bill S. 2943, supra; which was ordered to lie on the table.

SA 4623. Mr. PAUL (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4624. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4625. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4626. Mr. CARPER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4627. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4628. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. ROUNDS, Mrs. GILLIBRAND, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4629. Mr. RUBIO (for himself, Mr. COCHRAN, Mr. WARNER, Mr. INHOFE, Mr. HATCH, Mr. MORAN, Mrs. SHAHEEN, Mr. NELSON, Mr. HOEVEN, Mr. LEE, Mr. KING, Mr. THUNE, Ms. AYOTTE, Mrs. FISCHER, Mr. BURR, Mr. CARDIN, Ms. COLLINS, Mr. KAINE, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4630. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4631. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4632. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4633. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4634. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4637. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4638. Mr. KIRK (for himself, Mr. GRASSLEY, Mrs. ERNST, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4639. Mrs. ERNST (for herself, Mr. MCCAIN, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4640. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4641. Mrs. SHAHEEN (for herself, Mr. BURR, and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4642. Mr. BOOKER (for himself, Mr. NELSON, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4643. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4644. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4645. Ms. WARREN (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4646. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Mr. WHITEHOUSE, Mr. COONS, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4647. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4648. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4649. Mr. KIRK (for himself, Mr. MANCHIN, Mr. CARDIN, Mr. SCHUMER, Mr. PORTMAN, Mr. RUBIO, Ms. MURKOWSKI, Mr. TILLIS, Mr. VITTER, Mr. HATCH, Mr. CRUZ, Mr. MENENDEZ, Mr. ROBERTS, Mr. CORNYN , Mr. NELSON, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4651. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4652. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4653. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4654. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4655. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4656. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4657. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4658. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4336 submitted by Mr. BROWN and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4659. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4660. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4661. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4662. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4663. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. MCCAIN and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4664. Ms. KLOBUCHAR (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4665. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4666. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, Mrs. BOXER, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4667. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4509 submitted by Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4668. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4647 submitted by Mr. SHELBY and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4669. Mr. SASSE (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4604. Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) PRIORITIZATION OF APPLICATIONS BY THE CHIEF OF MISSION.—Section 602(b)(2)(D)(i) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end ''In processing applications under this paragraph, the Chief of Mission shall prioritize, to the maximum extent practicable, applications for those aliens who have experienced or are experiencing an ongoing and credible serious threat as a consequence of the alien's employment by the United States Government.''.

(b) NUMERICAL LIMITATIONS.—Section 602(b)(3)(F) of such Act is amended—

(1) in the subparagraph heading, by striking ''AND 2017'' and inserting ''2017, AND 2018'';

(2) by striking ''December 31, 2016;'' each place it appears and inserting ''December 31, 2017;''; and

(3) in the matter preceding clause (i)—

(A) by striking ''exhausted,,'' and inserting ''exhausted,''; and

(B) by striking ''7,000'' and inserting ''9,500''.

(c) REPORT.—Section 602(b)(14) of such Act is amended—

(1) in the matter preceding subparagraph (A), by striking ''Not later than 60 days after the date of the enactment of this paragraph,'' and inserting ''Not later than December 31, 2016, and annually thereafter through January 31, 2021,''; and

(2) in subparagraph (A)(i), by striking ''under this section;'' and inserting ''under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);''.

(d) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—Section 602(b) of such Act is amended by adding at the end the following:

''(17) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—

''(A) IN GENERAL.—Not later than 120 days after the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 or March 1, 2018, the Secretary of Defense and the Secretary of State, in consultation with the Secretary of Homeland Security, the Chairman of the Joint Chiefs of Staff, the Commander of United States Central Command, and the Commander Resolute Support/United States Forces – Afghanistan, shall submit a report to the appropriate committees of Congress that details a strategy for bringing the program authorized under this subsection to provide special immigrant status to certain Afghans to a responsible end by or before December 31, 2018.

''(B) CONTENT.—The report required under subparagraph (A) shall—

''(i) identify the number of visas that would be required to meet existing or reasonably projected commitments, taking into account the need to support a continued United States Government presence in Afghanistan;

''(ii) provide an estimate of how long such visas should remain available;

''(iii) assess whether other existing programs would be adequate to incentivize the continued recruitment, retention, and protection of critical Afghan employees, after the program authorized under this subsection expires; and

''(iv) describe potential alternative programs that could be considered if existing programs are inadequate.''.

(e) REPORT.—Not later than 120 days after the enactment of this Act, the Secretary of the Department of Homeland Security shall submit to Congress a report on the frequency, duration, and reasons recipients of these visas from Afghanistan travel back to Afghanistan.

SA 4605. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 582. INFORMATION ON MILITARY STUDENT PERFORMANCE.

Section 574(b)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended by adding at the end the following: ''The plan for outreach shall include annual updates of the most recent information, disaggregated for each State and local educational agency, available from the State and local report cards required under section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) regarding—

''(A) the number of public elementary school and secondary school students with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title); and

''(B) the achievement by such students for each level of achievement, as determined by the State, on the academic assessments described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)).''.

SA 4606. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 829A.

SA 4607. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

On page 508, strike line 10 and all that follows through ''(d) TRAINING.—'' on line 15 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) TRAINING.—

SA 4608. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 578 and insert the following:

SEC. 578. CRIMINAL HISTORY CHECKS FOR COVERED INDIVIDUALS AT DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) DEFINITIONS.—In this section:

(1) The term ''covered individual'' means an individual involved in the provision of child care services (as defined in section 231 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041)) for children under the age of 18 at a covered school.

(2) The term ''covered school'' means a Department of Defense domestic dependent elementary or secondary school established under section 2164 of title 10, United States Code.

(b) CRIMINAL HISTORY CHECKS.—

(1) IN GENERAL.—The Secretary of Defense, pursuant to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and subtitle E of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041), shall have the authority to establish regulations to implement policy, assign responsibilities, and provide procedures, and shall have in effect policies and procedures, regarding criminal history checks.

(2) POLICIES AND PROCEDURES FOR CRIMINAL HISTORY CHECKS.—The policies and procedures to implement criminal history checks required under paragraph (1) may include the following:

(A) Databases searches of—

(i) the State criminal registry or repository of the State in which the covered individual resides;

(ii) State-based child abuse and neglect registries and databases of the State in which the covered individual resides;

(iii) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(iv) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(B) Providing covered individuals with training and professional development about how to recognize, respond to, and prevent child abuse.

(C) The development, implementation, or improvement of mechanisms to assist covered schools in effectively recognizing and quickly responding to incidents of child abuse by covered individuals.

(D) Developing and disseminating information on best practices and Federal, State, and local resources available to assist covered schools in preventing and responding to incidents of child abuse by covered individuals.

(E) Developing professional standards and codes of conduct for the appropriate behavior of covered individuals.

(F) Establishing, implementing, or improving policies and procedures for covered schools to provide the results of criminal history checks to—

(i) covered individuals subject to the criminal history checks in a statement that indicates whether the individual is ineligible for certain employment due to the criminal history check and includes information related to each disqualifying finding from the criminal history check; and

(ii) a covered school in a statement that indicates whether a covered individual is eligible or ineligible for certain employment, without revealing any disqualifying finding from the criminal history check or other related information regarding the covered individual.

(G) Establishing, implementing, or improving procedures that include periodic criminal history checks for covered individuals, while maintaining an appeals process.

(H) Establishing, implementing, or improving a process by which a covered individual may appeal the results of a criminal history check, which process shall be completed in a timely manner, give each covered individual notice of an opportunity to appeal, and give each covered individual instructions on how to complete the appeals process.

(I) Establishing, implementing, or improving a review process through which a covered school may determine that a covered individual who was disqualified due to a finding in the criminal history check is eligible for employment due to mitigating circumstances, as determined by the covered school.

(J) Establishing, implementing, or improving policies and procedures intended to ensure that a covered school does not knowingly transfer or facilitate the transfer of a covered individual if the covered school knows or has probable cause to believe that the covered individual has engaged in sexual misconduct, in accordance with section 578A.

(K) Publishing the applicable policies and procedures described in this subsection on the website of covered schools.

(L) Providing covered individuals with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)).

(M) Supporting any other activities determined by a covered school to protect student safety or improve the comprehensiveness, coordination, and transparency of policies and procedures regarding criminal history checks for covered individuals at the covered school.

SEC. 578A. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

(a) IN GENERAL.—The Secretary of Defense shall promulgate regulations, policies, or procedures that prohibit any individual who is a school employee, contractor, or agent of any Department of Defense domestic dependent elementary or secondary school established pursuant to section 2164 of title 10, United States Code, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the information giving rise to probable cause—

(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(B) has been properly reported to any other authorities as required by Federal, State, or local law, including chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(2)(A) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(B) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(C) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

SA 4609. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 578 and insert the following:

SEC. 578. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

(a) IN GENERAL.—Subpart 2 of part F of title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

"SEC. 8549D. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

''(a) CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

''(1) IN GENERAL.—Each State educational agency and local educational agency that receives funds under this Act shall have in effect policies and procedures that require a criminal background check for each school employee in each covered school served by such State educational agency and local educational agency.

''(2) REQUIREMENTS.—A background check required under paragraph (1) shall be conducted and administered by—

''(A) the State;

''(B) the State educational agency; or

''(C) the local educational agency.

''(b) STATE AND LOCAL USES OF FUNDS.—A State educational agency or local educational agency that receives funds under this Act may use such funds to establish, implement, or improve policies and procedures on background checks for school employees required under subsection (a) to—

''(1) expand the registries or repositories searched when conducting background checks, such as—

''(A) the State criminal registry or repository of the State in which the school employee resides;

''(B) the State-based child abuse and neglect registries and databases of the State in which the school employee resides;

''(C) the Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

''(D) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

''(2) provide school employees with training and professional development on how to recognize, respond to, and prevent child abuse;

''(3) develop, implement, or improve mechanisms to assist covered local educational agencies and covered schools in effectively recognizing and quickly responding to incidents of child abuse by school employees;

''(4) develop and disseminate information on best practices and Federal, State, and local resources available to assist local educational agencies and schools in preventing and responding to incidents of child abuse by school employees;

''(5) develop professional standards and codes of conduct for the appropriate behavior of school employees;

''(6) establish, implement, or improve policies and procedures for covered State educational agencies, covered local educational agencies, or covered schools to provide the results of background checks to—

''(A) individuals subject to the background checks in a statement that indicates whether the individual is ineligible for such employment due to the background check and includes information related to each disqualifying crime;

''(B) the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual;

''(C) another employer in the same State or another State, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

''(D) another local educational agency in the same State or another State that is considering such school employee for employment, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual;

''(7) establish, implement, or improve procedures that include periodic background checks, which also allows for an appeals process as described in paragraph (8), for school employees in accordance with State policies or the policies of covered local educational agencies served by the covered State educational agency;

''(8) establish, implement, or improve a process by which a school employee may appeal the results of a background check, which process is completed in a timely manner, gives each school employee notice of an opportunity to appeal, and instructions on how to complete the appeals process;

''(9) establish, implement, or improve a review process through which the covered State educational agency or covered local educational agency may determine that a school employee disqualified due to a crime is eligible for employment due to mitigating circumstances as determined by a covered local educational agency or a covered State educational agency;

''(10) establish, implement, or improve policies and procedures intended to ensure a covered State educational agency or covered local educational agency does not knowingly transfer or facilitate the transfer of a school employee if the agency knows that employee has engaged in sexual misconduct, as defined by State law, with an elementary school or secondary school student;

''(11) provide that policies and procedures are published on the website of the covered State educational agency and the website of each covered local educational agency served by the covered State educational agency;

''(12) provide school employees with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)); and

''(13) support any other activities determined by the State to protect student safety or improve the comprehensiveness, coordination, and transparency of policies and procedures on criminal background checks for school employees in the State.

''(c) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if a State, covered State educational agency, covered local educational agency, or covered school is in compliance with State regulations and requirements concerning background checks.

''(d) BACKGROUND CHECK FEES.—Nothing in this section shall be construed as prohibiting States or local educational agencies from charging school employees for the costs of processing applications and administering a background check as required by State law, provided that the fees charged to school employees do not exceed the actual costs to the State or local educational agency for the processing and administration of the background check.

''(e) STATE AND LOCAL PLAN REQUIREMENTS.—Each plan submitted by a State or local educational agency under title I shall include—

''(1) an assurance that the State and local educational agency has in effect policies and procedures that meet the requirements of this section; and

''(2) a description of laws, regulations, or policies and procedures in effect in the State

for conducting background checks for school employees designed to—

''(A) terminate individuals in violation of State background check requirements;

''(B) improve the reporting of violations of the background check requirements in the State;

''(C) reduce the instance of school employee transfers following a substantiated violation of the State background check requirements by a school employee;

''(D) provide for a timely process by which a school employee may appeal the results of a criminal background check;

''(E) provide each school employee, upon request, with a copy of the results of the criminal background check, including a description of the disqualifying item or items, if applicable;

''(F) provide the results of the criminal background check to the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual; and

''(G) provide for the public availability of the policies and procedures for conducting background checks.

''(f) TECHNICAL ASSISTANCE TO STATES, SCHOOL DISTRICTS, AND SCHOOLS.—The Secretary, in collaboration with the Secretary of Health and Human Services and the Attorney General, shall provide technical assistance and support to States, local educational agencies, and schools, which shall include, at a minimum—

''(1) developing and disseminating a comprehensive package of materials for States, State educational agencies, local educational agencies, and schools that outlines steps that can be taken to prevent and respond to child sexual abuse by school personnel;

''(2) determining the most cost-effective way to disseminate Federal information so that relevant State educational agencies and local educational agencies, child welfare agencies, and criminal justice entities are aware of such information and have access to it; and

''(3) identifying mechanisms to better track and analyze the prevalence of child sexual abuse by school personnel through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

''(g) REPORTING REQUIREMENTS.—

''(1) REPORTS TO THE SECRETARY.—A covered State educational agency or covered local educational agency that uses funds pursuant to this section shall report annually to the Secretary on—

''(A) the amount of funds used; and

''(B) the purpose for which the funds were used under this section.

''(2) SECRETARY'S REPORT CARD.—Not later than July 1, 2018, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card that includes—

''(A) actions taken pursuant to subsection (f), including any best practices identified under such subsection; and

''(B) incidents of reported child sexual abuse by school personnel, as reported through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

''(h) RULES OF CONSTRUCTION REGARDING BACKGROUND CHECKS.—

''(1) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

''(A) mandate, direct, or control the background check policies or procedures that a State or local educational agency develops or implements under this section;

''(B) establish any criterion that specifies, defines, or prescribes the background check policies or procedures that a State or local educational agency develops or implements under this section; or

''(C) require a State or local educational agency to submit such background check policies or procedures for approval.

''(2) PROHIBITION ON REGULATION.—Nothing in this section shall be construed to permit the Secretary to establish any criterion that—

''(A) prescribes, or specifies requirements regarding, background checks for school employees;

''(B) defines the term 'background checks', as such term is used in this section; or

''(C) requires a State or local educational agency to report additional data elements or information to the Secretary not otherwise explicitly authorized under this section or any other Federal law.

''(i) DEFINITIONS.—In this section—

''(1) the term 'covered local educational agency' means a local educational agency that receives funds under this Act;

''(2) the term 'covered school' means a public elementary school or public secondary school, including a public elementary or secondary charter school, that receives funds under this Act;

''(3) the term 'covered State educational agency' means a State educational agency that receives funds under this Act; and

''(4) the term 'school employee' includes, at a minimum—

''(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

''(B) any person, or any employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or unsupervised interaction with elementary school or secondary school students.''.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 8549C the following:

''Sec. 8549D. Criminal background checks for school employees.''.

(c) BACKGROUND CHECKS FOR DEPARTMENT OF DEFENSE SCHOOLS.—

(1) IN GENERAL.—The Secretary of Defense shall have the authority, pursuant to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and subtitle E of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041), to establish regulations to implement policy, assign responsibilities, and provide procedures to conduct criminal history checks on individuals involved in the provision of child care services (as defined in section 231 of such Act) for children under the age of 18 in Department of Defense domestic dependent elementary and secondary schools established under section 2164 of title 10, United States Code.

(2) CONTENTS OF CRIMINAL HISTORY CHECKS.—The criminal history checks established in the regulations required under paragraph (1) may include—

(A) a search of the State criminal registry or repository of the State in which the individual resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the individual resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(d) PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.—

(1) IN GENERAL.—Commencing not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall create regulations, policies, or procedures that prohibit any individual who is a school employee, contractor, or agent of any Department of Defense domestic dependent elementary or secondary school established pursuant to section 2164 of title 10, United States Code, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

(2) EXCEPTIONS.—The requirements of paragraph (1) shall not apply if the information giving rise to probable cause—

(A)(i) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(ii) has been properly reported to any other authorities as required by Federal, State, or local law, including chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(B)(i) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(ii) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(iii) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

SA 4610. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXIX, add the following:

SEC. 2904. FIRE STATION, FORT LEONARD WOOD, MISSOURI.

The amount authorized to be appropriated under section 2903 and available for Army military construction projects as specified in the funding table in section 4602 is increased by $6,900,000, with the amount of such increase to be allocated for a Fire Station, Fort Leonard Wood, Missouri.

SA 4611. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS AND ABUSE OF OPIOIDS BY VETERANS.

(a) PUBLICATION OF INFORMATION.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs information on the provision of health care by the Department and the abuse of opioids by veterans.

(b) ELEMENTS.—

(1) HEALTH CARE.—

(A) IN GENERAL.—Each publication required by subsection (a) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average number of patients seen per month by each primary care physician.

(ii) The average length of stay for inpatient care.

(iii) A description of any hospital-acquired condition acquired by a patient.

(iv) The rate of readmission of patients within 30 days of release.

(v) The rate at which opioids are prescribed to each patient.

(vi) The average wait time for emergency room treatment.

(vii) A description of any scheduling backlog with respect to patient appointments.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by subsection (a) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(C) SEARCHABILITY.—The Secretary shall ensure that information described in subparagraph (A) that is included on the Internet website required by subsection (a) is searchable by State, city, and facility.

(2) OPIOID ABUSE BY VETERANS.—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

(A) The number of veterans prescribed opioids by health care providers of the Department.

(B) A comprehensive list of all facilities of the Department offering an opioid treatment program, including details on the types of services available at each facility.

(C) The number of veterans treated by a health care provider of the Department for opioid abuse.

(D) Of the veterans described in subparagraph (C)—

(i) the number treated for opioid abuse in conjunction with posttraumic stress disorder, depression, or anxiety; and

(ii) the number with a diagnosis of opioid abuse during the one-year period before beginning treatment from a health care provider of the Department and for which there is no evidence of treatment for opioid abuse from a health care provider of the Department during such period.

(c) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under subsection (a) is protected from disclosure as required by applicable law.

(d) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 4612. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. UNITED STATES POLICY ON BALLISTIC MISSILE DEFENSE.

(a) POLICY.—With respect to ballistic missile defense, it is the policy of the United States to—

(1) defend the United States homeland against the threat of limited ballistic missile attack, particularly from nations such as North Korea and Iran;

(2) defend against regional missile threats to deployed United States military forces, while also protecting allies and partners and helping enable them to defend themselves;

(3) ensure that before new ballistic missile defense capabilities are deployed, they must undergo sufficient operationally realistic testing and demonstrate that they can perform reliably and effectively to help United States forces accomplish their missions;

(4) ensure that such ballistic missile defense systems are affordable and fiscally sustainable over the long term;

(5) ensure that United States ballistic missile defense capabilities are flexible enough to adapt to evolving missile threats; and

(6) enhance international efforts and cooperation on ballistic missile defense to increase regional security and appropriate burden-sharing.

(b) CONFORMING REPEAL.—The National Missile Defense Act of 1999 (Public Law 106–38) is hereby repealed.

SA 4613. Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. GRAHAM, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. QUORUM REQUIREMENT FOR BOARD OF DIRECTORS OF EXPORT-IMPORT BANK OF THE UNITED STATES.

Notwithstanding section 3(c)(6) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)(6)), the entire voting membership of the Board of Directors of the Export-Import Bank of the United States shall constitute a quorum during any period during which there are fewer than 3 voting members holding office on the Board.

SA 4614. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 673. CREDIT PROTECTIONS FOR SERVICEMEMBERS.

(a) ACTIVE DUTY FREEZE ALERTS.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in the heading for such section, by striking ''**AND ACTIVE DUTY ALERTS**'' and inserting ''**, ACTIVE DUTY ALERTS, AND ACTIVE DUTY FREEZE ALERTS**'';

(2) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(3) by inserting after subsection (c) the following:

''(d) ACTIVE DUTY FREEZE ALERTS.—Upon the direct request of an active duty military consumer, or an individual acting on behalf of or as a personal representative of an active duty military consumer, a consumer reporting agency described in section 603(p) that maintains a file on the active duty military consumer and has received appropriate proof of the identity of the requester, at no cost to the active duty military consumer while the consumer is deployed, shall—

''(1) include an active duty freeze alert in the file of that active duty military consumer, during a period of not less than 12 months, or such longer period as the Bureau shall determine, by regulation, beginning on the date of the request, unless the active duty military consumer or such representative requests that such freeze alert be removed before the end of such period, and the agency has received appropriate proof of the identity of the requester for such purpose;

''(2) during the 2-year period beginning on the date of such request, exclude the active duty military consumer from any list of consumers prepared by the consumer reporting agency and provided to any third party to offer credit or insurance to the consumer as part of a transaction that was not initiated by the consumer, unless the consumer requests that such exclusion be rescinded before the end of such period; and

''(3) refer the information regarding the active duty freeze alert to each of the other consumer reporting agencies described in section 603(p), in accordance with procedures developed under section 621(f).'';

(4) in subsection (e), as so redesignated—

(A) by striking ''extended, and active duty alerts'' and inserting ''extended, active duty, and active duty freeze alerts''; and

(B) by striking ''extended, or active duty alerts'' and inserting ''extended, active duty, or active duty freeze alerts'';

(5) in subsection (f), as so redesignated—

(A) in the matter preceding paragraph (1), by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert'';

(B) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (3), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(4) paragraphs (1) and (2) of subsection (d), in the case of a referral under subsection (d)(3).'';

(6) in subsection (g), as so redesignated, by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert''; and

(7) in subsection (i), as so redesignated, by adding at the end the following:

''(3) REQUIREMENTS FOR ACTIVE DUTY FREEZE ALERTS.—

''(A) NOTIFICATION.—Each active duty freeze alert under this section shall include information that notifies all prospective users of a consumer report on the consumer to which the freeze alert relates that the consumer does not authorize the establishment of any new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issuance of an additional card on an existing credit account requested by a consumer, or any increase in credit limit on an existing credit account requested by a consumer.

''(B) PROHIBITION ON USERS.—No prospective user of a consumer report that includes an active duty freeze alert in accordance with this section may establish a new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issue an additional card on an existing credit account requested by a consumer, or grant any increase in credit limit on an existing credit account requested by a consumer.''.

(b) RULEMAKING.—The Bureau of Consumer Financial Protection shall prescribe regulations to define what constitutes appropriate proof of identity for purposes of section 605A(d) of the Fair Credit Reporting Act, as amended by subsection (a).

(c) TECHNICAL AMENDMENT.—Section 603(q)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)(2)) is amended—

(1) in the heading for such paragraph, by striking ''ACTIVE DUTY ALERT'' and inserting ''ACTIVE DUTY ALERT; ACTIVE DUTY FREEZE ALERT''; and

(2) by inserting ''and 'active duty freeze alert'' before ''mean''.

(d) EFFECTIVE DATE.—This Act, and any amendment made by this Act, shall take effect 1 year after the date of enactment of this Act.

SA 4615. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2853. CONGRESSIONAL DESIGNATION OF THE NATIONAL MEDAL OF HONOR MUSEUM.

(a) FINDINGS.—Congress makes the following findings:

(1) The Medal of Honor Museum will be the only museum in the United States that exists for the exclusive purpose of interpreting the story of the Medal of Honor and all of its recipients.

(2) The Medal of Honor Museum will be the only museum to educate a diverse group of audiences through its collection of artifacts, photographs, letters, documents, and first-hand personal accounts of Medal of Honor recipients and the wars they fought in during United States conflicts since the Civil War.

(3) The Medal of Honor Museum mission is—

(A) to preserve and present the extraordinary stories of individuals who reached the highest levels of recognition, ''above and beyond the call of duty,'' in service to the Nation;

(B) to inspire current and future generations about the ideals of the Medal of Honor six columns of character—Courage, Commitment, Integrity, Citizenship, Sacrifice, and Patriotism;

(C) to help visitors understand the meaning and price of freedom and what it means to put service above self; and

(D) to serve as an education center that, through various programs, reaches out across the country to further the Medal of Honor's ideals among all Americans, especially our Nation's youth.

(4) The Medal of Honor was established by an Act of Congress in 1861 and is awarded in its name. The Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Forces of the United States and is generally presented to its recipient by the President in the name of Congress.

(5) The total number of Medal of Honor recipients from the Civil War through the current War on Terrorism is 3,495 (19 individuals are double recipients). Since World War II, the vast majority of recipients from WWII, the Korean War, and Vietnam have been awarded posthumously.

(6) As of May 3, 2016, there are only 76 living Medal of Honor recipients, whose average age is 77, creating an urgent need to preserve the stories, artifacts, and heroic achievements of these individuals.

(7) The United States has a need to preserve forever the stories, knowledge, and history of the 3,495 recipients of the Medal of Honor to portray that history and the courage, commitment, integrity, citizenship, sacrifice, and patriotism of the recipients to citizens, visitors, and school children for centuries to come.

(8) Therefore, it is appropriate to designate The Medal of Honor Museum as ''National Medal of Honor Museum''.

(b) DESIGNATION OF THE NATIONAL MEDAL OF HONOR MUSEUM.—The Medal of Honor Museum is hereby designated as ''The National Medal of Honor Museum''.

(c) FUNDING.—The amount authorized to be appropriated under section 2403 for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the finding table in section 4601, is increased by $10,000,000, with the amount of such increase to be allocated for planning and construction of the National Medal of Honor Museum.

SA 4616. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE'S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration may not require an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People's Republic of China that is inconsistent with United States policy, overlaps with pre-existing air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4617. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. STRATEGIC SOURCING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Defense;

(2) the term ''Secretary'' means the Secretary of Defense; and

(3) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) IMPROVING THE USE OF STRATEGIC SOURCING.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish performance measures for the inclusion of small business concerns in Department-wide strategic sourcing initiatives, including efforts being conducted through the Federal Strategic Sourcing Initiative and the Category Management Initiative; and

(2) the Secretary shall begin collecting data, including data relating to the performance measures established under paragraph (1), on the participation of small business concerns in strategic sourcing initiatives established by the Department, which shall include participation as subcontractors to the extent feasible and that data is available in order to determine the effectiveness of these contract vehicles and impact on the small business industrial base.

SA 4618. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. DEFENSE AND SECURITY COOPERATION WITH INDIA.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States and India face mutual security threats, and a robust defense partnership is in the interest of both countries.

(2) The relationship between the United States and India has developed over the past two decades to become a multifaceted, global strategic and defense partnership rooted in shared democratic values and the promotion of mutual prosperity, greater economic cooperation, regional peace, security, and stability.

(3) In 2012, the Department of Defense began an initiative to increase senior-level oversight and engagement on defense cooperation between the United States and India, which is referred to as the ''U.S.-India Defense Technology and Trade Initiative'' (DTTI).

(4) On June 3, 2015, the Government of the United States and the Government of India entered into an executive agreement, entitled ''Framework for the U.S.-India Defense Relationship'', which renewed and updated the previous defense framework agreement between the United States and India, executed on June 28, 2005.

(5) Consistent with the Framework for the U.S.-India Defense Relationship and the goals of the U.S.-India Defense Technology and Trade Initiative, improving defense cooperation, achieving greater interaction between the military forces of both countries, increasing the flow of technology and investment, developing capabilities and partnership in co-development and co-production, and strengthening two-way defense trade are in the national security interests of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense partnership between the United States and India is vital to regional and international stability and security;

(2) the national security interests of the United States can be furthered by advancing the goals of the Framework for the U.S.-India Defense Relationship and the effective operation of the U.S.-India Defense Technology and Trade Initiative; and

(3) the commitment of the President to enhancing defense and security cooperation with India should be considered a priority in advancing the interests of the United States in South Asia and the Indo-Pacific region.

(c) REQUIRED ACTIONS.—The President shall take such actions as may be necessary—

(1) to recognize the status of India as a global strategic and defense partner of the United States through appropriate modifications to defense export control regulations;

(2) to approve and facilitate the transfer of advanced technology in the context of, and in order to satisfy, combined military planning with the India military for missions such as humanitarian assistance and disaster relief, counter piracy, and maritime domain awareness;

(3) to strengthen the effectiveness of the U.S.-India Defense Technology and Trade Initiative and the durability of the ''India Rapid Reaction Cell'' of the Department of Defense;

(4) to resolve issues impeding defense trade, security cooperation, and co-production and co-development opportunities between the United States and India;

(5) to collaborate with the Government of India to develop mutually agreeable mechanisms to verify the security of defense technology information and equipment, such as tailored cyber security and end-use monitoring arrangements;

(6) to promote policies that will encourage the efficient review and authorization of defense sales and exports to India, including the treatment of military sales and export authorizations to India in a manner similar to that of the closest defense partners of the United States;

(7) to pursue greater government-to-government and commercial military transactions between the United States and India; and

(8) to support the development and alignment of the export control and procurement regimes of India with those of the United States and multilateral control regimes.

(d) BILATERAL COORDINATION.—The President is encouraged to coordinate with the Government of India on an ongoing basis—

(1) to develop and keep updated military contingency plans for addressing threats to the mutual security interests of both countries;

(2) to develop combined military plans for missions such as humanitarian assistance and disaster relief, maritime domain awareness, freedom of navigation, and other missions in the national security interests of both countries; and

(3) to work toward actions and joint efforts, such as significant contributions to ongoing global conflicts, that would allow the United States to treat India the same as its closest partners and allies with respect to United States laws and regulations.

(e) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The President shall, on an ongoing basis, carry out an assessment of the extent to which India possesses capabilities to execute military operations of mutual interest between the United States and India.

(2) USE OF ASSESSMENT.—The President shall ensure that the assessment described in paragraph (1) is used to inform the review by the United States of applications to export defense articles, defense services, or technical data to India under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

SA 4619. Mr. INHOFE (for himself, Mr. HOEVEN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RISK MANAGEMENT AND INTEGRATION EFFORTS WITH RESPECT TO CIVIL AND MILITARY UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Administrator of the Federal Aviation Administration and the heads of other relevant Federal agencies, submit to Congress a report that—

(1) assesses the risk posed by civil unmanned aircraft systems operating at or below 400 feet above ground level to—

(A) the safety of aircraft of the Armed Forces operating in military special use airspace and on military training routes; and

(B) the security of military installations located in the United States that directly support strategic operations of the Armed Forces;

(2) assesses the technology the Department of Defense employs to provide unmanned aircraft operators with airspace situational awareness, the degree to which that technology is compatible with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of enactment of this Act, and the potential of the technology to enhance the safety of the United States national airspace system;

(3) describes—

(A) the cases in which unmanned aircraft of the Department of Defense may need to be interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of the enactment of this Act; and

(B) the efforts of the Department of Defense to coordinate with the Federal Aviation Administration and the National Aeronautics and Space Administration on—

(i) research, development, testing, and evaluation of concepts, technologies, and systems required to ensure that unmanned aircraft systems of the Department of Defense are interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment; and

(ii) the development of technology and standards for any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment; and

(4) assesses the adequacy of current laws, regulations, procedures, and activities to address risks assessed under paragraph (1) and identifies additional actions that may be appropriate and necessary to address such risks.

(b) DEFINITIONS.—In this section:

(1) CIVIL UNMANNED AIRCRAFT SYSTEM.—The term ''civil unmanned aircraft system'' means an unmanned aircraft system that is a civil aircraft (as that term is defined in section 40102 of title 49, United States Code).

(2) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4620. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2814. ARSENAL INSTALLATION REUTILIZATION AUTHORITY.

(a) MODIFIED AUTHORITY.—In the case of a military manufacturing arsenal, the Secretary concerned may authorize leases and contracts under section 2667 of title 10, United States Code, for a term of up to 25 years, notwithstanding subsection (b)(1) of such section, if the Secretary determines that a lease or contract of that duration will promote the national defense or be in the public interest for the purpose of—

(1) helping to maintain the viability of the military manufacturing arsenal and any military installations on which it is located;

(2) eliminating, or at least reducing, the cost of Government ownership of the military manufacturing arsenal, including the costs of operations and maintenance, the costs of environmental remediation, and other costs; and

(3) leveraging private investment at the military manufacturing arsenal through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the preceding purposes.

(b) DELEGATION AND REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary concerned may delegate the authority provided by this section to the commander of the major subordinate command of the Army that has responsibility for the military manufacturing arsenal or, if part of a larger military installation, the installation as a whole. The commander may approve a lease or contract under such authority on a case-by-case basis or a class basis.

(2) REVIEW PERIOD.—Any lease or contract that is approved utilizing the delegation authority under paragraph (1) is subject to a 90-day hold period so that the Army real property manager may review the lease or contract pursuant to paragraph (3).

(3) DISPOSITION OF REVIEW.—If the Army real property manager disapproves of a contract or lease submitted for review under paragraph (2), the agreement shall be null and void upon transmittal by the real property manager to the delegating authority of a written disapproval, including a justification for such disapproval, within the 90-day hold period. If no such disapproval is transmitted within the 90-day hold period, the agreement shall be deemed approved.

(4) APPROVAL OF REVISED AGREEMENT.—If, not later than 60 days after receiving a disapproval under paragraph (3), the delegating authority submits to the Army real property manager a new contract or lease that addresses the Army real property manager's concerns outlined in such disapproval, the new contract or lease shall be deemed approved unless the Army real property manager transmits to the delegating authority a disapproval of the new contract or lease within 30 days of such submission.

(c) MILITARY MANUFACTURING ARSENAL DEFINED.—In this section, the term ''military manufacturing arsenal'' means a Government-owned, Government-operated defense plant of the Department of the Defense that manufactures weapons, weapon components, or both.

(d) SUNSET.—The authority under this section shall terminate at the close of September 30, 2019.

SA 4621. Mrs. ERNST (for herself, Mr. CORKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. SENSE OF CONGRESS ON THE PESHMERGA OF THE KURDISTAN REGION OF IRAQ.

It is the sense of Congress that—

(1) the Peshmerga of the Kurdistan Region of Iraq have been one of the most effective fighting forces in the military campaign against the Islamic State of Iraq and al-Sham (ISIS);

(2) the Islamic State of Iraq and al-Sham poses an acute threat to the people and territorial integrity of Iraq, including the Kurdistan Region, and the security and stability of the Middle East;

(3) the severe budget shortfalls faced by both the Government of Iraq and the Kurdistan Regional Government are hindering the effort to defeat the Islamic State of Iraq and al-Sham;

(4) the $415,000,000 pledged by the Department of Defense to the Peshmerga in April 2016, in coordination with the Government of Iraq, in addition to the $65,000,000 already provided from the Iraq Train and Equip Fund, should be a priority for the Department as part of the continued support for the Peshmerga in the fight against the Islamic State of Iraq and al-Sham;

(5) the Peshmerga should receive all weapons and equipment that the United States agrees to provide uninterrupted and in a timely manner;

(6) the Peshmerga require medium and heavy weaponry that will allow them to defend the Peshmerga and their coalition advisers against the increased use of vehicle-borne improvised explosive devices by the Islamic State of Iraq and al-Sham; and

(7) increased assistance to ensure the Peshmerga can continue to fight the Islamic State of Iraq and al-Sham is vital to the liberation of Mosul, Iraq, to enhance the combat medicine and logistical capabilities of the Peshmerga, for the defense of internally displaced persons and refugees, and for the defense of the coalition advisers of the Peshmerga.

SA 4622. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. COORDINATION AND, AS APPROPRIATE, CONSOLIDATION OF FINANCIAL LITERACY PROGRAMS AND TRAINING FOR MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the coordination and, as possible, consolidation of the current financial literacy training programs of the Department of Defense and the military departments for members of the Armed Forces into a coordinated and comprehensive program of financial literacy training for members that provides access over the life of the members' service and in transit—

(1) and reduces unnecessary duplication and unnecessary costs in the provision of financial literacy training to members; and

(2) ensures that members receive effective and comprehensive training in financial literacy as efficiently as possible.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall commence implementation of the plan required by subsection (a) 90 days after the date of the submittal of the plan as required by that subsection.

SA 4623. Mr. PAUL (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. JUSTICE SAFETY VALVE.

(a) SHORT TITLE.—This section may be cited as the ''Justice Safety Valve Act of 2016''.

(b) AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM.—Section 3553 of title 18, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM TO PREVENT AN UNJUST SENTENCE.—

''(1) GENERAL RULE.—Notwithstanding any provision of law other than this subsection, the court may impose a sentence below a statutory minimum if the court finds that it is necessary to do so in order to avoid violating the requirements of subsection (a).

''(2) COURT TO GIVE PARTIES NOTICE.—Before imposing a sentence under paragraph (1), the court shall give the parties reasonable notice of the court's intent to do so and an opportunity to respond.

''(3) STATEMENT IN WRITING OF FACTORS.—The court shall state, in the written statement of reasons, the factors under subsection (a) that require imposition of a sentence below the statutory minimum.

''(4) APPEAL RIGHTS NOT LIMITED.—This subsection does not limit any right to appeal that would otherwise exist in its absence.''.

SA 4624. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. PROCUREMENT OF MEDIUM-RANGE DISCRIMINATION RADAR TO IMPROVE HOMELAND MISSILE DEFENSE.

(a) ISSUANCE OF REQUEST FOR PROPOSALS.—Not later than October 1, 2017, the Director of the Missile Defense Agency shall issue a request for proposals for the Medium-Range Discrimination Radar in order to improve homeland missile defense.

(b) PLAN FOR FIELDING.—The Director shall plan as follows:

(1) To procure the Medium-Range Discrimination Radar, or an equivalent sensor, for fielding at a location determined by the Director to be appropriate to improve homeland missile defense for the defense of Hawaii against limited ballistic missile attack (including by accidental or unauthorized launch).

(2) To field the Radar, or such equivalent sensor, at the location determined pursuant to paragraph (1) by not later than December 31, 2021.

(c) FUNDING.—Any procurement for purposes of this section during fiscal year 2017 shall be made from within amounts otherwise authorized to be appropriated by this

Act. This section does not authorize the appropriation of funds for procurement for such purposes.

SA 4625. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1058, line 15, strike ''country.'' and insert the following: ''country; and

(9) consistent with the principles of good governance and the rule of law, and to ensure alignment with the broader foreign policy and national security objectives of the United States, no funds authorized for the Defense Security Cooperation Agency by this Act, any previous Act, or otherwise available to the Agency may be used to carry out the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the purposes of implementing a sale of air to ground munitions to Saudi Arabia unless the Government of Saudi Arabia—

(A) demonstrates an ongoing effort to combat the mutual threat our nations face from designated foreign terrorist organizations; and

(B) takes all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law, in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

SA 4626. Mr. CARPER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE XXX—FEDERAL PROPERTY MANAGEMENT REFORM

SEC. 2951. SHORT TITLE.

This title may be cited as the ''Federal Property Management Reform Act of 2016''.

SEC. 2952. PURPOSE.

The purpose of this title is to increase the efficiency and effectiveness of the Federal Government in managing property of the Federal Government by—

(1) requiring the United States Postal Service to take appropriate measures to better manage and account for property and modernize the Postal fleet;

(2) providing for increased collocation with Postal Service facilities and guidance on Postal Service leasing practices;

(3) establishing a Federal Property Council to develop guidance on and ensure the implementation of strategies for better managing Federal property;

(4) providing incentives to agencies to dispose of excess property through retention of proceeds; and

(5) providing guidance for surplus property donations to museums.

SEC. 2953. PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

''Subchapter VII—Property Management

''§ 621. Definitions

''In this subchapter:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) COUNCIL.—The term 'Council' means the Federal Property Council established by section 623(a).

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(4) DISPOSAL.—The term 'disposal' means any action that constitutes the removal of any property from the inventory of the Federal agency, including sale, transfer, deed, demolition, donation, or exchange.

''(5) FEDERAL AGENCY.—The term 'Federal agency' means—

''(A) an executive department or independent establishment in the executive branch of the Government; or

''(B) a wholly owned Government corporation (other than the United States Postal Service).

''(6) FIELD OFFICE.—The term 'field office' means any office of a Federal agency that is not the headquarters office location for the Federal agency.

''(7) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by the United States Postal Service.

''(8) PUBLIC-PRIVATE PARTNERSHIP.—The term 'public-private partnership' means any partnership or working relationship between a Federal agency and a corporation, individual, or nonprofit organization for the purpose of financing, constructing, operating, managing, or maintaining 1 or more Federal real property assets.

''(9) UNDERUTILIZED PROPERTY.—The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used—

''(A) irregularly or intermittently by the accountable Federal agency for program purposes of the Federal agency; or

''(B) for program purposes that can be satisfied only with a portion of the property.

''§ 622. Collocation among United States Postal Service properties

''(a) IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General shall—

''(1) identify a list of postal properties with space available for use by Federal agencies; and

''(2) not later than September 30, submit the list to—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Oversight and Government Reform of the House of Representatives.

''(b) VOLUNTARY IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General may submit the list under subsection (a) to the Council.

''(c) SUBMISSION OF LIST OF POSTAL PROPERTIES TO FEDERAL AGENCIES.—

''(1) IN GENERAL.—Not later than 30 days after the completion of a list under subsection (a), the Council shall provide the list to each Federal agency.

''(2) REVIEW BY FEDERAL AGENCIES.—Not later than 90 days after the receipt of the list submitted under paragraph (1), each Federal agency shall—

''(A) review the list;

''(B) review properties under the control of the Federal agency; and

''(C) recommend collocations if appropriate.

''(d) TERMS OF COLLOCATION.—On approval of the recommendations under subsection (c) by the Postmaster General and the applicable agency head, the Federal agency or appropriate landholding entity may work with the Postmaster General to establish appropriate terms of a lease for each postal property.

''(e) RULE OF CONSTRUCTION.—Nothing in this section exceeds, modifies, or supplants any other Federal law relating to any competitive bidding process governing the leasing of postal property.

''§ 623. Establishment of a Federal Property Council

''(a) ESTABLISHMENT.—There is established a Federal Property Council.

''(b) PURPOSE.—The purpose of the Council shall be—

''(1) to develop guidance and ensure implementation of an efficient and effective property management strategy;

''(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

''(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.

''(c) COMPOSITION.—

''(1) IN GENERAL.—The Council shall be composed exclusively of—

''(A) the senior real property officers of each Federal agency and the Postal Service;

''(B) the Deputy Director for Management of the Office of Management and Budget;

''(C) the Controller of the Office of Management and Budget;

''(D) the Administrator; and

''(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

''(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

''(3) EXECUTIVE DIRECTOR.—

''(A) IN GENERAL.—The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

''(B) QUALIFICATIONS; FULL-TIME.—The Executive Director shall—

''(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management;

''(ii) serve full time; and

''(iii) hold no outside employment that may conflict with duties inherent to the position.

''(d) MEETINGS.—

''(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

''(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

''(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

''(1) not later than 1 year after the date of enactment of this subchapter, establish a property management plan template, to be updated annually, which shall include performance measures, specific milestones, measurable savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property, to achieve better utilization of underutilized property, or to enhance management of high value personal property, and evaluation criteria to determine the effectiveness of property management that are designed—

''(A) to enable Congress and heads of Federal agencies to track progress in the achievement of property management objectives on a Government-wide basis;

''(B) to improve the management of real property; and

''(C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies in terms of performance;

''(2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;

''(3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;

''(4) provide guidance on eliminating inefficiencies in the Federal leasing process;

''(5) compile a list of field offices that are suitable for collocation with other property assets;

''(6) research best practices regarding the use of public-private partnerships to manage properties and develop guidelines for the use of those partnerships in the management of Federal property;

''(7) not later than 1 year after the date of enactment of this subchapter—

''(A) examine the disposal of surplus property through the State Agencies for Surplus Property program; and

''(B) issue a report that includes recommendations on how the program could be improved to ensure accountability and increase efficiencies in the property disposal process; and

''(8) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—

''(A) a list of the remaining excess property or surplus property that is real property, and underutilized properties of each Federal agency;

''(B) the progress of the Council toward developing guidance for Federal agencies to ensure that the assessment required under section 524(a)(11)(B) is carried out in a uniform manner;

''(C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7); and

''(D) if necessary, recommendations for legislation or statutory reforms that would further the goals of the Council, including streamlining the disposal of excess real or personal property or underutilized property.

''(f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council shall also consult with representatives of—

''(1) State, local, tribal authorities, and affected communities; and

''(2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—

''(A) commercial real estate and development;

''(B) government management and operations;

''(C) space planning;

''(D) community development, including transportation and planning;

''(E) historic preservation;

''(F) providing housing to the homeless population; and

''(G) personal property management.

''(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide staffing, and administrative support for the Council, as appropriate.

''(h) ACCESS TO INFORMATION.—The Council shall make available, on request, all information generated by the Council in performing the duties of the Council to—

''(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(2) the Committee on Environment and Public Works of the Senate;

''(3) the Committee on Oversight and Government Reform of the House of Representatives;

''(4) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(5) the Comptroller General of the United States.

''(i) EXCLUSIONS.—In this section, surplus property shall not include—

''(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));

''(2) any property that is excepted from the definition of the term 'property' under section 102;

''(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

''(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

''(5) any real property the Director excludes for reasons of national security;

''(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(A) the Secretary of the Interior, acting through—

''(i) the Director of the Bureau of Land Management;

''(ii) the Director of the National Park Service;

''(iii) the Commissioner of Reclamation; or

''(iv) the Director of the United States Fish and Wildlife Service; or

''(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(7) any property operated and maintained by the United States Postal Service.

''§ 624. Inventory and database

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subchapter, the Administrator shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all Federal agencies.

''(b) CONTENTS.—The database shall include—

''(1) information provided to the Administrator under section 524(a)(11)(B); and

''(2) a list of property disposals completed, including—

''(A) the date and disposal method used for each property;

''(B) the proceeds obtained from the disposal of each property;

''(C) the amount of time required to dispose of the property, including the date on which the property is designated as excess property;

''(D) the date on which the property is designated as surplus property and the date on which the property is disposed; and

''(E) all costs associated with the disposal.

''(c) ACCESSIBILITY.—

''(1) COMMITTEES.—The database established under subsection (a) shall be made available on request to the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate and the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) GENERAL PUBLIC.—Not later than 3 years after the date of enactment of this subchapter and to the extent consistent with national security, the Administrator shall make the database established under subsection (a) accessible to the public at no cost through the website of the General Services Administration.

''(d) EXCLUSIONS.—In this section, surplus property shall not include—

''(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));

''(2) any property that is excepted from the definition of the term 'property' under section 102;

''(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

''(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

''(5) any real property the Director excludes for reasons of national security;

''(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(A) the Secretary of the Interior, acting through—

''(i) the Director of the Bureau of Land Management;

''(ii) the Director of the National Park Service;

''(iii) the Commissioner of Reclamation; or

''(iv) the Director of the United States Fish and Wildlife Service; or

''(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(7) any property operated and maintained by the United States Postal Service.

''§ 625. Information on certain leasing authorities

''(a) IN GENERAL.—Except as provided in subsection (b), not later than December 31 of each year following the date of enactment of this subchapter, a Federal agency with independent leasing authority shall submit to the Council a list of all leases, including operating leases, in effect on the date of enactment of this subchapter that includes—

''(1) the date on which each lease was executed;

''(2) the date on which each lease will expire;

''(3) a description of the size of the space;

''(4) the location of the property;

''(5) the tenant agency;

''(6) the total annual rental payment; and

''(7) the amount of the net present value of the total estimated legal obligations of the Federal Government over the life of the contract.

''(b) EXCEPTION.—Subsection (a) shall not apply to—

''(1) the United States Postal Service; or

''(2) any other property the President excludes from subsection (a) for reasons of national security.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

''SUBCHAPTER VII—PROPERTY MANAGEMENT

''Sec. 621. Definitions.
''Sec. 622. Collocation among United States Postal Service properties.
''Sec. 623. Establishment of a Federal Property Council.
''Sec. 624. Inventory and database.
''Sec. 625. Information on certain leasing authorities.''.

(2) TECHNICAL AMENDMENT.—Section 102 of title 40, United States Code, is amended in

the matter preceding paragraph (1) by striking ''The'' and inserting ''Except as provided in subchapters VII and VIII of chapter 5 of this title, the''.

SEC. 2954. UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

''Subchapter VIII—United States Postal Service Property Management

''§ 641. Definitions

''In this subchapter:

''(1) EXCESS PROPERTY.—The term 'excess property' means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

''(2) POSTAL PROPERTY.—The term 'postal property' means any property owned or leased by, or under the control of, the Postal Service.

''(3) POSTAL SERVICE.—The term 'Postal Service' means the United States Postal Service.

''(4) UNDERUTILIZED PROPERTY.—The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used—

''(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

''(B) for program purposes that can be satisfied only with a portion of the property.

''§ 642. United States Postal Service property management

''(a) IN GENERAL.—The Postal Service—

''(1) shall maintain adequate inventory controls and accountability systems for postal property;

''(2) shall develop current and future workforce projections so as to have the capacity to assess the needs of the Postal Service workforce regarding the use of property;

''(3) may develop a 5-year management template that—

''(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

''(B) adopts workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

''(C) assesses leased space to identify space that is not fully used or occupied;

''(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery; and

''(E) develops recommendations on ensuring the security of mail processing operations; and

''(4) if the Postal Service develops a template under paragraph (3), shall, as part of that template, on a regular basis—

''(A) conduct an inventory of postal property that is real property; and

''(B) create a report that covers each property identified under subparagraph (A), similar to the 'USPS Owned Facilities Report' and the 'USPS Leased Facilities Report', that includes—

''(i) the date on which the Postal Service first occupied the property;

''(ii) the size of the property in square footage and acreage;

''(iii) the geographical location of the property, including an address and description;

''(iv) the extent to which the property is being utilized;

''(v) the actual annual operating costs associated with the property;

''(vi) the total cost of capital expenditures associated with the property;

''(vii) the number of postal employees, contractor employees, and functions housed at the property;

''(viii) the extent to which the mission of the Postal Service is dependent on the property; and

''(ix) the estimated amount of capital expenditures projected to maintain and operate the property over each of the next 5 years after the date of enactment of this subchapter.

''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a)(4)(B) shall be construed to require the Postal Service to obtain an appraisal of postal property.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, as amended by section 3, is amended by inserting after the item relating to section 626 the following:

''SUBCHAPTER VIII—UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT

''Sec. 641. Definitions.

''Sec. 642. United States Postal Service property management.''.

SEC. 2955. AGENCY RETENTION OF PROCEEDS.

Section 571 of title 40, United States Code, is amended to read as follows:

''§ 571. General rules for deposit and use of proceeds

''(a) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

''(1) DEPOSIT OF NET PROCEEDS.—Except as otherwise provided by Federal law, net proceeds described in subsection (d) shall be deposited into the appropriate account of the agency that had custody and accountability for the property at the time the property is determined to be excess.

''(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended as authorized in annual appropriations Acts, for—

''(A) activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title; and

''(B) activities pursuant to implementation of the Federal Buildings Personnel Training Act of 2010 (40 U.S.C. 581 note; Public Law 111–308).

''(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (d) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction.

''(b) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

''(c) DISPOSAL AGENCY FOR REVERTED PROPERTY.—For the purposes of this section, for any property that reverts to the United States under sections 550 and 553, the General Services Administration, as the disposal agency, shall be treated as the agency with custody and accountability for the property at the time the property is determined to be excess.

''(d) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a), from—

''(1) a transfer of excess real property to a Federal agency for agency use; or

''(2) a sale, lease, or other disposition of surplus real property.

''(e) PROCEEDS FROM TRANSFER OR SALE OF PERSONAL PROPERTY.—

''(1) IN GENERAL.—Except as otherwise provided in this subchapter, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

''(2) PROCEEDS.—The proceeds described in this paragraph are proceeds under this chapter from—

''(A) a transfer of excess personal property to a Federal agency for agency use; or

''(B) a sale, lease, or other disposition of surplus personal property.

''(3) PAYMENT OF EXPENSES OF SALE BEFORE DEPOSIT.—

''(A) IN GENERAL.—Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

''(B) APPLICATION.—This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.

''(f) SAVINGS PROVISION.—Nothing in this section modifies, affects, or repeals any other provision of Federal law directing the use of retained proceeds relating to the sale of the property of an agency.''.

SEC. 2956. INSPECTOR GENERAL REPORT ON UNITED STATES POSTAL SERVICE PROPERTY.

(a) DEFINITION OF EXCESS PROPERTY.—In this section, the term ''excess property'' has the meaning given the term in section 641 of title 40, United States Code, as added by section 2954.

(b) EXCESS PROPERTY REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the United States Postal Service shall submit to Congress a report that includes—

(1) a survey of excess property held by the United States Postal Service; and

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 2957. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall study and submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the feasibility and cost of the United States Postal Service integrating the use of collision-averting technology into its vehicle fleet.

(b) POSTAL SERVICE REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Postal Service shall submit to Congress a report that includes—

(1) a review of the efforts of the United States Postal Service relating to fleet replacement and modernization; and

(2) a strategy for carrying out the fleet replacement and lifecycle plan of the United States Postal Service.

SEC. 2958. SURPLUS PROPERTY DONATIONS TO MUSEUMS.

Section 549(c)(3)(B) of title 40, United States Code, is amended by striking clause (vii) and inserting the following:

''(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);''.

SEC. 2959. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(6) develop current and future workforce projections so as to have the capacity to assess the needs of the Federal workforce regarding the use of real property;

''(7) establish goals and policies that will lead the executive agency to reduce excess property and underutilized property in the inventory of the executive agency;

''(8) submit to the Federal Property Council an annual report on all excess property that is real property and underutilized property in the inventory of the executive agency, including—

''(A) whether underutilized property can be better utilized, including through collocation with other executive agencies or consolidation with other facilities; and

''(B) the extent to which the executive agency believes that retention of the underutilized property serves the needs of the executive agency;

''(9) adopt workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

''(10) assess leased space to identify space that is not fully used or occupied;

''(11) on an annual basis and subject to the guidance of the Federal Property Council—

''(A) conduct an inventory of real property under control of the executive agency; and

''(B) make an assessment of each property, which shall include—

''(i) the age and condition of the property;

''(ii) the size of the property in square footage and acreage;

''(iii) the geographical location of the property, including an address and description;

''(iv) the extent to which the property is being utilized;

''(v) the actual annual operating costs associated with the property;

''(vi) the total cost of capital expenditures incurred by the Federal Government associated with the property;

''(vii) sustainability metrics associated with the property;

''(viii) the number of Federal employees and contractor employees and functions housed at the property;

''(ix) the extent to which the mission of the executive agency is dependent on the property;

''(x) the estimated amount of capital expenditures projected to maintain and operate the property during the 5-year period beginning on the date of enactment of this paragraph; and

''(xi) any additional information required by the Administrator of General Services to carry out section 623; and

''(12) provide to the Federal Property Council and the Administrator of General Services the information described in paragraph (11)(B) to be used for the establishment and maintenance of the database described in section 624.''.

(b) DEFINITION OF EXECUTIVE AGENCY.—Section 524 of title 40, United States Code, is amended by adding at the end the following:

''(c) DEFINITION OF EXECUTIVE AGENCY.—For the purpose of paragraphs (6) through (12) of subsection (a), the term 'executive agency' shall have the meaning given the term 'Federal agency' in section 621.''.

SA 4627. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE AIR FORCE STRATEGIC BASING PROCESS.

(a) REPORT REQUIRED.—Not later 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees an interim report on the suitability and effectiveness of the Air Force's strategic basing process, with a final report to follow not later than 270 days after the date of the enactment of this Act.

(b) ELEMENTS.—The report under subsection (a) shall include a description and assessment of each of the following:

(1) Effectiveness and alignment of the strategic basing process with Air Force strategy and objectives.

(2) Authoritativeness, transparency, consistency, and auditability of the Air Force strategic basing process.

(3) Development of the criteria, basing objectives, policies, programming, planning, and directives used for determining the enterprise-wide review for potential basing actions.

(4) Development of the criteria basing objectives, policies, programming, planning, and directives used for determining candidate bases for potential basing actions.

(5) Integration of risk management into the strategic basing process and communication of risk to stakeholders and Congress.

(6) The decision-making process to arrive at final strategic basing decisions.

(7) Notification, method, timeliness, and transparency of changes to criteria to stakeholders and Congress.

(8) Appropriateness and timeliness of notifications to various stakeholders.

(9) Applicability to the other military departments and Defense agencies.

(10) Other information determined to be appropriate by the Comptroller General.

SA 4628. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. ROUNDS, Mrs. GILLIBRAND, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

''(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

''(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

''(A) the directives and policies of the Department in effect as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017;

''(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

''(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074 note).

''(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

''(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

''(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

''(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

''(4) have expertise in allergy, immunology, and pulmonary diseases.

''(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

''(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

''(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

''(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

''(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

''(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other

environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

''(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

''(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(f) DEFINITIONS.—In this section:

''(1) The term 'burn pit' means an area of land located in Afghanistan or Iraq that—

''(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

''(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

''(2) The term 'other environmental exposures' means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

''(g) FUNDING.—(1) There is authorized to be appropriated to carry out this section $30,000,000 for each of the first five fiscal years beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(2)(A) The Secretary may award additional amounts on a competitive basis to the center of excellence from the medical and prosthetics research account of the Department for the purpose of conducting research under this section.

''(B) The Secretary shall give priority in the award of amounts under subparagraph (A) to research on multiple sclerosis and other neurodegenerative disorders.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.''.

SA 4629. Mr. RUBIO (for himself, Mr. COCHRAN, Mr. WARNER, Mr. INHOFE, Mr. HATCH, Mr. MORAN, Mrs. SHAHEEN, Mr. NELSON, Mr. HOEVEN, Mr. LEE, Mr. KING, Mr. THUNE, Ms. AYOTTE, Mrs. FISCHER, Mr. BURR, Mr. CARDIN, Ms. COLLINS, Mr. KAINE, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 844, strike subsection (e).

SA 4630. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title XII, add the following:

SEC. 1097. COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.

(a) COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing standards, policies, and procedures for sense and avoid capabilities for unmanned aircraft systems.

(2) ELEMENTS.—The collaboration required by paragraph (1) shall include the following:

(A) Sharing information and technology on safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon Air Force and Department of Defense experience to inform the Federal Aviation Administration's development of civil standards, policies, and procedures for integrating unmanned aircraft systems in the national airspace system.

(C) Assisting in the development of best practices for unmanned aircraft airworthiness certification, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.—

(1) IN GENERAL.—The Administrator may participate and provide assistance for participation in test and evaluation efforts of the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through the Unmanned Aircraft Systems Center of Excellence and Unmanned Aircraft Systems Test Sites.

(c) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''unmanned aircraft system'' has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4631. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Hi Mob Multi-Purp Whld Veh (HMMWV), strike the amount in the Senate authorized column and insert ''26,000''.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate authorized column and insert ''5,567,063''.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate authorized column and insert ''102,439,976''.

In the funding table in section 4301, in the item for Operation & Maintenance, Navy relating to Enterprise Information, strike the amount in the Senate authorized column and insert ''731,385''.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, Navy, strike the amount in the Senate authorized column and insert ''39,394,291''.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, strike the amount in the Senate authorized column and insert ''171,384,798''.

SA 4632. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 111.

SA 4633. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. FEDERAL LAW ENFORCEMENT OFFICER SELF-DEFENSE AND PROTECTION.

(a) SHORT TITLE.—This section may be cited as the ''Federal Law Enforcement Self-Defense and Protection Act of 2016''.

(b) FINDINGS.—Congress finds the following:

(1) Too often, Federal law enforcement officers encounter potentially violent criminals, placing officers in danger of grave physical harm.

(2) In 2012 alone, 1,857 Federal law enforcement officers were assaulted, with 206 sustaining serious injuries.

(3) From 2008 through 2011, an additional 8,587 Federal law enforcement officers were assaulted.

(4) Federal law enforcement officers remain a target even when they are off-duty. Over the past 3 years, 27 law enforcement officers have been killed off-duty.

(5) It is essential that law enforcement officers are able to defend themselves, so they can carry out their critical missions and ensure their own personal safety and the safety of their families whether on-duty or off-duty.

(6) These dangers to law enforcement officers continue to exist during a covered furlough.

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' means each authority of the executive, legislative, or judicial branch of the Government of the United States;

(2) the term ''covered Federal law enforcement officer'' means any individual who—

(A) is an employee of an agency;

(B) has the authority to make arrests or apprehensions for, or prosecute, violations of Federal law; and

(C) on the day before the date on which the applicable covered furlough begins, is authorized by the agency employing the individual to carry a firearm in the course of official duties;

(3) the term ''covered furlough'' means a planned event by an agency during which employees are involuntarily furloughed due to downsizing, reduced funding, lack of work, or any budget situation including a lapse in appropriations; and

(4) the term ''firearm'' has the meaning given that term in section 921 of title 18, United States Code.

(d) PROTECTING FEDERAL LAW ENFORCEMENT OFFICERS WHO ARE SUBJECTED TO A COVERED FURLOUGH.—During a covered furlough, a covered Federal law enforcement officer shall have the same rights to carry a firearm issued by the Federal Government as if the covered furlough was not in effect, including, if authorized on the day before the date on which the covered furlough begins, the right to carry a concealed firearm, if the sole reason the covered Federal law enforcement officer was placed on leave was due to the covered furlough.

(e) COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.—Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking ''An officer'' and inserting ''Except as specified in this subchapter or any other provision of law, an officer''; and

(2) by adding at the end the following:

''(c)(1) In this subsection—

''(A) the term 'covered lapse in appropriations' means a lapse in appropriations that begins on or after October 1, 2016; and

''(B) the term 'excepted employee' means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

''(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee's standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

''(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.''.

SA 4634. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 306. COMPLIANCE OF MILITARY HOUSING WATER SUPPLIES WITH FEDERAL AND STATE DRINKING WATER STANDARDS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a study to determine whether members of the Armed Forces and their families who live in military housing in the United States have access to water that complies with Federal and State drinking water standards and guidance, including health advisory levels.

(b) COMPLIANCE MEASURES.—If the Secretary finds that water available to members of the Armed Forces and their families who live in military housing does not meet State or Federal drinking water standards and guidance, including health advisory levels, the Secretary shall—

(1) in the case of military housing serviced by Department of Defense-controlled water supply systems, take immediate steps to bring noncompliant water sources into compliance with State and Federal standards and guidance, including health advisory levels, and in the case of military housing serviced by non-Department of Defense-controlled water supply systems, work with the municipal or private water system to take immediate steps to bring noncompliant water sources into compliance with State and Federal standards and guidance, including health advisory levels; and

(2) within 30 days of discovering that a water source does not meet State or Federal drinking water standards and guidance, including health advisory levels, provide to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of the affected State written verification describing the noncompliant water sources, including the location of all affected members of the Armed Forces, and an explanation about how the Secretary will bring the water source into compliance with State and Federal standards and guidance, including health advisory levels.

SA 4635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 829K. PREFERENCE FOR POTENTIAL DEFENSE CONTRACTORS THAT CARRY OUT CERTAIN STEM-RELATED ACTIVITIES.

(a) IN GENERAL.—In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) establishes or enhances undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (in this section referred to as ''STEM'' disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools, including those that support the needs of military children;

(3) encourages employees to volunteer in schools eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist faculty at colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) establishes partnerships between the offeror and historically Black colleges and universities (HBCUs) and other minority-serving institutions for the purpose of training students in scientific disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines;

(7) attracts and retains faculty involved in scientific disciplines critical to the functions of the Department of Defense;

(8) conducts recruitment activities at universities and community colleges, including HBCUs, or offers internships or apprenticeships; or

(9) establishes programs and outreach efforts to strengthen STEM.

(b) CONSIDERATION OF EVALUATION FACTORS AND EFFECT ON SMALL BUSINESS CONCERNS.—In prescribing regulations to carry out this section, the Secretary of Defense shall ensure that all award decisions are based on evaluation factors and significant subfactors that are tailored to the acquisition, and that small business concerns are not unduly adversely affected.

SA 4636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

''§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—

''(A) IN GENERAL.—Subject to the availability of appropriations provided for such purpose, hospital care and medical services under this chapter may be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (d), or any other law administered by the Secretary, with entities specified in subparagraph (B) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

''(i) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(ii) Any Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(iii) The Department of Defense.

''(iv) The Indian Health Service.

''(v) Any health care provider not otherwise covered under any of clauses (i) through (iv) that meets criteria established by the Secretary for purposes of this section.

''(2) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (c) to receive hospital care or medical services under this section may select a provider

of such care or services from among the entities specified in paragraph (1)(B) that are accessible to the veteran.

''(3) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(d) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and subject to the availability of appropriations provided for such purpose, the Secretary may enter into contracts for furnishing care and services to eligible veterans under this section with entities specified in subsection (a)(1)(B).

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to such veterans under this section with such entities pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) TREATMENT OF CONTRACTS.—A contract entered into under this paragraph may not be treated as a Federal contract for the acquisition of goods or services and is not subject to any provision of law governing Federal contracts for the acquisition of goods or services.

''(D) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an entity specified in subsection (a)(1)(B), the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the entity for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department of Veterans Affairs will be followed, except for when another payment agreement, including a contract or provider agreement, is in place.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under section 1814 of the Social Security Act (42 U.S.C. 1395f), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an entity specified in subsection (a)(1)(B) may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(e) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—For purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(f) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(g) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from a health care provider in an episode of care under this section, the veteran receives such care or services from that health care provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(h) PROVIDERS.—To be eligible to furnish care or services under this section, a health care provider must—

''(1) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(2) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(i) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(j) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) OVERSIGHT.—The Chief Business Office of the Veterans Health Administration shall oversee the implementation and maintenance of such system.

''(3) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) QUARTERLY REPORT.—

''(i) IN GENERAL.—The Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a quarterly report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the quarter covered by the report.

''(iii) DEADLINE.—The Secretary shall submit each report required by clause (i) not later than 20 days after the end of the quarter covered by the report.

''(k) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any health care provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such health care provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(l) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by a health care provider under this section, the receipt by the Department of a medical record under subsection (k) detailing such care or services is not required before reimbursing the health care provider for such care or services.

''(m) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(n) RULES OF CONSTRUCTION.—

''(1) PRESCRIPTION MEDICATIONS.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(2) TIERED NETWORK.—Nothing in this section shall be construed to authorize the creation of a tiered network in which an eligible veteran would be required to receive care or services from an entity in a higher tier than any other entity or provider network.

''(o) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress, not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(p) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.

''(q) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,500,000,000.

''(r) TERMINATION.—The Secretary may not furnish hospital care or medical services under this section after January 31, 2019.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) SOURCE OF AMOUNTS.—All amounts required to carry out section 1703A of title 38, United States Code, as added by paragraph (1), shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

SA 4637. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 249, between lines 12 and 13, insert the following:

(a) REPORT ON MILITARY COMPENSATION PACKAGE.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the full array of the military compensation package, including—

(A) the adequacy of Regular Military Compensation to sustain all aspects of the All-Volunteer Force;

(B) the modernization of the military retirement system to be accomplished by part I of subtitle D of title VI of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 842);

(C) indirect compensation that accrues by reason of military service, including commissary and exchange benefits, child care, health care, military life insurance, education benefits, and veterans benefits;

(D) the value of providing greater transparency to members of the Armed Forces, prospective members of the Armed Forces, and the public by providing an annual statement to members of the total value of their military compensation packing, including the value of the compensation described in subparagraph (C);

(E) the impacts of the matters in subparagraphs (A) through (D) on recruitment, retention, and compensation of the All-Volunteer Force.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A review of all the components of Regular Military Compensation, defined by the Department of Defense as the following:

(i) Basic pay.

(ii) Basic allowance for housing.

(iii) Basic allowance for subsistence

(iv) The tax treatment of pay and allowances.

(B) An analysis of Regular Military Compensation with respect to the following:

(i) Members of the Armed Forces who are married to other members.

(ii) Members who reside with other members.

(iii) Members who share accommodations to achieve improved financial standards.

(C) A review of—

(i) the ability of members to contribute toward military retirement under the modernized military retirement system described in paragraph (1)(B), including a review of the pay and allowances required to contribute under the current Regular Military Compensation structure and under any proposed changes to Regular Military Compensation; and

(ii) the adequacy of the modernized system to contribute to the successful recruitment and retention of individual to and in military service.

(D) A review of indirect compensation, including commissary and exchange benefits, child care, health care, Servicemembers'

Group Life Insurance (SGLI), education benefits, and veterans benefits, and the manner in which such compensation impacts the total military compensation package.

(E) A robust analysis of, and a proposal for reform of, the personal statement of military compensation issued annually to each member, including its accuracy, its currency with current and proposed changes to military compensation, and a requirement for the clear statement of both ''Total Direct Compensation'' and ''Service-Estimated Indirect Compensation''.

(F) An assessment of the adequacy of Regular Military Compensation, the modernized military retirement system, and indirect compensation for the recruitment and retention of the All-Volunteer Force (including the readiness and combat effectiveness of the Force) and for overall military compensation.

(G) A review and assessment of any other matters the Secretary considers appropriate to produce recommendations on the means by which to best recruit, retain, and reward the All-Volunteer Force with a competitive compensation and benefits package.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) SURVEYS.—Each annual status of forces survey conducted by the Defense Manpower Data Center (DMDC) after fiscal year 2017 shall include questions on the value of the total military compensation package, including basic allowance for housing, to members of the Armed Forces, with such questions designed to determine the following:

(A) The value of the total military compensation package to members.

(B) The impact of the current total military compensation package on the retention of members, and on the recruitment of individuals to military service in the All-Volunteer Force.

After section 604, insert the following:

SEC. 604A. DELAY IN EFFECTIVE DATE AND IMPROVEMENT OF REFORM OF BASIC ALLOWANCE FOR HOUSING.

(a) DELAY.—

(1) IN GENERAL.—Notwithstanding any provision of section 403a of title 37, United States Code (as added by section 604(a) of this Act), or subsection (p) of section 403 of title 37, United States Code (as added by section 604(b) of this Act), the reform of basic allowance for housing provided for in such section 403a shall take effect on January 1, 2019.

(2) CONSTRUCTION OF CERTAIN DATES.—Any reference to ''January 1, 2018'' in section 403a of title 37, United States Code (as so added), or subsection (p) of section 403 of title 37, United States Code (as so added), shall be deemed to be a reference to ''January 1, 2019''. Any reference to ''December 31, 2017'' in subsection (m) of such section 403a shall be deemed to be a reference to ''December 31, 2018''.

(b) INCLUSION OF COST UTILITIES IN DETERMINATION OF AMOUNT PAYABLE.—

(1) INCLUSION.—Subsection (b)(2) of section 403a of title 37, United States Code (as so added), is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) A maximum amount of the allowance shall be established for each military housing area, based on the costs of adequate housing and utilities in such area, for each pay grade and dependency status.

''(B) The amount of the allowance payable to a member may not exceed the lesser of—

''(i) the actual monthly cost of housing of the member plus an amount equal to the estimated average amount paid for utilities in the military housing area concerned during the preceding year; or

''(ii) the maximum amount determined under subparagraph (A) for members in the member's pay grade and dependency status.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act immediately after the coming into effect of the amendment in section 604(a) of this Act adding section 403a of title 37, United States Code, to which section 403a the amendment made by paragraph (1) relates.

SA 4638. Mr. KIRK (for himself, Mr. GRASSLEY, Mrs. ERNST, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. STRATEGY ON REVITALIZING ARMY ORGANIC INDUSTRIAL BASE.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a strategy on revitalizing the Army Organic Industrial Base (OIB). The strategy should detail the Army's plan to ensure the long-term viability of the Army's Organic Industrial Base.

(b) ELEMENTS.—The strategy required under subsection (a) shall include at a minimum the following elements:

(1) An assessment of Army legacy items sustained by the Defense Logistics Agency.

(2) A description of the use of the OIB to address Diminishing Manufacturing Sources and Material Shortages.

(3) Required critical capabilities across the OIB.

(4) An assessment of infrastructure across the OIB.

(5) An assessment of the OIB and private sector manufacturing sources.

(6) A description of the use of contracting to meet the OIB requirements.

(7) An assessment of current and future workloads across the OIB.

(8) An assessment of processes used to identify critical capabilities for the Army's OIB and methods used to determine workloads.

(9) An assessment of exiting labor rates.

(10) A description of required manufacturing skills needed to sustain readiness.

(11) A description of the use of private and public partnerships.

(12) A description of the use of working capital funds.

(13) An assessment of operating expenses and the ability to reduce or recover those expenses.

(c) DEFINITIONS.—In this section:

(1) LEGACY ITEMS.—The term ''legacy items'' means manufactured items that are no longer produced by the private sector but continue to be used for Department of Defense weapons systems, excluding information technology and information systems (as those terms are defined in section 11101 of title 40, United States Code).

(2) ORGANIC INDUSTRIAL BASE.—The term ''organic industrial base'' means United States military facilities, including arsenals, depots, munition plants and centers, and storage sites, that advance a vital national security interest by producing, maintaining, repairing, and storing the necessary materiel, munitions, and hardware.

SA 4639. Mrs. ERNST (for herself, Mr. MCCAIN, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 308 strike line 16 and insert the following:

complies with the requirements of this subsection.

''(4) This subsection does not apply to the furnishing of athletic footwear to the members of the Army, the Navy, the Air Force, or the Marine Corps upon their initial entry into the armed forces, or prohibit the provision of a cash allowance to such members for such purpose, if—

''(A) the Secretary of Defense determines that compliance with paragraph (2) would result in a sole source contract for procurement of athletic footwear for the purpose stated in paragraph (1) because there would be limited qualified or approved sources of supply for such footwear; or

''(B) the Secretary of the military department concerned determines, with respect to members in initial entry and recruit training under the jurisdiction of such Secretary, that providing athletic footwear as otherwise required by this subsection would have the potential to cause unnecessary harm and risk to the safety and wellbeing of members in initial entry training.''.

SA 4640. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORIZATION OF CANINE TEAMS FOR PASSENGER SCREENING BY TRANSPORTATION SECURITY ADMINISTRATION.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration may employ 178 passenger screening canine teams over the number of such teams in operation as of the date of the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Transportation Security Administration for fiscal year 2017 $52,000,000 to carry out subsection (a).

(2) OFFSET.—The Secretary of Homeland Security shall reduce amounts available for fiscal year 2017 for the Office of the Secretary of Homeland Security, the Office of the Under Secretary for Management, the Office of Chief Information Officer, and the Office of the Administrator of Transportation Security Administration on a pro rata basis so that the aggregate amount of such reductions is equal to the amount authorized to be appropriated by paragraph (1).

SA 4641. Mrs. SHAHEEN (for herself, Mr. BURR, and Ms. AYOTTE) submitted

an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. REPORT ON FEASIBILITY AND ADVISABILITY OF TRANSFERRING EXISTING DEVELOPMENTAL CRUISE MISSILE DEFENSE PLATFORMS TO MISSILE DEFENSE AGENCY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that assesses the feasibility and advisability of transferring existing developmental cruise missile defense platforms to the Missile Defense Agency.

(b) LIMITATION ON DEMILITARIZATION.—The Secretary of the Army may not demilitarize any existing developmental cruise missile defense platform until the date that is 30 days after the submission of the report required by subsection (a).

SA 4642. Mr. BOOKER (for himself, Mr. NELSON, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. COMPLETION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) According to the Inspector General of the Department of Homeland Security, the Transportation Security Administration's failure to complete certain requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53) may diminish the ability of the Transportation Security Agency to strengthen passenger rail security.

(2) The Inspector General of the Department of Homeland Security—

(A) recognizes that voluntary initiatives can assist the Transportation Security Agency in identifying potential security vulnerabilities; and

(B) recommends completing the requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 to improve passenger rail security.

(b) REQUIRED COMPLETION.—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at a minimum, complete sections 1512 and 1517 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1162 and 1167).

SA 4643. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812 and insert the following:

SEC. 812. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT PROCUREMENTS.

(a) DEPARTMENT OF DEFENSE PROCUREMENTS.—

(1) INCREASED MICRO-PURCHASE THRESHOLD.—

(A) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2338. Micro-purchase threshold

''Notwithstanding subsection (a) of section 1902 of title 41, the micro-purchase threshold for the Department of Defense for purposes of such section is $5,000.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2338. Micro-purchase threshold.''.

(2) CONFORMING AMENDMENT.—Section 1902(a) of title 41, United States Code, is amended by striking ''For purposes'' and inserting ''Except as provided in section 2338 of title 10, for purposes''.

(b) OTHER PROCUREMENTS.—

(1) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is amended—

(A) in subsection (a), by striking ''$3,000'' and inserting ''$10,000''; and

(B) in subsections (d) and (e), by striking ''not greater than $3,000'' and inserting ''with a price not greater than the micro-purchase threshold''.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall update the guidance in Circular A–123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(d) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A–123, Appendix B.

At the end of subtitle B of title VIII, add the following:

SEC. 829K. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—The head of an agency may carry out a pilot program, to be known as a ''commercial solutions opening pilot program'', under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) HEAD OF AN AGENCY.—In this section, the term ''head of an agency'' means the following:

(A) The Secretary of Homeland Security.

(B) The Administrator of General Services.

(3) APPLICABILITY OF SECTION.—This section applies to the following agencies:

(A) The Department of Homeland Security.

(B) The General Services Administration.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered, in the case of the Department of Homeland Security and the General Services Administration, to be use of competitive procedures for purposes division C of title 41, United States Code (as defined in section 152 of such title).

(c) LIMITATION.—The head of an agency may not enter into a contract under the pilot program for an amount in excess of $10,000,000.

(d) GUIDANCE.—The head of an agency shall issue guidance for the implementation of the pilot program under this section within that agency. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the head of an agency shall submit to the congressional committees specified in paragraph (3) a report on the activities the agency carried out under the pilot program.

(2) ELEMENTS OF REPORT.—Each report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(C) A recommendation on whether the authority for the pilot program should be made permanent.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this paragraph are the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(f) INNOVATIVE DEFINED.—In this section, the term ''innovative'' means—

(1) any new technology, process, or method, including research and development; or

(2) any new application of an existing technology, process, or method.

(g) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on September 30, 2022.

SEC. 829L. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.

(a) CIVILIAN CONTRACTS.—Section 134 of title 41, United States Code, is amended by striking ''$100,000'' and inserting ''$500,000''.

(b) DEFENSE CONTRACTS.—Section 2302a(a) of title 10, United States Code, is amended by striking ''as specified in section 134 of title 41'' and inserting ''$150,000''.

(c) HOMELAND SECURITY CONTRACTS.—Section 604(f) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is amended by striking ''the simplified acquisition threshold referred to in section 2304(g) of title 10, United States Code'' and inserting ''$150,000''.

SEC. 829M. INNOVATION SET ASIDE PILOT PROGRAM.

(a) IN GENERAL.—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal contracting through the use of innovation set-asides.

(b) AUTHORITY.—(1) Notwithstanding the competition requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small

Business Act (15 U.S.C. 644), a Federal agency other than the Department of Defense, with the concurrence of the Director, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same relief afforded under section 1905 of title 41, United States Code, to contracts the value of which is not greater than the simplified acquisition threshold; and

(B) for up to five pilots, the Director may authorize an agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) CONDITIONS FOR USE.—The authority provided in subsection (b) may be used under the following conditions:

(1)(A) The agency has a requirement for new methods, processes, or technologies, which may include research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract;

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business; and

(3) The length of the resulting contract will not exceed 2 years.

(d) NUMBER OF PILOTS.—The Director may authorize the use of up to 25 innovation set-asides acquisitions.

(e) AWARD AMOUNT.—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed $2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than $2,000,000 but not greater than $5,000,000 (including any options).

(f) GUIDANCE AND REPORTING.—

(1) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(2) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section.

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) SUNSET.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) DEFINITION.—For purposes of this section, the term ''new entrant contractor'', with respect to any contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SEC. 829N. OTHER TRANSACTION AUTHORITY FOR DEPARTMENT OF HOMELAND SECURITY.

Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2016,'' and inserting ''Until September 30, 2021,''; and

(2) in subsection (c)(1), by striking ''September 30, 2016,'' and inserting ''September 30, 2021,''.

SA 4644. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. INFORMATION REGARDING EDUCATIONAL BENEFITS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, as amended by section 563 of this Act, is further amended by inserting after section 2012a the following new section:

''§ 2012b. Information regarding educational benefits for members of the armed forces

''(a) WEBSITE REGARDING EDUCATIONAL BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

''(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Education, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall create a revised and updated searchable Internet website that—

''(A) contains information, in simple and understandable terms, about all Federal and State student financial assistance, readmission requirements under section 484C of the Higher Education Act of 1965 (20 U.S.C. 1091c), and other student services, for which members of the armed forces (including members of the National Guard and Reserves), veterans, and the dependents of such members or veterans may be eligible; and

''(B) is easily accessible through the Internet website described in section 131(e)(3) of the Higher Education Act of 1965 (20 U.S.C. 1015(e)(3)).

''(2) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Defense shall make publicly available the revised and updated Internet website described in paragraph (1).

''(3) DISSEMINATION.—The Secretary of Defense, in coordination with the Secretary of Education and the Secretary of Veterans Affairs, shall make the availability of the Internet website described in paragraph (1) widely known to members of the armed forces (including members of the National Guard and Reserves), veterans, the dependents of such members or veterans, States, institutions of higher education, and the general public.

''(4) DEFINITION.—In this subsection, the term 'Federal and State student financial assistance' means any grant, loan, work assistance, tuition assistance, scholarship, fellowship, or other form of financial aid for pursuing a postsecondary education that is—

''(A) administered, sponsored, or supported by the Department of Defense, the Department of Education, the Department of Veterans Affairs, or a State; and

''(B) available to members of the armed forces (including members of the National Guard and Reserves), veterans, or the dependents of such members or veterans.

''(b) ENROLLMENT FORM FOR BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

''(1) IN GENERAL.—The Secretary of Defense, in consultation with the Director of the Bureau of Consumer Financial Protection, the Secretary of Education, and the heads of any other relevant Federal agencies, shall create a simplified disclosure and enrollment form for borrowers who are performing military service.

''(2) CONTENTS.—The disclosure and enrollment form described in paragraph (1) shall include—

''(A) information about the benefits and protections under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) and under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) that are available to such borrower because the borrower is performing military service; and

''(B) an opportunity for the borrower, by completing the enrollment form, to invoke certain protections, activate certain benefits, and enroll in certain programs that may be available to that borrower, which shall include the opportunity—

''(i) to invoke applicable protections that are available under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.), as such protections relate to Federal student loans under parts B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.; 1087aa et seq.); and

''(ii) to activate or enroll in any other applicable benefits that are available to such borrower under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) because the borrower is performing military service, such as eligibility for a deferment or eligibility for a period during which interest shall not accrue.

''(3) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Defense, in consultation with the Secretary of Education, shall make the disclosure and enrollment form described in paragraph (1) available to—

''(A) lenders of loans made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

''(B) institutions of higher education eligible to participate in any program under title IV of such Act (20 U.S.C. 1070 et seq.); and

''(C) personnel at the Department of Education, the Bureau of Consumer Financial Protection, and other Federal agencies that provide services to borrowers who are members of the armed forces or the dependents of such members.

''(4) NOTICE REQUIREMENTS.—

''(A) SCRA INTEREST RATE LIMITATION.—The completion of the disclosure and enrollment form created pursuant to paragraph (1) by the borrower of a loan made, insured, or guaranteed under part B or part D of title IV of Higher Education Act of 1965 who is otherwise subject to the interest rate limitation in subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)) and submittal of such form to the Secretary of Defense shall be considered, for purposes of such section, provision to the creditor of written notice as described in subsection (b)(1) of such section.

''(B) FFEL LENDERS.—The Secretary of Defense, in consultation with the Secretary of Education, shall provide each such disclosure and enrollment form completed and submitted by a borrower of a loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C.

1071 et seq.) who is otherwise subject to the interest rate limitation in subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)) to any applicable eligible lender under such part B so as to satisfy the provision to the lender of written notice as described in subsection (b)(1) of such section 207.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title, as amended by section 563 of this Act, is further amended by inserting after the item relating to section 2012a the following new item:

''2012a. Information regarding educational benefits for members of the armed forces.''.

SA 4645. Ms. WARREN (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. IMPLEMENTATION OF STUDENT LOAN BORROWER BENEFITS FOR MEMBERS OF THE ARMED FORCES SERVING IN A CONFLICT.

(a) IN GENERAL.—The Secretary of Defense shall enter into any necessary agreements, with the Secretary of Education and the heads of any other relevant agencies, in order to take all actions necessary to—

(1) ensure that interest does not accrue for eligible military borrowers in accordance with section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)), for any loan made under part D of title IV of such Act and disbursed on or after October 1, 2008;

(2) ensure that any borrower of such a loan who was an eligible military borrower and qualified for the no accrual of interest benefit under such section 455(o) during any period beginning on or after October 1, 2008, and did not receive the full benefit under such section for which the borrower qualified, is provided compensation in an amount equal to the amount of interest paid by the borrower that would have been subject to the benefit;

(3) ensure that any borrower who is eligible for a waiver or modification provided by the Secretary of Education under the authority of section 2(a) of the Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1098bb) is provided such waiver or modification (including through automatic enrollment to the extent practicable and beneficial to the borrower), including waivers from income certifications required under an income-based repayment program under section 493C of the Higher Education Act of 1965 (20 U.S.C. 1098e) or other similar certifications;

(4) ensure that any borrower with a Federal Perkins Loan under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.) receives a cancellation of the percentage of debt based on years of qualifying service in accordance with section 465(a)(2)(D) of such Act (20 U.S.C. 1087ee(a)(2)(D)); and

(5) obtain or provide any information securely and as necessary to implement this section without requiring a request from the borrower, including information regarding—

(A) whether a military borrower is serving on active duty in connection with a war, national emergency, or contingency operation and, if so, the time period of such service; and

(B) whether a military borrower is receiving special pay under section 310 of title 37, United States Code, and if so, the time period of such service.

(b) REPORTS.—

(1) PLAN.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit to the appropriate committees of Congress a report on the implementation of subsection (a).

(2) FOLLOW-UP REPORT.—If the Secretary of Defense has not implemented subsection (a) during the 90-day period beginning on the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit, by the final day of such period, a report to the appropriate committees of Congress that includes an explanation of why such subsection has not been implemented.

SEC. 566. IMPLEMENTATION OF SCRA INTEREST RATE LIMITATION FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall provide to the Secretary of Education and any other relevant agencies the necessary information as to the duty status of military borrowers to provide that the interest rate charged on any loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for borrowers who are subject to section 207(a)(1) of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)(1)) does not exceed the maximum interest rate set forth in such section.

(b) SCRA INTEREST RATE LIMITATION NOTICE REQUIREMENTS.—The submittal by the Secretary of Defense to the Secretary of Education of information that informs the Secretary of Education that a member of the Armed Forces with a student loan under part D of title IV of Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) has been or is being called to military service (as defined in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. 3911)), including a member of a reserve unit who is ordered to report for military service as provided for under section 106 of such Act (50 U.S.C. 3917), shall be considered, for purposes of subjecting such student loan to the provisions of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937), provision by the borrower to the creditor of written notice and a copy of military orders as described in subsection (b)(1) of such section.

(c) REPORTS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit to the appropriate committees of Congress a report that includes a plan to implement the interest rate limitation provision described in subsection (a).

SA 4646. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Mr. WHITEHOUSE, Mr. COONS, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 4647. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) IN GENERAL.—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(b) AWARD OF CONTRACTS.—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2), shall award the contract to the provider of launch services that offers the best value to the Federal Government; and

(2) notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle, in order to ensure robust competition and continued assured access to space.

SA 4648. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 4649. Mr. KIRK (for himself, Mr. MANCHIN, Mr. CARDIN, Mr. SCHUMER, Mr. PORTMAN, Mr. RUBIO, Ms. MURKOWSKI, Mr. TILLIS, Mr. VITTER, Mr. HATCH, Mr. CRUZ, Mr. MENENDEZ, Mr. ROBERTS, Mr. CORNYN, Mr. NELSON, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Matters Relating to Israel

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Combating BDS Act of 2016''.

SEC. 1282. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL.

(a) AUTHORITY TO DIVEST.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (b) to divest the assets of the State or local government from, or prohibit investment of the assets of the State or local government in—

(1) an entity that the State or local government determines, using credible information available to the public, knowingly engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel;

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls, is owned or controlled by, or is under common ownership or control with, an entity described in paragraph (1).

(b) REQUIREMENTS.—A State or local government that seeks to adopt or enforce a measure under subsection (a) shall meet the following requirements:

(1) NOTICE.—The State or local government shall provide written notice to each entity to which a measure under subsection (a) is to be applied.

(2) TIMING.—The measure shall apply to an entity not earlier than the date that is 90 days after the date on which written notice is provided to the entity under paragraph (1).

(3) OPPORTUNITY FOR HEARING.—The State or local government shall provide an opportunity to comment in writing to each entity to which a measure is to be applied. If the entity demonstrates to the State or local government that the entity has not engaged in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel, the measure shall not apply to the entity.

(4) SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.—It is the sense of Congress that a State or local government should not adopt a measure under subsection (a) with respect to an entity unless the State or local government has made every effort to avoid erroneously targeting the entity and has verified that the entity engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel.

(c) NOTICE TO DEPARTMENT OF JUSTICE.—Not later than 30 days after adopting a measure pursuant to subsection (a), a State or local government shall submit written notice to the Attorney General describing the measure.

(d) NONPREEMPTION.—A measure of a State or local government authorized under subsection (a) is not preempted by any Federal law.

(e) EFFECTIVE DATE.—This section applies to any measure adopted by a State or local government before, on, or after the date of the enactment of this Act.

(f) RULE OF CONSTRUCTION.—

(1) AUTHORITY OF STATES.—Nothing in this section shall be construed to abridge the authority of a State to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction or the business of insurance pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the ''McCarran-Ferguson Act'').

(2) POLICY OF THE UNITED STATES.—Nothing in this section shall be construed to alter the established policy of the United States concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

(g) DEFINITIONS.—In this section:

(1) ASSETS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''assets'' means any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) EXCEPTION.—The term ''assets'' does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITY TARGETING ISRAEL.—The term ''boycott, divestment, or sanctions activity targeting Israel'' means any activity that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel or in Israeli-controlled territories for purposes of coercing political action by, or imposing policy positions on, the Government of Israel.

(3) ENTITY.—The term ''entity'' includes—

(A) any corporation, company, business association, partnership, or trust; and

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))).

(4) INVESTMENT.—The term ''investment'' includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(5) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) STATE OR LOCAL GOVERNMENT.—The term ''State or local government'' includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State and any agency or instrumentality thereof; and

(C) any other governmental instrumentality of a State or locality.

SEC. 1283. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

(1) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) engage in any boycott, divestment, or sanctions activity targeting Israel described in section 1282 of the Combating BDS Act of 2016.''.

SA 4650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MODIFICATION OF LIMITATIONS ON PROCUREMENT OF PHOTOVOLTAIC DEVICES BY THE DEPARTMENT OF DEFENSE.

Section 846(b)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2534 note; Public Law 111–383) is amended—

(1) by striking ''exclusive'' and inserting ''principal''; and

(2) by striking ''full''.

SA 4651. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall be in effect 4 days after enactment.

SA 4652. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 582. INFORMATION ON MILITARY STUDENT PERFORMANCE.

Section 574(b)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended by adding at the end the following: ''The plan for outreach shall include annual updates of

the most recent information, disaggregated for each State, local educational agency, and school, available from the State and local report cards required under section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) regarding—

''(A) the number of public elementary school and secondary school students with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title); and

''(B) the achievement by such students for each level of achievement, as determined by the State, on the academic assessments described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)).''.

SA 4653. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''4'' and insert ''3''.

SA 4654. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''3'' and insert ''2''.

SA 4655. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. ASSESSMENT OF INADEQUACIES IN INTERNATIONAL MONITORING AND VERIFICATION WITH RESPECT TO IRAN'S NUCLEAR PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in conjuction with the Secretary of Energy and the heads and other officials of related agencies, submit to Congress a joint assessment report detailing existing inadequacies in the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertaining to verification shortcomings identified within—

(1) the September 26, 2006, Government Accountability Office report entitled, ''Nuclear Nonproliferation: IAEA Has Strengthened Its Safeguards and Nuclear Security Programs, but Weaknesses Need to Be Addressed'';

(2) the May 16, 2013, Government Accountability Office report entitled, ''IAEA Has Made Progress in Implementing Critical Programs but Continues to Face Challenges'';

(3) the Defense Science Board Study entitled, ''Task Force on the Assessment of Nuclear Treaty Monitoring and Verification Technologies'';

(4) the report of the International Atomic Energy Agency (in this section referred to as the ''IAEA'') entitled, ''The Safeguards System of the International Atomic Energy Agency'' and the IAEA Safeguards Statement for 2010;

(5) the IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols;

(6) the IAEA Model Additional Protocol;

(7) the IAEA February 2015 Director General Report to the Board of Governors; and

(8) other related reports on Iranian safeguard challenges.

(b) RECOMMENDATIONS.—The joint assessment report required by subsection (a) shall include recommendations based upon the reports referenced in that subsection, including recommendations to overcome inadequacies or develop an improved monitoring framework and recommendations related to the following matters:

(1) The nuclear program of Iran.

(2) Development of a plan for—

(A) the long-term operation and funding of increased activities of the IAEA and relevant agencies in order to maintain the necessary level of oversight with respect to Iran's nuclear program;

(B) resolving all issues of past and present concern with the IAEA, including possible military dimensions of Iran's nuclear program; and

(C) giving IAEA inspectors access to personnel, documents, and facilities involved, at any point, with nuclear or nuclear weapons-related activities of Iran.

(3) A potential national strategy and implementation plan supported by a planning and assessment team aimed at cutting across agency boundaries or limitations that affect the ability to draw conclusions, with absolute assurance, about whether Iran is developing a clandestine nuclear weapons program.

(4) The limitations of IAEA actors.

(5) Challenges in the region that may be too large to anticipate under applicable treaties or agreements or the national technical means monitoring regimes alone.

(6) Continuation of sanctions with respect to the Government of Iran and Iranian persons and Iran's proxies for—

(A) ongoing abuses of human rights;

(B) actions in support of the regime of Bashar al-Assad in Syria;

(C) procurement, sale, or transfer of technology, services, or goods that support the development or acquisition of weapons of mass destruction or the means of delivery of those weapons; and

(D) continuing sponsorship of international terrorism.

(c) FORM OF REPORT.—The joint assessment report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) PRESIDENTIAL CERTIFICATION.—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify to Congress that the President has reviewed the report, including the recommendations contained therein, and has taken available actions to address existing gaps within the monitoring and verification framework, including identified potential funding needs to address necessary requirements.

SA 4656. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—VETERANS MATTERS

TITLE LXIV—VETERANS CHOICE PROGRAM

SEC. 6401. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

''§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELIGIBLE PROVIDERS.—

''(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

''(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

''(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(C) Any health care provider of the Department of Defense.

''(D) Any health care provider of the Indian Health Service.

''(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

''(F) Any health care provider of a health system established to serve Alaska Natives.

''(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

''(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

''(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

''(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(5) TIERED NETWORK.—

''(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

''(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

''(6) ALASKA NATIVE DEFINED.—In this subsection, the term 'Alaska Native' means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(d) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(e) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

''(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

''(g) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

''(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(j) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(k) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) ANNUAL REPORT.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

''(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

''(m) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

''(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking ''section 101'' and inserting ''section 1703A of title 38, United States Code''.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act , the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as ''PC3'').

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 6411(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal

health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 6402. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note) is amended by striking ''to be comprised of'' and all that follows and inserting ''to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities''.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term ''Veterans Choice Program'' means—

(1) the program under section 1703A of title 38, United States Code, as added by section 6401(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 6401(b).

SEC. 6403. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 6401(a)(1), is further amended by inserting after section 1703A the following new section:

''§ 1703B. Veterans Choice Program: payment of health care providers

''(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the 'Prompt Payment Act') and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

''(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

''(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

''(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

''(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

''(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

''(i) a notification that the claim is a non-clean claim;

''(ii) an explanation of why the claim has been determined to be a non-clean claim; and

''(iii) an identification of the information or documentation that is required to make the claim a clean claim.

''(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

''(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

''(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

''(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

''(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

''(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

''(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

''(e) DEFINITIONS.—In this section:

''(1) The term 'clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

''(2) The term 'non-clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

''(3) The term 'Veterans Choice Program' means—

''(A) the program under section 1703A of this title; and

''(B) the programs, contracts, and agreements of the Department described in section 6401(b) of the National Defense Authorization Act for Fiscal Year 2017.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 6401(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

''1703B. Veterans Choice Program: payment of health care providers.''.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term ''electronic protected health information'' has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term ''secure development requirements'' means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 6404. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the follow new subsection:

''(e) The authority of the Secretary under this section terminates on December 31, 2017.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking ''under clause (1), (2), or (5) of section 1703(a) of this title'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking ''and section 1703 of this title'' and inserting ''and the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(bb) by striking ''in section 1703 of this title'' and inserting ''under the Veterans Choice Program''.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking ''(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)'' and inserting ''(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)''.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking ''in accordance with section 1703'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking ''under section 1703 of title 38'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)''; and

(II) by striking ''such section'' and inserting ''such program''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

TITLE LXV—HEALTH CARE ADMINISTRATIVE MATTERS

Subtitle A—Care From Non-Department Providers

SEC. 6411. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 6403(a)(1), is further amended by inserting after section 1703B the following new section:

''§ 1703C. Veterans Care Agreements

''(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a 'Veterans Care Agreement'.

''(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

''(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

''(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services

described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

''(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

''(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

''(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

''(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

''(4) A health care provider that is—

''(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

''(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(5) A provider that is located in—

''(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

''(B) a county that is not in a metropolitan statistical area.

''(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

''(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

''(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

''(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

''(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

''(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

''(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

''(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

''(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

''(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

''(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

''(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

''(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

''(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

''(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

''(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

''(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

''(B) determines that the eligible provider is—

''(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

''(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

''(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

''(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

''(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

''(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds $1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

''(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

''(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

''(1) to monitor the quality of care and services furnished to veterans under this section; and

''(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

''(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.''.

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 6403(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

''1703C. Veterans Care Agreements.''.

SEC. 6412. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking ''a contract (or agreement under section 1720(c)(1) of this title)'' and inserting ''an agreement''.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking ''contract (or agreement)'' each place it appears and inserting ''agreement''.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

''(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 6413. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

''§ 1725. Reimbursement for emergency treatment and urgent care

''(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

''(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

''(A) to the hospital or other health care provider that furnished the treatment or care; or

''(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

''(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

''(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

''(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

''(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

''(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

''(A) establish the maximum amount payable under subsection (a); and

''(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

''(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

''(i) constitute payment in full for the emergency treatment or urgent care provided; and

''(ii) extinguish any liability on the part of the veteran for that treatment or care.

''(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

''(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

''(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

''(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

''(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

''(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

''(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

''(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

''(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'emergency treatment' means medical care or services furnished, in the judgment of the Secretary—

''(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

''(B) until—

''(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

''(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

''(2) The term 'health-plan contract' includes any of the following:

''(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

''(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

''(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(D) A workers' compensation law or plan described in section 1729(a)(2)(A) of this title.

''(3) The term 'third party' means any of the following:

''(A) A Federal entity.

''(B) A State or political subdivision of a State.

''(C) An employer or an employer's insurance carrier.

''(D) An automobile accident reparations insurance carrier.

''(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

''(4) The term 'urgent care' shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

''1725. Reimbursement for emergency treatment and urgent care.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one

year after the date of the enactment of this Act.

SEC. 6414. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) Veterans Health Administration, Veterans Choice Program.''.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Veterans Health Administration, Veterans Choice Program.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 6415. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(c) ANNUAL TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

''(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.''.

SEC. 6416. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

Subtitle B—Other Health Care Administrative Matters

SEC. 6421. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

''§ 1725A. Reimbursement of certain entities for emergency medical transportation

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

''(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

''(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

''(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

''(d) DEFINITIONS.—In this section, the terms 'emergency treatment' and 'health-plan contract' have the meanings given those terms in section 1725(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

''1725A. Reimbursement for emergency medical transportation.''.

SEC. 6422. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

''§ 1705A. Management of health care: information regarding health-plan contracts

''(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

''(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

''(A) The name of the entity providing coverage under the health-plan contract.

''(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

''(C) The identification number for the health-plan contract.

''(D) The group code for the health-plan contract.

''(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

''(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

''(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term 'health-plan contract' has the meaning given that term in section 1725(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

''1705A. Management of health care: information regarding health-plan contracts.''.

SEC. 6423. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking ''(a) The hours'' and inserting ''(a)(1) Except as provided in paragraph (2), the hours''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.''.

TITLE LXVI—FAMILY CAREGIVERS

SEC. 6431. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

''(B) for assistance provided under this subsection—

''(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 6432(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

''(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

''(I) on or before May 7, 1975; or

''(II) on or after September 11, 2001; or

''(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and''.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or''.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(VI) through the use of contracts with, or the provision of grants to, public or private entities—

''(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

''(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.''.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

''(I) The assessment by the family caregiver of the needs and limitations of the veteran.

''(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

''(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.''.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

''(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.''.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting ''(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)'' after ''evaluate''.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

''(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

''(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

''(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.''.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking ''independent'';

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

''(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.''.

SEC. 6432. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 6431(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term ''Program'' means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 6431 of this Act.

SEC. 6433. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1720G note) is amended by inserting '', including a description of any barriers to accessing and receiving care and services under such programs'' before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.''.

SEC. 6434. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the ''Committee'').

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 6435. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 6431(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

TITLE LXVII—FACILITY CONSTRUCTION AND LEASES

Subtitle A—Medical Facility Construction and Leases

SEC. 6441. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $161,700,000.

SEC. 6442. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

SEC. 6443. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account $1,915,600,000 for the projects authorized in section 6441.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account $190,954,000 for the leases authorized in section 6442.

(c) LIMITATION.—The projects authorized in section 6431 may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subtitle B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 6451. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the ''Campus'').

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as ''The Regents''), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later

than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(A) IN GENERAL.—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 6451 of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 6451 of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

TITLE LXVIII—OTHER VETERANS MATTERS

SEC. 6461. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

TITLE LXIX—OTHER MATTERS

SEC. 6471. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4657. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

AMENDMENT NO. 4657

At the end of subtitle F of title XII, add the following:

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE'S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration shall not promulgate a special rule that requires an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People's Republic of China that is inconsistent with United States policy, overlaps with preexisting air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4658. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4336 submitted by Mr. BROWN and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 2 and all that follows through page 20, line 6, and insert the following:

Subtitle J—Veterans Matters

PART I—VETERANS CHOICE PROGRAM

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

''§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care

or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELIGIBLE PROVIDERS.—

''(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

''(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

''(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(C) Any health care provider of the Department of Defense.

''(D) Any health care provider of the Indian Health Service.

''(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

''(F) Any health care provider of a health system established to serve Alaska Natives.

''(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

''(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

''(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

''(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(5) TIERED NETWORK.—

''(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

''(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

''(6) ALASKA NATIVE DEFINED.—In this subsection, the term 'Alaska Native' means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(d) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(e) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

''(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable

charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

''(g) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

''(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(j) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(k) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) ANNUAL REPORT.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

''(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

''(m) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

''(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking ''section 101'' and inserting ''section 1703A of title 38, United States Code''.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act , the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as ''PC3'').

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 1097D(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 1097A. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note) is amended by striking ''to be comprised of'' and all that follows and inserting ''to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities''.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term ''Veterans Choice Program'' means—

(1) the program under section 1703A of title 38, United States Code, as added by section 1097(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 1097(b).

SEC. 1097B. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097(a)(1), is further amended by inserting after section 1703A the following new section:

''§ 1703B. Veterans Choice Program: payment of health care providers

''(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the 'Prompt Payment Act') and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

''(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

''(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

''(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

''(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

''(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

''(i) a notification that the claim is a non-clean claim;

''(ii) an explanation of why the claim has been determined to be a non-clean claim; and

''(iii) an identification of the information or documentation that is required to make the claim a clean claim.

''(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

''(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

''(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

''(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

''(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

''(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

''(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

''(e) DEFINITIONS.—In this section:

''(1) The term 'clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

''(2) The term 'non-clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

''(3) The term 'Veterans Choice Program' means—

''(A) the program under section 1703A of this title; and

''(B) the programs, contracts, and agreements of the Department described in section 1097(b) of the National Defense Authorization Act for Fiscal Year 2017.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

''1703B. Veterans Choice Program: payment of health care providers.''.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term ''electronic protected health information'' has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term ''secure development requirements'' means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 1097C. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the follow new subsection:

''(e) The authority of the Secretary under this section terminates on December 31, 2017.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking ''under clause (1), (2), or (5) of section 1703(a) of this title'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking ''and section 1703 of this title'' and inserting ''and the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(bb) by striking ''in section 1703 of this title'' and inserting ''under the Veterans Choice Program''.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking ''(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)'' and inserting ''(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)''.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking ''in accordance with section 1703'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking ''under section 1703 of title 38'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)''; and

(II) by striking ''such section'' and inserting ''such program''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

PART II—HEALTH CARE ADMINISTRATIVE MATTERS

Subpart A—Care From Non-Department Providers

SEC. 1097D. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097B(a)(1), is further amended by inserting after section 1703B the following new section:

''§ 1703C. Veterans Care Agreements

''(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts

or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a 'Veterans Care Agreement'.

''(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

''(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

''(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

''(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

''(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

''(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

''(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

''(4) A health care provider that is—

''(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

''(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(5) A provider that is located in—

''(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

''(B) a county that is not in a metropolitan statistical area.

''(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

''(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

''(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

''(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

''(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

''(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

''(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

''(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

''(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

''(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

''(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

''(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

''(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

''(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

''(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

''(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

''(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

''(B) determines that the eligible provider is—

''(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

''(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

''(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

''(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

''(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

''(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds $1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

''(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

''(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

''(1) to monitor the quality of care and services furnished to veterans under this section; and

''(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

''(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.''.

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than

one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097B(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

''1703C. Veterans Care Agreements.''.

SEC. 1097E. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking ''a contract (or agreement under section 1720(c)(1) of this title)'' and inserting ''an agreement''.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking ''contract (or agreement)'' each place it appears and inserting ''agreement''.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

''(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 1097F. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

''§ 1725. Reimbursement for emergency treatment and urgent care

''(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

''(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

''(A) to the hospital or other health care provider that furnished the treatment or care; or

''(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

''(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

''(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

''(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

''(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

''(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

''(A) establish the maximum amount payable under subsection (a); and

''(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

''(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

''(i) constitute payment in full for the emergency treatment or urgent care provided; and

''(ii) extinguish any liability on the part of the veteran for that treatment or care.

''(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

''(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

''(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

''(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

''(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

''(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

''(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

''(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

''(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'emergency treatment' means medical care or services furnished, in the judgment of the Secretary—

''(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

''(B) until—

''(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

''(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

''(2) The term 'health-plan contract' includes any of the following:

''(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

''(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

''(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(D) A workers' compensation law or plan described in section 1729(a)(2)(A) of this title.

''(3) The term 'third party' means any of the following:

''(A) A Federal entity.

''(B) A State or political subdivision of a State.

''(C) An employer or an employer's insurance carrier.

''(D) An automobile accident reparations insurance carrier.

''(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

''(4) The term 'urgent care' shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

''1725. Reimbursement for emergency treatment and urgent care.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in

the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 1097G. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) Veterans Health Administration, Veterans Choice Program.''.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Veterans Health Administration, Veterans Choice Program.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 1097H. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(c) ANNUAL TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

''(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.''.

SEC. 1097I. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

Subpart B—Other Health Care Administrative Matters

SEC. 1097J. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

''§ 1725A. Reimbursement of certain entities for emergency medical transportation

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

''(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

''(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

''(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

''(d) DEFINITIONS.—In this section, the terms 'emergency treatment' and 'health-plan contract' have the meanings given those terms in section 1725(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

''1725A. Reimbursement for emergency medical transportation.''.

SEC. 1097K. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

''§ 1705A. Management of health care: information regarding health-plan contracts

''(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

''(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

''(A) The name of the entity providing coverage under the health-plan contract.

''(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

''(C) The identification number for the health-plan contract.

''(D) The group code for the health-plan contract.

''(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

''(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

''(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term 'health-plan contract' has the meaning given that term in section 1725(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

''1705A. Management of health care: information regarding health-plan contracts.''.

SEC. 1097L. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking ''(a) The hours'' and inserting ''(a)(1) Except as provided in paragraph (2), the hours''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.''.

PART III—FAMILY CAREGIVERS

SEC. 1097M. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

''(B) for assistance provided under this subsection—

''(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 1097N(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

''(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

''(I) on or before May 7, 1975; or

''(II) on or after September 11, 2001; or

''(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and''.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or''.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(VI) through the use of contracts with, or the provision of grants to, public or private entities—

''(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

''(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.''.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

''(I) The assessment by the family caregiver of the needs and limitations of the veteran.

''(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

''(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.''.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

''(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.''.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting ''(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)'' after ''evaluate''.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

''(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

''(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

''(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.''.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking ''independent'';

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

''(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.''.

SEC. 1097N. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term ''Program'' means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 1097M of this Act.

SEC. 1097O. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1720G note) is amended by inserting '',

including a description of any barriers to accessing and receiving care and services under such programs'' before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.''.

SEC. 1097P. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the ''Committee'').

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 1097Q. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

PART IV—FACILITY CONSTRUCTION AND LEASES

Subpart A—Medical Facility Construction and Leases

SEC. 1097R. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $161,700,000.

SEC. 1097S. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

SEC. 1097T. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account $1,915,600,000 for the projects authorized in section 1097R.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account $190,954,000 for the leases authorized in section 1097S.

(c) LIMITATION.—The projects authorized in section 1097R may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subpart B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 1097U. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the ''Campus'').

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as ''The Regents''), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(A) IN GENERAL.—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 1097U of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 1097U of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

PART V—OTHER VETERANS MATTERS

SEC. 1097V. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

PART VI—OTHER MATTERS

SEC. 1097W. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4659. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. ____. REPORTING REQUIREMENTS REGARDING OIL WELL AND PETROCHEMICAL MANUFACTURING PLANT SAFETY.

(a) REPORTING OIL AND GAS PRODUCTION SAFETY INFORMATION.—Each issuer that is required to file reports pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o) and that is an operator, or that has a subsidiary that is an operator, of an oil well or petrochemical manufacturing plant shall include, in each periodic report filed with the Securities and Exchange Commission under the securities laws on or after the date of enactment of this Act, the following information for the time period covered by such report:

(1) For each oil well or petrochemical manufacturing plant of which the issuer or a subsidiary of the issuer is an operator—

(A) the total number of serious violations of mandatory health or safety standards at an oil well or petrochemical manufacturing plant safety, including health hazards under section 9 of the Occupational Safety and Health Act of 1970;

(B) the total number of citations issued including serious, willful and repeated violations under section 5 of the Occupational Safety and Health Act of 1970;

(C) the total dollar value of proposed penalties under the Occupational Safety and Health Act of 1970; and

(D) the total number of oil well or petrochemical manufacturing plant related fatalities.

(2) A list of oil wells or petrochemical manufacturing plants of which the issuer or a subsidiary of the issuer is an operator, that receive written notice from the Occupational Safety and Health Administration of willful, serious and repeated violations of mandatory health or safety standards at an oil well or petrochemical manufacturing plant health, including safety hazards under section 9 of the Occupational Safety and Health Act of 1970.

(3) Any pending legal action before the Occupational Safety and Health Review Commission involving such oil well or a petrochemical manufacturing plant.

(b) REPORTING SHUTDOWNS AND PATTERNS OF VIOLATIONS.—Beginning on and after the date of enactment of this Act, each issuer that is an operator, or that has a subsidiary that is an operator, of an oil well or petrochemical manufacturing plant shall file a

current report with the Securities and Exchange Commission on Form 8-K (or any successor form) disclosing the following regarding each oil well or a petrochemical manufacturing plant of which the issuer or subsidiary is an operator:

(1) The receipt of a citation issued under section 5 of the Occupational Safety and Health Act of 1970.

(2) The receipt of a citation from the Occupational Safety and Health Administration that the oil well or petrochemical manufacturing plant has—

(A) willfully or repeatedly violated mandatory health or safety standards at an oil well or petrochemical manufacturing plant health or safety hazards under such Act; or

(B) the potential to have such a pattern.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any obligation of a person to make a disclosure under any other applicable law in effect before, on, or after the date of enactment of this Act.

(d) COMMISSION AUTHORITY.—

(1) ENFORCEMENT.—A violation by any person of this section, or any rule or regulation of the Commission issued under this section, shall be treated for all purposes in the same manner as a violation of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or the rules and regulations issued thereunder, consistent with the provisions of this section, and any such person shall be subject to the same penalties, and to the same extent, as for a violation of such Act or the rules or regulations issued thereunder.

(2) RULES AND REGULATIONS.—The Securities and Exchange Commission is authorized to issue such rules or regulations as are necessary or appropriate for the protection of investors and to carry out the purposes of this section.

(e) DEFINITIONS.—In this section—

(1) the terms ''issuer'' and ''securities laws'' have the meaning given the terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c);

(2) the term ''operator of an oil well'' shall refer to the North American Industry Classification System code 213111; and

(3) the term ''petrochemical manufacturing plant shall refer to any entity assigned North American Industry Classification System code 213112, 324, or 32511.

(f) EFFECTIVE DATE.—This section shall take effect on the day that is 30 days after the date of enactment of this Act.

SA 4660. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. SENSE OF CONGRESS ON THE CONFLICT IN YEMEN.

It is the sense of Congress that—

(1) all sides to the current conflict in Yemen should—

(A) abide by international obligations to protect civilians;

(B) facilitate the delivery of humanitarian relief throughout the country; and

(C) respect negotiated cease-fires and work toward a lasting political settlement;

(2) United States-supported Saudi military operations in Yemen should—

(A) take all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law; and

(B) increase prioritization of targeting of designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant; and

(3) the Houthi-Saleh forces engaged in the conflict in Yemen should—

(A) cease indiscriminate shelling of areas inhabited by civilians; and

(B) allow free access by humanitarian relief organizations seeking to deliver aid to civilian populations under siege.

SA 4661. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SENSE OF SENATE ON THE CRITICAL IMPORTANCE OF THE ADVICE OF MILITARY COMMANDERS TO ENSURE FORCE LEVELS IN AFGHANISTAN AFTER 2016 ARE CONDITIONS-BASED.

(a) FINDING.—The Senate makes the following findings:

(1) The United States vowed to hold those responsible for the September 11, 2001, terrorist attacks accountable, and seeks to ensure that terrorists never again use Afghan soil to plot an attack on another country.

(2) Following the terrorist attacks of September 11, 2001, the United States decisively expelled the Taliban from control of Afghanistan and sought to promote a multilateral agenda to support the stabilization and reconstruction of Afghanistan by rebuilding its institutions and economy.

(3) The United States and Afghanistan signed a Bilateral Security Agreement (BSA) on September 30, 2014, that provides for an enduring commitment between the Government of the United States and the Government of Afghanistan to enhance the ability of the Government of Afghanistan to deter internal and external threats against its sovereignty.

(4) The United States and its coalition partners remain in Afghanistan at the invitation of the National Unity Government.

(5) Continued political and economic progress in Afghanistan is contingent upon the security of the country and the safety of its people.

(6) Since the beginning of 2016, senior military commanders, including the current Commander of Resolute Support and United States Forces-Afghanistan, General John W. Nicholson Jr. and the current Commander of United States Central Command, General Joseph L. Votel, the senior military commanders closest to the fight, have testified that the security situation in Afghanistan is deteriorating, and that they support a withdrawal of United States forces from Afghanistan only when conditions warrant.

(7) In the first three months of 2016, the United Nations reported that Afghanistan documented 600 civilian deaths and 1,343 wounded, with almost one-third of the casualties being children.

(8) The Islamic State of Iraq and the Levant (ISIL) has metastasized beyond the borders of Iraq and Syria, announcing its formation on January 10, 2015, in Afghanistan where it has carried out bombings, small arms attacks, and kidnappings against civilians and security forces in a number of provinces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the future trajectory of security and stability in Afghanistan relies significantly upon the continued support of the United States and coalition partners;

(2) adjustments to United States and coalition force levels in Afghanistan should be conditions-based and made with all due consideration to the assessment and advice of military commanders on the ground;

(3) decisions on United States and coalition force levels in Afghanistan should take into account the capabilities required to preserve and promote the hard-fought gains achieved over the last 15 years;

(4) any decisions with regard to changes in United States force levels in Afghanistan should be determined in a timely manner and communicated to allies and partners to afford adequate planning and force generation lead times;

(5) the United States should continue its efforts to train and advise the Afghan National Defense and Security Forces (ANDSF) in warfighting functions so that they are capable of defending their country and ensuring that Afghanistan never again becomes a terrorist safe-haven for groups like the Taliban, al Qaeda, and the Islamic State of Iraq and the Levant (ISIL);

(6) the United States should continue, in partnership with the Afghan National Defense and Security Forces and conducting counterterrorism operations to address threats to the national security interests of the United States and the security of Afghanistan;

(7) the decision of the President in October 2015 to continue the missions of training, advising, and assisting the Afghan National Defense and Security Forces and conducting counterterrorism operations while maintaining the associated United States force level of 9,800 troops in Afghanistan was in the national security interests of the United States; and

(8) Congress should support the President if the President decides to adjust current plans based on conditions on the ground by continuing robust missions to train, advise, and assist the Afghan National Defense and Security Forces and conduct counterterrorism operations and maintain the necessary level of United States forces in Afghanistan.

SA 4662. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 597. MILITARY APPRENTICESHIP PROGRAMS.

(a) PROMOTION REQUIRED.—The Secretary of Defense, in consultation with the Secretary of Labor, shall promote the enhancement and implementation of military apprenticeship programs that provide an opportunity for members of the Armed Forces to improve their job skills and obtain certificates of completion for such apprenticeship

programs while such members are on active duty. The Secretary of Defense also shall promote connections between military training, education, and transition activities and registered apprenticeship programs in order to improve employment outcomes for veterans and help ready-to-hire employers connect to this skilled workforce.

(b) VOLUNTARY GOALS.—In carrying out subsection (a), the Secretary of Defense shall establish voluntary goals for each Armed Force relating to the following:

(1) The number of members participating in activities relating to military apprenticeships prior to separation from active duty.

(2) The establishment of partnerships with apprenticeship programs, including registered apprenticeship programs, through the United Services Military Apprenticeship Program, Skill Bridge programs, the Transition Assistance Program, tuition assistance programs, and other appropriate mechanisms.

(3) The number of veterans entering apprenticeship programs, including registered apprenticeship programs, upon separation from active duty.

(c) BIENNIAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of the Congress on a biennial basis a report describing the activities undertaken pursuant to this section, including the progress in achieving the voluntary goals established under subsection (b).

SA 4663. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. MCCAIN and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 2 and all that follows through page 20, line 6, and insert the following:

Subtitle J—Veterans Matters

PART I—VETERANS CHOICE PROGRAM

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

"§ 1703A. Veterans Choice Program

''(a) PROGRAM.—

''(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the 'Veterans Choice Program'.

''(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

''(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

''(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

''(i) the wait-time goals of the Veterans Health Administration for such care or services; or

''(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

''(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

''(C) the veteran—

''(i) resides in a State without a medical facility of the Department that provides—

''(I) hospital care;

''(II) emergency medical services; and

''(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

''(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

''(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

''(i) geographical challenges;

''(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

''(iii) a medical condition of the veteran that affects the ability to travel; or

''(iv) such other factors as determined by the Secretary;

''(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

''(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

''(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

''(c) ELIGIBLE PROVIDERS.—

''(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

''(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

''(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

''(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

''(C) Any health care provider of the Department of Defense.

''(D) Any health care provider of the Indian Health Service.

''(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

''(F) Any health care provider of a health system established to serve Alaska Natives.

''(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

''(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

''(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

''(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

''(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

''(5) TIERED NETWORK.—

''(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

''(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

''(6) ALASKA NATIVE DEFINED.—In this subsection, the term 'Alaska Native' means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

''(d) ELECTION AND AUTHORIZATION.—

''(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

''(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

''(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

''(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

''(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

''(A) To determine the place of such eligible veteran on the waiting list.

''(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the

Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

''(e) CARE AND SERVICES THROUGH CONTRACTS.—

''(1) CONTRACTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

''(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

''(C) CONTRACT DEFINED.—In this paragraph, the term 'contract' has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

''(2) RATES AND REIMBURSEMENT.—

''(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

''(i) negotiate rates for the furnishing of care and services under this section; and

''(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

''(B) LIMIT ON RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

''(ii) EXCEPTIONS.—

''(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

''(II) OTHER EXCEPTIONS.—

''(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

''(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

''(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term 'highly rural area' means an area located in a county that has fewer than seven individuals residing in that county per square mile.

''(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

''(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

''(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

''(g) VETERANS CHOICE CARD.—

''(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

''(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a 'Veterans Choice Card'.

''(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

''(A) The name of the veteran.

''(B) An identification number for the veteran that is not the social security number of the veteran.

''(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

''(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

''(E) The following statement: 'This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.'.

''(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

''(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

''(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

''(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

''(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

''(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

''(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

''(j) COST-SHARING.—

''(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

''(k) CLAIMS PROCESSING SYSTEM.—

''(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

''(2) ACCURACY OF PAYMENT.—

''(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

''(B) ANNUAL REPORT.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

''(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

''(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

''(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

''(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

''(m) MEDICAL RECORDS.—

''(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

''(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

''(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

''(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

''(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

''(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term 'wait-time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

''(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

''(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

''(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

''(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

''1703A. Veterans Choice Program.''.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking ''section 101'' and inserting ''section 1703A of title 38, United States Code''.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act , the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as ''PC3'').

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 1097D(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 1097A. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41; 38 U.S.C. 1701 note) is amended by striking ''to be comprised of'' and all that follows and inserting ''to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities''.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term ''Veterans Choice Program'' means—

(1) the program under section 1703A of title 38, United States Code, as added by section 1097(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 1097(b).

SEC. 1097B. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097(a)(1), is further amended by inserting after section 1703A the following new section:

''§ 1703B. Veterans Choice Program: payment of health care providers

''(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the 'Prompt Payment Act') and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

''(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

''(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

''(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

''(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

''(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

''(i) a notification that the claim is a non-clean claim;

''(ii) an explanation of why the claim has been determined to be a non-clean claim; and

''(iii) an identification of the information or documentation that is required to make the claim a clean claim.

''(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

''(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

''(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

''(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

''(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

''(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

''(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

''(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

''(e) DEFINITIONS.—In this section:

''(1) The term 'clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

''(2) The term 'non-clean claim' means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

''(3) The term 'Veterans Choice Program' means—

''(A) the program under section 1703A of this title; and

''(B) the programs, contracts, and agreements of the Department described in section 1097(b) of the National Defense Authorization Act for Fiscal Year 2017.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

''1703B. Veterans Choice Program: payment of health care providers.''.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term ''electronic protected health information'' has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term ''secure development requirements'' means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time

that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 1097C. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the follow new subsection:

''(e) The authority of the Secretary under this section terminates on December 31, 2017.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking ''under clause (1), (2), or (5) of section 1703(a) of this title'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking ''and section 1703 of this title'' and inserting ''and the Veterans Choice Program (as defined in section 1703B(e) of this title)''; and

(bb) by striking ''in section 1703 of this title'' and inserting ''under the Veterans Choice Program''.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking ''(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)'' and inserting ''(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)''.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking ''in accordance with section 1703'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of this title)''.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking ''under section 1703 of title 38'' and inserting ''under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)''; and

(II) by striking ''such section'' and inserting ''such program''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

PART II—HEALTH CARE ADMINISTRATIVE MATTERS

Subpart A—Care From Non-Department Providers

SEC. 1097D. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097B(a)(1), is further amended by inserting after section 1703B the following new section:

''§ 1703C. Veterans Care Agreements

''(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a 'Veterans Care Agreement'.

''(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

''(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

''(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

''(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

''(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

''(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

''(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

''(4) A health care provider that is—

''(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

''(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(5) A provider that is located in—

''(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

''(B) a county that is not in a metropolitan statistical area.

''(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

''(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

''(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

''(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

''(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

''(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

''(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

''(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

''(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

''(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

''(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

''(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

''(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

''(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

''(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

''(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

''(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

''(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

''(B) determines that the eligible provider is—

''(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7 and 1320a–7a); or

''(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

''(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

''(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

''(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

''(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

''(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds $1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

''(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

''(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

''(1) to monitor the quality of care and services furnished to veterans under this section; and

''(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

''(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.''.

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097B(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

''1703C. Veterans Care Agreements.''.

SEC. 1097E. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking ''a contract (or agreement under section 1720(c)(1) of this title)'' and inserting ''an agreement''.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking ''contract (or agreement)'' each place it appears and inserting ''agreement''.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

''(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

''(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

''(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 1097F. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

''§ 1725. Reimbursement for emergency treatment and urgent care

''(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

''(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

''(A) to the hospital or other health care provider that furnished the treatment or care; or

''(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

''(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

''(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

''(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

''(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

''(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

''(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

''(A) establish the maximum amount payable under subsection (a); and

''(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

''(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

''(i) constitute payment in full for the emergency treatment or urgent care provided; and

''(ii) extinguish any liability on the part of the veteran for that treatment or care.

''(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

''(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

''(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

''(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

''(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

''(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

''(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

''(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

''(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'emergency treatment' means medical care or services furnished, in the judgment of the Secretary—

''(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

''(B) until—

''(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

''(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

''(2) The term 'health-plan contract' includes any of the following:

''(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

''(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

''(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

''(D) A workers' compensation law or plan described in section 1729(a)(2)(A) of this title.

''(3) The term 'third party' means any of the following:

''(A) A Federal entity.

''(B) A State or political subdivision of a State.

''(C) An employer or an employer's insurance carrier.

''(D) An automobile accident reparations insurance carrier.

''(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

''(4) The term 'urgent care' shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

''1725. Reimbursement for emergency treatment and urgent care.''.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking ''(as defined in section 1725(f) of this title)'' and inserting ''(as defined in section 1725(g) of this title)''.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 1097G. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) Veterans Health Administration, Veterans Choice Program.''.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Veterans Health Administration, Veterans Choice Program.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 1097H. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(c) ANNUAL TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

''(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.''.

SEC. 1097I. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

Subpart B—Other Health Care Administrative Matters

SEC. 1097J. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

''§ 1725A. Reimbursement of certain entities for emergency medical transportation

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

''(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

''(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

''(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

''(d) DEFINITIONS.—In this section, the terms 'emergency treatment' and 'health-plan contract' have the meanings given those terms in section 1725(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

''1725A. Reimbursement for emergency medical transportation.''.

SEC. 1097K. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

''§ 1705A. Management of health care: information regarding health-plan contracts

''(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

''(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

''(A) The name of the entity providing coverage under the health-plan contract.

''(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

''(C) The identification number for the health-plan contract.

''(D) The group code for the health-plan contract.

''(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

''(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

''(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term 'health-plan contract' has the meaning given that term in section 1725(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

''1705A. Management of health care: information regarding health-plan contracts.''.

SEC. 1097L. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking ''(a) The hours'' and inserting ''(a)(1) Except as provided in paragraph (2), the hours''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.''.

PART III—FAMILY CAREGIVERS

SEC. 1097M. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

''(B) for assistance provided under this subsection—

''(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 1097N(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

''(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

''(I) on or before May 7, 1975; or

''(II) on or after September 11, 2001; or

''(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and''.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or''.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subclause:

''(VI) through the use of contracts with, or the provision of grants to, public or private entities—

''(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

''(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.''.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

''(I) The assessment by the family caregiver of the needs and limitations of the veteran.

''(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

''(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.''.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

''(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.''.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting ''(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)'' after ''evaluate''.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

''(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

''(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

''(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.''.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking ''independent'';

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

''(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

''(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.''.

SEC. 1097N. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection

(a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term ''active military, naval, or air service'' has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term ''Program'' means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 1097M of this Act.

SEC. 1097O. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1720G note) is amended by inserting '', including a description of any barriers to accessing and receiving care and services under such programs'' before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.''.

SEC. 1097P. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the ''Committee'').

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 1097Q. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

PART IV—FACILITY CONSTRUCTION AND LEASES

Subpart A—Medical Facility Construction and Leases

SEC. 1097R. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $161,700,000.

SEC. 1097S. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

SEC. 1097T. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account $1,915,600,000 for the projects authorized in section 1097R.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account $190,954,000 for the leases authorized in section 1097S.

(c) LIMITATION.—The projects authorized in section 1097R may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subpart B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 1097U. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the ''Campus'').

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as ''The Regents''), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(A) IN GENERAL.—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under section 1097U of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use lease under section 1097U of the National Defense Authorization Act for Fiscal Year 2017,'' before ''shall be considered''.

PART V—OTHER VETERANS MATTERS

SEC. 1097V. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

PART VI—OTHER MATTERS

SEC. 1097W. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request,

shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4664. Ms. KLOBUCHAR (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PILOT PROGRAM ESTABLISHING A PATIENT SELF-SCHEDULING APPOINTMENT SYSTEM FOR THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PILOT PROGRAM.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a pilot program under which veterans use an Internet website to schedule and confirm appointments for health care at medical facilities of the Department of Veterans Affairs.

(b) SELECTION OF LOCATIONS.—The Secretary shall select not fewer than three Veterans Integrated Services Networks in which to carry out the pilot program under subsection (a).

(c) CONTRACTS.—

(1) AUTHORITY.—The Secretary shall seek to enter into a contract with one or more contractors that are able to meet the criteria under paragraph (3) to provide the scheduling and confirmation capability described in subsection (a).

(2) NOTICE OF COMPETITION.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals for the contract described in paragraph (1).

(B) OPEN REQUEST.—The request for proposals issued under subparagraph (A) shall be full and open to any contractor that is able to meet the criteria under paragraph (3).

(3) SELECTION OF VENDORS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall enter into a contract with one or more contractors that have an existing commercially available online patient self-scheduling capability that—

(A) allows patients to self-schedule, confirm, and modify outpatient and specialty care appointments in real time through an Internet website;

(B) makes available, in real time, any appointments that were previously filled but later canceled by other patients; and

(C) allows patients to use the online scheduling capability 24 hours per day, seven days per week.

(4) INTEGRATION WITH EXISTING INFRASTRUCTURE.—The Secretary shall ensure that a contractor awarded a contract under this section is able to integrate the online scheduling capability of the contractor with the Veterans Health Information Systems and Technology Architecture of the Department.

(d) DURATION OF PILOT PROGRAM.—

(1) IN GENERAL.—Except as provided by paragraph (2), the Secretary shall carry out the pilot program under subsection (a) during the 18-month period beginning on the commencement of the pilot program.

(2) EXTENSION.—The Secretary may extend the duration of the pilot program under subsection (a), and may expand the selection of Veterans Integrated Services Networks under subsection (b), if the Secretary determines that the pilot program is reducing the wait times of veterans seeking health care from the Department and ensuring that more available appointment times are filled.

(e) REPORT.—Not later than one year after commencing the pilot program under subsection (a), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the outcomes of the pilot program, including—

(1) whether the pilot program demonstrated—

(A) improvements to the ability of veterans to schedule appointments for the receipt of health care from the Department; and

(B) a reduction in wait times for such appointments; and

(2) such recommendations for expanding the pilot program to additional Veterans Integrated Services Networks as the Secretary considers appropriate.

(f) USE OF AMOUNTS OTHERWISE APPROPRIATED.—No additional amounts are authorized to be appropriated to carry out the pilot program under subsection (a) and such pilot program shall be carried out using amounts otherwise made available to the Secretary of Veterans Affairs for the medical support and compliance account of the Veterans Health Administration.

SA 4665. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT.

(a) SHORT TITLE.—This section may be cited as the ''Constitutional Concealed Carry Reciprocity Act of 2016''.

(b) RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

''§ 926D. Reciprocity for the carrying of certain concealed firearms

''(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

''(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

''(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

''(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

''(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Reciprocity for the carrying of certain concealed firearms.''.

(3) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by

this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SA 4666. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, Mrs. BOXER, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ELIGIBILITY OF CERTAIN INDIVIDUALS FOR INTERMENT IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(10) Any individual—

''(A) who—

''(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and

''(ii) at the time of the individual's death resided in the United States; or

''(B) who—

''(i) the Secretary determines served honorably with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 4667. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4509 submitted by Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1037. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) SUBMISSION OF CERTIFICATION.—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the application of sanctions that are not related to national security space launch activities.

SA 4668. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4647 submitted by Mr. SHELBY and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1037. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) SUBMISSION OF CERTIFICATION.—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the application of sanctions that are not related to national security space launch activities.

SA 4669. Mr. SASSE (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 591 and insert the following:

SEC. 591. MODIFICATION OF THE MILITARY SELECTIVE SERVICE ACT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that there are important legal, political, and social questions about who should be required to register for military selective service and how the Military Selective Service Act benefits the national security of the United States of America.

(b) SUNSET OF MILITARY SELECTIVE SERVICE ACT.—The Military Selective Service Act (50 U.S.C. 3801 et seq.) is amended by adding at the end the following new section:

''SEC. 23. This Act and the requirements of this Act shall cease to be in effect on the date that is three years after the date of the enactment of this National Defense Authorization Act for Fiscal Year 2017.''.

(c) TRANSFERS IN CONNECTION WITH SUNSET.—

(1) PROHIBITION ON REESTABLISHMENT OF OSSR.—Notwithstanding the proviso in section 10(a)(4) of the Military Selective Service Act (50 U.S.C. 3809(a)(4)), the Office of Selective Service Records shall not be reestablished after the sunset of the Military Selective Service Act pursuant to section 23 of that Act (as added by subsection (b)).

(2) TRANSFER OF ASSETS AND RESOURCES.—Not later than 180 days after the sunset of Military Selective Service Act as described in paragraph (1), the assets, contracts, property, and records held by the Selective Service System, and the expended balances of any appropriations available to the Selective Service System, shall be transferred to the Administration of General Services.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to the public on an Internet website of the Department of Defense available to the public, a report on the current and future need for compulsory military selective service. The report shall recommend and justify one of the courses of action as follows:

(1) Maintain the current selective service system.

(2) Expand the pool of individuals subject to selective service.

(3) Repeal the Military Selective Service Act and move to an all volunteer force.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 9, 2016, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Implications of the Supreme Court Stay of the Clean Power Plan.''

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

COMMITTEE ON THE JUDICIARY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 9, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on June 9, 2016, at 2 p.m., in room SR–301 of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. GARDNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 9, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that Frederick L. Dressler, a national security fellow in the office of Senator AYOTTE be granted the privilege of the floor during consideration of S. 2943, the National Defense Authorization Act.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Philip Hines, a detailee on my staff, be granted floor privileges through the end of the 114th Congress.

I also ask unanimous consent that Janet Temko-Blinder, another detailee on my staff, be granted floor privileges through the end of the 114th Congress.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that my military fellow, Dave Deptula, be granted floor privileges for the remainder of this session of Congress.

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

COMMEMORATING THE 100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS PROGRAM OF THE ARMY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 487, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 487) commemorating the 100th anniversary of the Reserve Officers' Training Corps program of the Army.

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

Mr. GARDNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 487) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR FRIDAY, JUNE 10, 2016

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 8:15 a.m., Friday, June 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that the filing deadline for second-degree amendments to S. 2943 be at 8:45 a.m. tomorrow; finally, that notwithstanding the provisions of rule XXII, the cloture vote with respect to S. 2943 occur at 9 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 8:15 A.M. TOMORROW

Mr. GARDNER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:14 p.m., adjourned until Friday, June 10, 2016, at 8:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES INVESTOR PROTECTION CORPORATION

BONNIE A. BARSAMIAN DUNN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2017, VICE ORLAN JOHNSON, RESIGNED.

FEDERAL MARITIME COMMISSION

MICHAEL A. KHOURI, OF KENTUCKY, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2021. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. TERRENCE J. O'SHAUGHNESSY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RON J. ARELLANO
DANE E. BERENSEN
STEPHEN W. BISHOP
GREGORY S. CARDWELL
GEOFFREY D. CHRISTMAS
THOMAS W. DOBKINS
ANTHONY J. EVERHART
MATTHEW T. GRIFFIN
CHARLES H. HALL
JOSEPH B. HARRISON II
SUZANNE T. HUBNER
STEPHEN M. KANTZ
TIMOTHY E. LOWERY
ALAN C. MENGWASSER
JOSIE L. MOORE
GARY M. OLIVI
RUSSELL G. SCHUHART II
BRIAN L. SCHULZ
KENNETH G. SMITH
ROBERT J. SPROAT
PATRICK A. STAUB
FREDERICK B. STEVES
YONNETTE D. THOMAS
PATRICK A. THOMPSON
JOSHUA J. VERGOW
WILLIAM M. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KATIE M. ABDALLAH
DANIEL W. BERGER
THOMAS E. CHILDERS, JR.
FREDERICK L. CRAWFORD
DARIN D. DEBOW
JAY F. ELSON
PAUL F. FARRELL, JR.
MATTHEW R. FOMBY
TRISHA N. FRANCIS
RANDAL E. FULLER
WILBUR L. HALL II
ANDREW R. LUCAS
JAMES D. MCCARTNEY
NANCY MOULIS
TONY R. NICHOLS
MATTHEW P. OHARA
JAMES A. PAPPAS
ALBERTO O. PEREZ
PHILLIP C. PETERSEN
MERZON J. QUIAZON
GARY L. RAYMOND
STEPHANIE A. SMITH
MICHAEL L. SOUTH II
THOMAS E. STEWART
RYAN C. TASHMA
VICTOR T. TAYLOR, JR.
YOLANDA M. TRIPP
NATHAN J. WINTERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MATTHEW J. ACANFORA
DAVID J. AMBROSE
DAVID J. BERGESEN
MICHAEL A. BETHER
JAMES F. BRENNAN
DONALD L. BRYANT, JR.
JASON K. CUMMINGS
DAVID B. DAMATO
ROBERT J. DIRGA
GARY R. DONLEY, JR.
BRIAN B. DURAND
DONALD C. FERGUSSON
KATIE A. HAMILTON
COREY M. JACOBS
DAVID P. KAWESIMUKOOZA
ANDREW E. MAROCCO
EDWARD A. MCLELLAN III
ROMAN C. MILLS
KENNETH B. MYRICK
JASON S. NAKATA