florida (located in Orlando). **Page H8339**

H. Res. 529, the rule providing for consideration of the bills (H.R. 1210) and (H.R. 3189) was agreed to by a yea-and-nay vote of 243 yeas to 184 nays, Roll No. 634, after the previous question was ordered. **Pages H8292–97**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H8292.

Senate Referrals: S.J. Res. 23 and S.J. Res. 24 were held at the desk.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H8296–97, H8320–21, H8321–22, and H8322. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:05 p.m.

Committee Meetings

PAST, PRESENT, AND FUTURE OF SNAP: THE NATIONAL COMMISSION ON HUNGER

Committee on Agriculture: Full Committee held a hearing entitled "Past, Present, and Future of SNAP: The National Commission on Hunger". Testimony was heard from public witnesses.

OUTSIDE VIEWS ON THE STRATEGY FOR IRAQ AND SYRIA

Committee on Armed Services: Full Committee held a hearing entitled "Outside Views on the Strategy for Iraq and Syria". Testimony was heard from public witnesses.

DOES BIENNIAL BUDGETING FIT IN A REWRITE OF THE BUDGET PROCESS?

Committee on the Budget: Full Committee held a hearing entitled "Does Biennial Budgeting Fit in a Rewrite of the Budget Process?". Testimony was heard from Representatives Ribble; and Price of North Carolina; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee concluded a markup on H.R. 1321, the "Microbead-Free Waters Act of 2015"; H.R. 2017, the "Common Sense Nutrition Disclosure Act of 2015"; H.R. 3014, the "Medical Controlled Substances Transportation Act"; H.R. 3716, the "Ensuring Terminated

Providers Are Removed from Medicaid and CHIP Act''; H.R. 3821, the ''Medicaid Directory of Caregivers Act''; H.J. Res. 71, 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''; H.J. Res. 72, 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''; and S. 611, the ''Grassroots Rural and Small Community Water Systems Assistance Act''. The following legislation was ordered reported, without amendment: H.R. 2017, H.R. 3014, H.J. Res. 71, H.J. Res. 72, and S. 611. The following legislation was ordered reported, as amended: H.R. 1321, H.R. 3716, and H.R. 3821.

EXAMINING THE SEC'S AGENDA, OPERATIONS, AND FY 2017 BUDGET REQUEST

Committee on Financial Services: Full Committee held a hearing entitled ''Examining the SEC's Agenda, Operations, and FY 2017 Budget Request''. Testimony was heard from Mary Jo White, Chair, Securities and Exchange Commission.

THE RISE OF RADICALISM: GROWING TERRORIST SANCTUARIES AND THE THREAT TO THE U.S. HOMELAND

Committee on Homeland Security: Full Committee; and the House Committee on Foreign Affairs, held a joint hearing entitled ''The Rise of Radicalism: Growing Terrorist Sanctuaries and the Threat to the U.S. Homeland''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 2830, to make technical amendments to update statutory references to certain provisions classified to title 2, United States Code; H.R. 3713, the ''Sentencing Reform Act of 2015''; H.R. 4002, the ''Criminal Code Improvement Act of 2015''; H.R. 4003, the ''Regulatory Reporting Act of 2015''; H.R. 4001, the ''Fix the Footnotes Act of 2015''; and H.R. 4023, the ''Clean Up the Code Act of 2015''. H.R. 3713 was ordered reported, as amended. The following bills were ordered reported, without amendment: H.R. 4001, H.R. 4002, H.R. 4003, H.R. 4023, and H.R. 2830.

LEGISLATIVE MEASURE

Committee on Natural Resources: Full Committee held a hearing on a discussion draft of the ''Protecting America's Recreation and Conservation Act''. Testimony was heard from Kristen Sarri, Principal Deputy Assistant Secretary, Policy Management and Budget, Department of the Interior; and public witnesses.

FEDERAL STUDENT AID: PERFORMANCE-BASED ORGANIZATION REVIEW

Committee on Oversight and Government Reform: Subcommittee on Government Operations; and Subcommittee on Higher Education and Workforce Training of the House Committee on Education and the Workforce, held a joint hearing entitled ''Federal Student Aid: Performance-Based Organization Review''. Testimony was heard from James Runcie, Chief Operating Officer, Department of Education; Melissa Emrey-Arras, Director, Education, Workforce, and Income Security, Government Accountability Office; Kathleen Tighe, Inspector General, Department of Education; and public witnesses.

THE INTERNET OF CARS

Committee on Oversight and Government Reform: Subcommittee on Transportation and Public Assets; and Subcommittee on Information Technology, held a joint hearing entitled ''The Internet of Cars''. Testimony was heard from Nat Beuse, Associate Administrator, Vehicle Safety Research, National Highway Traffic Safety Administration, Department of Transportation; and public witnesses.

AMERICAN SAFE ACT OF 2015

Committee on Rules: Full Committee held a hearing on H.R. 4038, the ''American SAFE ACT of 2015''. The committee granted, by record vote of 7–3, a closed rule for H.R. 4038. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Testimony was heard from Chairman Goodlatte, Chairman McCaul, and Representatives Lofgren, Labrador, Babin, Thompson of Mississippi, Hill, Schweikert, and Austin Scott of Georgia.

THE ADMINISTRATION'S EMPTY PROMISES FOR THE INTERNATIONAL CLIMATE TREATY

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''The Administration's

Empty Promises for the International Climate Treaty''. Testimony was heard from Katie Dykes, Deputy Commissioner, Connecticut Department of Energy and Environmental Protection and Chair, Regional Greenhouse Gas Initiative, Inc.; and public witnesses.

RECOMMENDATIONS OF THE COMMISSION TO REVIEW THE EFFECTIVENESS OF THE NATIONAL ENERGY LABORATORIES

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''Recommendations of the Commission to Review the Effectiveness of the National Energy Laboratories''. Testimony was heard from TJ Glauthier, Co-Chair, Commission to Review the Effectiveness of the National Energy Laboratories; Jared Cohon, Co-Chair, Commission to Review the Effectiveness of the National Energy Laboratories; and a public witness.

CONTINUING CHALLENGES FOR SMALL CONTRACTORS

Committee on Small Business: Subcommittee on Contracting and Workforce held a hearing entitled ''Continuing Challenges for Small Contractors''. Testimony was heard from public witnesses.

CHOICE CONSOLIDATION: ASSESSING VA'S PLAN TO IMPROVE CARE IN THE COMMUNITY

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Choice Consolidation: Assessing VA's Plan to Improve Care in the Community''. Testimony was heard from Sloan Gibson, Deputy Secretary, Department of Veterans Affairs.

EXAMINING VA'S ON-THE-JOB TRAINING AND APPRENTICESHIP PROGRAM

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''Examining VA's On-the-Job Training and Apprenticeship Program''. Testimony was heard from Andrew Sherrill, Director, Education, Workforce, and Income Security, Government Accountability Office; Major General Robert M. Worley II, USAF (Ret.), Director, Education Service, Veterans Benefit Administration, Department of Veterans Affairs; Eric Seleznow, Deputy Assistant Secretary, Employment and Training Administration, Department of Labor; and a public witness.

BUSINESS MEETING

Committee on Ways and Means: Full Committee held a business meeting to consider changes to the Committee's rules. The Committee's rules were successfully adopted, as amended.

Joint Meetings

ADVANCING THE AMERICAN DREAM

Joint Economic Committee: Committee concluded a hearing to examine millennial voices on advancing the American dream, after receiving testimony from Representative Stefanik; Jared Meyer, Manhattan Institute for Policy Research, New York, New York; and Jennifer Mishory, Young Invincibles, Washington, D.C.

DRIVE ACT CONFERENCE

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 22, an act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, but did not complete action thereon.

EVERY CHILD ACHIEVES ACT CONFERENCE

Conferees met to resolve the differences between the Senate and House passed versions of S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, but did not complete action thereon, and will meet again on Thursday, November 19, 2015.

COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 19, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the nominations of Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army, Franklin R. Parker, of Illinois, to be an Assistant Secretary of the Navy, John Conger, of Maryland, to be a Principal Deputy Under Secretary, and Stephen P. Welby, of Maryland, to be an Assistant Secretary, all of the Department of Defense, 9:30 a.m., SD–G50.

Committee on Energy and Natural Resources: business meeting to consider S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 556, to protect and enhance opportunities for recreational hunting, fishing, and shooting, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, S. 1583, to authorize the expansion of an existing hydroelectric project, S. 1592, to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest, S. 1694, to amend Public Law 103–434 to authorize Phase III of the Yakima River Basin Water Enhancement Project for the purposes of improving water management in the Yakima River basin, S. 1941 and H.R. 2223, bills

to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, S. 1942 and H.R. 1554, bills to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, S. 2046, to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, S. 2069, to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, S. 2083, to extend the deadline for commencement of construction of a hydroelectric project, H.R. 373, to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, H.R. 1324, to adjust the boundary of the Arapaho National Forest, Colorado, and the nominations of Suzette M. Kimball, of West Virginia, to be Director of the United States Geological Survey, Department of the Interior, and Victoria Marie Baecher Wassmer, of Illinois, to be Under Secretary, John Francis Kotek, of Idaho, to be an Assistant Secretary (Nuclear Energy), and Cherry Ann Murray, of Kansas, to be Director of the Office of Science, all of Department of Energy, 9:30 a.m., SD–366.

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine democratic transitions in southeast Asia, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine human trafficking, 10 a.m., SD–342.

Full Committee, to hold hearings to examine the impact of ISIS on the homeland and refugee resettlement, 2 p.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, and S. 1318, to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Emerging Threats and Capabilities, hearing entitled "Advancing the Science and Acceptance of Autonomy for Future Defense Systems", 10:30 a.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled "U.S. Public Health Preparedness for Seasonal Influenza: Has the Response Improved?", 10 a.m., 2322 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "The Disrupter Series: The Fast-Evolving Uses and Economic Impacts of Drones", 10:15 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled "Oversight of the Financial Stability Oversight Council: Due Process and Transparency in Non-Bank SIFI Designations", 9:15 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled "The Goldman Act to Return Abducted American Children: Ensuring Administration Action", 11 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Immigration and Border Security, hearing entitled "The Syrian Refugee Crisis and Its Impact on the Security of the U.S. Refugee Admissions Program", 9 a.m., 2141 Rayburn.

Committee on Small Business, Subcommittee on Agriculture, Energy and Trade, hearing entitled "Improving Size Standards for Small Farmers and Ranchers", 10 a.m., 2360 Rayburn.

Joint Meetings

Conference: meeting of conferees on S. 1177, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, 10 a.m., HVC–201AB.

Next Meeting of the **SENATE**

10 a.m., Thursday, November 19

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will continue consideration of H.R. 2577, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9:30 a.m., Thursday, November 19

House Chamber

Program for Thursday: Complete consideration of H.R. 3189—FORM Act of 2015. Consideration of H.R. 4038—American SAFE Act of 2015 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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