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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Sovereign Lord, Your Kingdom cannot be shaken. Thank You for inviting us to ask and receive, to seek and find, and to knock for doors to be open. Lord, forgive us when we forfeit our blessings because of our failure to ask. Remind us that we have not because we ask not. Inspire our Senators to harness prayer power continuously. May they follow Your admonition to pray without ceasing. Throughout this day, may they repeatedly ask You for wisdom and guidance. May their fervent prayers make a positive impact on the legislative process.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader is recognized.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 118, H.R. 2685.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 118, H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2685, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, James Lankford, Roger F. Wicker, John Barrasso, Thom Tillis, Steve Daines, Tom Cotton, Kelly Ayotte, Lindsey Graham, John McCain, John Thune, Jerry Moran, Richard C. Shelby, Daniel Coats, Jeff Flake, Rob Portman.

The PRESIDING OFFICER. The majority leader.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, later this afternoon, the Senate will decide whether to advance or filibuster the Defense authorization legislation which is before us. Senators will take a vote and Senators will make a choice. One option is for Senators to follow the bipartisan example of the House of Representatives and the Senate Armed Services Committee, both of which passed Defense authorization legislation with bipartisan backing.

It means reaching across the aisle to support the men and women who support us every single day. It means voting to transform bureaucratic waste into crucial investments for brave troops and their families, raises they have earned, quality-of-life programs they deserve, and the kind of medical care and mental health support they should expect when injured on the battlefield or haunted by memories at home.

It means ensuring our military has the tools it needs to help America navigate a treacherous world beset by an ever-growing array of challenges. It means advancing a bill that contains ideas and priorities from both parties and one that gives President Obama the exact level of funding authorization he asked for in his own budget request.

It also means endorsing the Senate's return to considering Defense authorization bills through the regular order, allowing real bipartisan debate and a real bipartisan amendment process as we have done this year, as opposed to the bad old days of ramming it through at the last minute. That is one option: voting for cloture, voting for a bipartisan bill that is good for our troops and our country.

But there is another option too: voting to filibuster, voting to raise the curtain on this truly bizarre filibuster summer, a strategy we hear Democratic leaders boasting about in the press. Democratic leaders are apparently so passionate—passionate—about dumping more cash into gargantuan DC bureaucracies like the IRS that they now seem prepared to block and filibuster the benefits owed to our troops and their families or even—even—shut down the government altogether if they can't get their way.

As one newspaper reported this morning, ''Democrats appear eager to return to shutdown politics.'' The minority leader seemed to put it plainly enough the other day: ''We're headed for another shutdown,'' he said. But that can only happen if commonsense Democrats allow their party leaders to advance the shutdown-seeking filibuster summer gambit.

Today is every commonsense Democrat's chance to say, Enough. This is a bad strategy. Today is every commonsense Democrat's opportunity to help pull their party back from a senseless

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

path of forcing endless filibusters and a shutdown no one wants but the hard left. That is what they want. Because here is what every Senator knows deep down: Voting to filibuster would mean allowing Democratic leaders to take from every soldier, every sailor, every marine, and every man and woman in the Air Force the pay raises they have earned, so Democratic leaders can use it as an ante in the game of shutdown roulette.

Voting to filibuster would mean allowing Democratic leaders to hold our military hostage at a time of unprecedented global threats as part of some partisan ploy to extract—extract—a few more bucks for Washington bureaucrats. I just cannot imagine serious-minded Democrats feeling comfortable going along with their leaders' plan. It is just too callous. It is just too extreme. So I hope they will not. I hope every one of my colleagues, no matter which party they are in, will stand together instead for bipartisanship, for regular order, for the idea that we should support the troops who support us.

I thank Chairman MCCAIN for all of his hard work to get us to this point. He did a marvelous job working across the aisle to craft a serious defense bill, with input and amendments from both sides. The Senate, our military, and our country stand to benefit immensely from his dedication. So I hope every Senator of good will will stand up and vote to advance this bipartisan bill later today.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. REID. Mr. President, I have for many, many years—every Thursday, when we are in session, I have what I call ''Welcome to Washington.'' I look forward to those Thursday mornings at 8:30 visiting with people from Nevada, and there are guests and their friends who come from other places who want to visit with me. So I enjoy those very much.

Last Thursday, I had a young man named Nathaniel visit. He had been an intern for me. His family is from Nevada. His grandfather is a very famous man by the name of John Squire Drendel. John Squire Drendel is now 93 but a wonderful lawyer and just a good person. The reason I recognized Nathaniel—they came back to one of my ''Welcome to Washingtons.'' I called him and I said: Hey, Nathaniel. Come on up here. I said: Let's show these folks some of your magic tricks. So that is what he would do. I would bring him in and he could do magic tricks. He is now going to law school. His magic tricks aren't as good as they used to be. He hasn't practiced very much.

What I have heard my friend the Republican leader talk about today—he is trying to do some magic tricks. It is not only on the Senate but the country. The Defense authorization bill is an important piece of legislation. We Democrats support our troops. No one can dispute that. We are just as patriotic as any Republican. My 46 Democrats are just as patriotic as the 54 Republicans. We support defense just as much as our Republican friends do. But we also support the rest of our country.

We support the Federal Bureau of Investigation, the Justice Department. We support the U.S. marshals who are now out looking for those two killers who escaped from prison in New York. We support the Drug Enforcement Administration. We support the Immigration and Naturalization Service, Social Security, VA. I could go on and on.

To have a sound, secure homeland, we have to make sure we take care not only of the Pentagon's needs but the needs of the American people. My friend the Republican leader, as a little bit of his magic, always throws in the Internal Revenue Service, as if: Boy, we are doing great things. We are cutting the Internal Revenue Service. I am not here to throw bouquets to the Internal Revenue Service, but I am here to say it is an important part of our country.

I met with the head of the IRS maybe a couple of months ago now. He came and said: You know, we made it through tax season and we did a good job. But he said: During the time that people were trying to file their income tax returns, if someone had tried to call the Internal Revenue Service, they would not have gotten an answer. We did not have enough personnel to even answer the phones.

Is that what we want? Do we want people who call the IRS not to be able to have someone answer the phone? And a lot of that is happening now.

The Federal Government is being starved for resources. Why? Because of the Republican determination to try some magic. We know the Republicans are not really serious about the Defense bill. If they were, would they throw on this the Export-Import Bank—an amendment—and move to table their own amendment? Of course not. Some 165,000 people are working today because of the Export-Import Bank. It is an important function of our government.

But a large number of Republicans are trying to kill this program, indicating how unserious they are about doing something about it, by focusing on the Defense bill an amendment that they filed and moved to table their own amendment just so they could check the box: Well, we tried to do something on Export-Import Bank.

Cyber security. We are being hacked on a daily basis. They are not only hacking businesses, they are hacking our government—everything. To show how unserious the Republicans are about this issue, which we have been trying to do something as Democrats for years, the Republicans filed an amendment on this bill knowing the President has already said he is going to veto the bill.

I am so disappointed in how the Republicans are being very ungenuine in trying to move forward on this legislation. The bill is going to be vetoed; the President said so.

The other thing that I think is important for the American public to understand and to make sure all of the Members of the Senate and their staff understand is that this is an authorization.

I can remember that as a boy in Nevada, in high school, I would see these big announcements—Senator Cannon and Senator Bible introduced this legislation. I wondered why nothing ever happened on it. It was because it was only to authorize. The important function of this government—and it has been since the beginning—is to have an Appropriations Committee. After something is authorized, it has to be funded.

So of course this authorization bill is important, and we believe it is important. But my friend the Republican leader is treating it—trying to perform some magic because he is really not serious about it for the reasons I have mentioned.

FOOD SAFETY

Mr. President, I have thought about this little girl for so many years, little Rylee, Rylee Gustafson. What a sweet, sweet spirit. I have thought about her so often. She was 9 years old. She ate a salad that almost killed her. There was spinach in that salad and E. coli in that spinach. She got so sick, she was hospitalized. Her kidneys began to fail. Her pancreas started to dysfunction. Before long, fluid swelled up in her brain, heart, and lungs.

All told, Rylee spent 34 days in the hospital. She was a 9-year-old. I wish that were the only time she was in the hospital, but it was not. I wish that were the only time she needed medical care, but it was not. Eventually, she ''recovered,'' but the lasting effects on this little girl have been horrible. She developed diabetes because of the damage to her pancreas, and she now takes an insulin shot every day. She will need a kidney transplant before she turns 30; that is what the doctors have told her. As horrific as her account is, it is not unique. This little girl is now a teenager and still sick. Her growth was stunted.

Unfortunately for many Americans, falling ill from contaminated foods has become all too regular. According to the Centers for Disease Control, one in every six Americans gets sick from food every year. That is about 48 million Americans who become sick from food in this great country.

More than 3,000 people die every year from foodborne illness, and those who don't die can be forced to deal with a lifetime of health complications, just like Rylee. Yes, she is alive, but what horrible consequences followed her having a salad.

At a recent Senate hearing on this issue, a woman named Lauren Bush

shared her experience with food contamination. Listen to an account that she shared of the ordeal.

During my junior year of college, my life suddenly and irrevocably changed when I almost died after eating a spinach salad.

What the doctors initially thought to be nothing more than a virus quickly escalated to a diagnosis of appendicitis. Through clenched teeth and unbearable pain, I argued with the doctors that something didn't feel right. It was like nothing I had ever felt before. They began to suspect that I was right when I quickly took a turn for the worse. I found myself in class one day and in a hospital bed the next.

I spent the next three weeks in and out of two hospitals, two emergency rooms, and three urgent-treatment facilities before I was well enough to go home and recover.

I had lost nearly 20 pounds, and went from being an otherwise young, healthy student to an emotional and physical disaster—all in less than one month's time.

I spent the next five months in recovery on continuous antibiotics and vitamins from the resulting complications. I almost lost my colon; and I lost my dignity when I was unable to feed and care for myself. I was fortunate enough to return to school the following spring, but it was several months before I could walk to class without stopping to take a breath. And in some ways, my body will never be the same.

Sadly, there are far too many Americans with stories similar to Rylee's and Lauren's. Take, for example, the recent listeria outbreak in two brands of some of the food products millions of Americans enjoy—ice cream and hummus. To date, the outbreak has claimed the lives of three people and sickened hundreds of others. One of the ice cream factories is closed as a result of this.

This is all the more tragic because each of these contaminations could have been prevented. The United States is the most advanced country in the world. We have the technology and the resources to ensure better food quality for people like Rylee.

We have made progress. In 2010, for a lot of reasons but not the least of which was Rylee, Congress passed the most sweeping reform of our Nation's food safety laws since the 1930s. The law shifted the focus of food safety laws from responding to contamination to preventing it. The FDA is working hard to implement this critical law. But the Food Safety Modernization Act cannot work if it doesn't have any money. Current funding levels don't provide the resources necessary to adequately fund programs to stop food contamination and create a system based on prevention.

It is that word again—''sequestration.'' This Agency has never recovered from the hit taken when the government was closed and then because of sequestration. By keeping sequestration in place, Republicans are hampering efforts to stamp out food borne illness.

Nobody should ever have to worry about dying from eating ice cream or being hospitalized after consuming hummus or spinach. Congress must act to strengthen the food safety of our country and the Food Safety Modernization Act, and we must do it now. Let's stop sequestration. Let's go ahead and authorize the bills, but, remember, we cannot fund them with funny money.

I can't imagine my Republican friends—and I have said before, my friend, the chairman of the Armed Services Committee—allowing this bill to go forward with this deficit spending that they call OCO. The Pentagon thinks it is wrong. All people who understand economics think it is wrong. Another $39 billion in deficit spending is just wrong. We need to fund the military, and we need to fund the nonmilitary—that is, nondefense programs—and we need to do it to make our homeland safer.

I hope that programs like this—Rylee has suffered so that we would do something—I hope that we will take care of her and people just like her and do something to fund these programs and prevent illnesses that are caused by food.

We need to act responsibly and raise the level of funding for these vital programs because for far too many Americans, this issue is a matter of life and death. All we need to do is ask Rylee and ask Lauren, and they will tell us.

RESERVATION OF LEADER TIME

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1735, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 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.

Pending:

McCain amendment No. 1463, in the nature of a substitute.

McCain amendment No. 1456 (to amendment No. 1463), to require additional information supporting long-range plans for construction of naval vessels.

Cornyn amendment No. 1486 (to amendment No. 1463), to require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security.

Vitter modified amendment No. 1473 (to amendment No. 1463), to limit the retirement of Army combat units.

Markey amendment No. 1645 (to amendment No. 1463), to express the sense of Congress that exports of crude oil to United States allies and partners should not be determined to be consistent with the national interest if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

Reed (for Blumenthal) modified amendment No. 1564 (to amendment No. 1463), to enhance protections accorded to servicemembers and their spouses.

McCain (for Paul) modified amendment No. 1543 (to amendment No. 1463), to strengthen employee cost savings suggestions programs within the Federal Government.

Reed (for Durbin) modified amendment No. 1559 (to amendment No. 1463), to prohibit the award of Department of Defense contracts to inverted domestic corporations.

Feinstein (for McCain) amendment No. 1889 (to amendment No. 1463), to reaffirm the prohibition on torture.

Fischer/Booker amendment No. 1825 (to amendment No. 1463), to authorize appropriations for national security aspects of the Merchant Marine for fiscal years 2016 and 2017.

Lee amendment No. 1687 (to amendment No. 1473), to provide for the protection and recovery of the greater sage-grouse, the conservation of lesser prairie-chickens, and the removal of endangered species status for the American burying beetle.

McCain (for Ernst/Boxer) amendment No. 1549 (to amendment No. 1463), to provide for a temporary, emergency authorization of defense articles, defense services, and related training directly to the Kurdistan Regional Government.

Reed (for Gillibrand) amendment No. 1578 (to amendment No. 1463), to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 a.m. will be equally divided in the usual form.

The Senator from Rhode Island.

Mr. REED. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to discuss the Metal Theft Prevention Act, which was filed as an amendment to the National Defense Authorization Act. In a moment, I am going to ask unanimous consent to make this amendment pending, but first I wish to explain why this amendment is so important.

I have been working on this legislation for years. Senator SCHUMER is a cosponsor. In the past, I have had support for this bill as cosponsors in Senator HATCH, Senator LINDSEY GRAHAM, and Senator HOEVEN. Why has there been bipartisan support in the past for this bill? I think we all know that this is a public safety issue. Metal thieves have targeted labs, power stations, and gas lines, causing blackouts, service disruptions, and even dangerous explosions.

In September of 2013, four people were injured in an explosion at a University of California, Berkeley, electrical station. Officials blamed it on copper theft that occurred 2 hours before the explosion.

Georgia Power was having a huge problem with thieves targeting a substation that feeds the entire Hartsfield-Jackson Atlanta International Airport, one of the busiest airports in the world. The airport was getting hit two to three times a week, and surveillance didn't lead to any arrests.

The crime has also hurt the dignity of our veterans. Last year in my home State of Minnesota, the metal thieves robbed dozens of veterans' graves, taking the brass rods that hold their symbol of service. It is a crime that is almost too callous to comprehend, but sadly this wasn't the first time. On Memorial Day in 2012—this is just in Minnesota—thieves stole more than 20 Bronze Star markers from veterans' graves in Isanti County. That is why this bill is supported by the Veterans of Foreign Wars, the Vietnam Veterans of America, the Iraq and Afghanistan Veterans of America, as well as major law enforcement organizations and business groups.

The bill is really quite simple. It will help combat the shameless crime across State lines by putting modest recordkeeping requirements on scrap metal dealers and recyclers in place. It will limit the value of cash transactions to $100 and require sellers in certain cases to prove they actually own the metal.

All we are trying to do is stop scrap metal dealers from taking stolen metal. And the reason we can't just do it State by State is that a lot of States are doing this but a lot of States aren't, and what the thieves are doing is crossing State lines, stealing the metal in one State and selling it in another.

This is an important bill, and it has been heavily lobbied against by the scrap metal dealer association.

The Democratic side of the aisle has cleared this bill. We are ready to go forward with this amendment. There are objections on the Republican side. But I think people better step back and realize, the next time there is a major explosion, the next time something happens like this, which is happening on a weekly basis across the country—that they understand we could have done something to prevent it.

Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up my amendment No. 1555.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, reserving the right to object, and I will object, I object on behalf of the Judiciary Committee. This would criminalize stealing metal. It makes it a Federal offense; therefore, the Judiciary properly has jurisdiction. It would also establish civil penalties enforceable by the Attorney General. It directs review of this crime by the Federal sentencing commission. It has no tie to the national security or the National Defense Authorization Act. So I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. Mr. President, I am disappointed that there is an objection to calling up this commonsense amendment that has so much support from veterans, law enforcement, and businesses. I have stood in front of small businesses all over my State, including with Senator HOEVEN in Fargo, a number of electric companies that have been repeatedly broken into.

I believe this does have national security implications because there is a provision in the bill about critical infrastructure and creating a felony-level crime when they are stealing from that critical infrastructure. And I believe it is very important that we debate and vote on this issue as part of the National Defense Authorization Act.

I will continue to work to get a vote on this amendment during this entire year. I worry that at some point we are going to have major damage to our infrastructure as a result of metal theft, and everyone will look back and wonder why we didn't listen to every major law enforcement group in our country or to every single business that has been affected or to the electric companies that are being broken into all the time or to our veterans groups, that just want their final resting places to be respected. Despite the lobby of the scrap metal dealers, I will not let this rest.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I would point out to the Senator from Minnesota that we started on this legislation in the committee in May. We are now well into June—many weeks. We are 2 weeks into the consideration of this legislation, and the Senator from Minnesota comes to the floor with a compelling amendment.

I suggest the next time around the Senator from Minnesota raise the issue with the authorization committee and with others when the bill first comes to the floor rather than waiting 2 weeks before having a compelling interest in this very serious issue.

Ms. KLOBUCHAR. Mr. President——

Mr. MCCAIN. I still have the floor, I would say to the Senator from Minnesota. The rules of the Senate are that we usually don't like to be interrupted.

Mr. President, we are going to embark on the McCain-Feinstein amendment, which I understand is going to be voted on at 11:30; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCAIN. I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I would like to note that I have been attempting to pass this legislation now for 3 years. Senator HATCH was my first cosponsor, then Senator GRAHAM, and then Senator HOEVEN. Every step of the way I have been stymied by the scrap metal dealer lobby.

I believe this is an important bill. It is a simple bill. It will greatly help because these thieves are crossing State lines with the stolen copper. I appreciate, obviously, Senator MCCAIN's viewpoint, being the manager of this bill on the floor, but I think the record should reflect that I have tried many times to get this amendment up on other bills and to work with the committee, but every single time I get stopped in my tracks by this lobby. At some point I would like to have a vote on this so that people can vote their heart and vote with their law enforcement or vote with the scrap metal dealers. They can decide.

For now, our side has cleared this amendment, and the Republicans are objecting to this.

I yield the floor.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that the time spent be equally divided while in a quorum call.

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

Mr. MCCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

CHICAGO BLACKHAWKS WIN STANLEY CUP

Mr. DURBIN. Mr. President, there are serious matters on the floor of the Senate involving the Defense authorization bill, and I just asked the chairman of the Committee on Armed Services for 5 minutes to speak on an issue totally unrelated to it but one which is critically important to the future of America and critically important today to the city of Chicago, IL.

Last night, I stayed up late to watch the Chicago Blackhawks win the Stanley Cup. They were playing the Tampa Bay Lightning—an extraordinarily good team—and in the sixth game they won 2 to zip. That is three Stanley Cups in 6 years.

I can tell you that you can't visit Chicago, go to any street corner or anyplace without seeing evidence of loyalty to the Chicago Blackhawks. It is an incredible story of a storied franchise in the National Hockey League that has become a premier sports story in the great sports city of Chicago. And last night was so much fun for all of us to watch that victory.

Any child who has ever laced up an old pair of skates or put tape on a stick has thought about what happened last

night. From Springfield, IL, to Saskatoon, from Moose Jaw to Miami, if you have spent any time at all around the game of hockey, you wonder what it must feel like to stand at the end of a very long season, after three long periods of total effort white-knuckled moments, before tens of thousands of elated fans, and hoist up the most storied trophy in all of sports—Lord Stanley's Cup. The goal of every team in the National Hockey League is to hoist up that cup at the end of the season.

I rise today to pay tribute to the players, coaches, staff, and fans of the Chicago Blackhawks, the 2015 Stanley Cup champions, whose season-long mantra of ''One Goal'' was realized last night at the United Center in Chicago.

Last night, the Blackhawks won their sixth Stanley Cup in franchise history and the third in the last 6 years, with the 2-to-0 victory over the Tampa Bay Lightning, a formidable team as well.

Fans at the Madhouse on Madison, as we call the United Center, witnessed Duncan Keith and Patrick Kane score show-stopping goals while goaltender Corey Crawford seemed incredible in his defense, stopping all of the 25 shots that he faced.

I congratulate especially owner Rocky Wirtz, head coach Joe Quenneville, who is known as Coach Q, ''Captain Serious,'' Jonathan Toews, the Blackhawks front office, the players, and, most of all, the legions of Blackhawks fans as they celebrate another Stanley Cup Championship.

Those who know the history of this team, and those who have followed them for decades know that in the past 7 years there has been a transformation in the Blackhawks. With Rocky Wirtz taking over as the owner, this team went on television just at the moment when they were reaching this level of perfection, and they started winning over thousands of fans—not just across Chicago but across Illinois and the Midwest.

Blackhawks fans, I think, are the best fans in hockey, and you can understand if a lot of them are a little tired this morning. The Blackhawks began the playoffs with a remarkable double-overtime victory against the Nashville Predators, another excellent team. They were down 3 to 0 after the first period. The Hawks stormed back to tie the game and won on a Duncan Keith goal. That victory set the tone for a great run through the playoffs. A goal by Brent Seabrook in triple overtime in game 4 helped the Hawks defeat Nashville in six games.

A sweep of the Minnesota Wild followed, setting up a showdown with the Anaheim Ducks in the Western Conference Finals. The Hawks were behind in the series one game to none, 2 to 1, and 3 to 2, but they earned double- and triple-overtime victories on their way to winning in seven games, clinching a berth in the Stanley Cup Final.

The Hawks followed a familiar pattern in dropping games 1 and 3 of the final, but they took a 3-to-2 series lead into Monday night's Game 6 on home ice. It was another close contest as Kane's one-timer with 5:14 remaining marked the first time either team led by more than one goal in the entire series.

The time slowly ticked down until 22,424 fans at the United Center were finally able to erupt in celebration. It was a great night for Blackhawks fans and the culmination of a tremendous team effort.

Antoine Vermette, acquired at the trade deadline, scored two game-winning goals in the Stanley Cup Final. Goaltender Scott Darling stood tall in the net when his team needed him the most, in relief of Corey Crawford when called upon against Nashville. Duncan Keith was an iron man, earning the Conn Smythe Trophy for playoff MVP, while logging more than 700 minutes of ice time in 23 games. Nicklas Hjalmarsson blocked shots left and right and seemed to be in the right place all the time.

I can't tell you how happy I am for those Blackhawks and for all of their amazing fans on their Stanley Cup championship. It has been a thrill to watch this team throughout the years, and I look forward to seeing President Obama host the Stanley Cup champion Blackhawks yet another time at the White House.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have serious concerns with the language that was tacked on to the House FISA reform bill that passed the Senate, and at the end of my remarks I am going to offer a unanimous consent request. I say that because maybe other Members of the Senate would like to be heard or would like to maybe reject my unanimous consent request, and I want to give them the privilege of knowing I am doing this.

The language in the FISA bill made changes to the Federal criminal code to implement four important multilateral treaties relating to nuclear terrorism and the proliferation of weapons of mass destruction. It is good that these treaties are finally being implemented. The Senate gave its advice and consent to these treaties back in 2008. In the years since then, however, the Senate leadership repeatedly failed to bring bills to the floor that would implement them.

The language which is now law omits a number of key provisions that were requested by both the Obama administration and the Bush administration. So I want my colleagues to know this has had support from both Republican and Democrat Presidents, in the present and in the past.

My amendment No. 1786 restores these provisions, which are important tools to combat the gravest of threats to our national security. I am happy to note that Senator WHITEHOUSE, the ranking member of the Judiciary Committee's Subcommittee on Crime and Terrorism, has joined me in offering this amendment.

First, the amendment adds the authority for prosecutors to seek the death penalty for these newly created crimes in appropriate cases. Under the criminal code, similar crimes already carry the possibility of the death penalty. Singling out these new offenses under this treaty, which is intended to stop terrorists from threatening us with the world's most dangerous weapons, for lesser punishment simply makes no sense.

For example, section 2280 and 2281 of the code, which criminalizes various acts of violence on the high seas, already provide for the possibility of the death penalty. So it is only logical that new sections 2280a and 2281a, which criminalize acts of terrorism on the high seas related to weapons of mass destruction, should as well. The newly created offenses of nuclear terrorism, now codified in section 2332i, should as well. In fact, I am hard pressed to think of an offense for which the death penalty might be more appropriate than nuclear terrorism.

Terrorists who kill Americans—especially nuclear terrorists—should be eligible for the death penalty. This shouldn't at all be controversial, and I think the support of both former President Bush and President Obama speaks to that point. Terrorists who kill Americans—especially nuclear terrorists—should be eligible for the death penalty. I can't repeat too often that this shouldn't be controversial.

Second, the amendment makes these newly created criminal offenses material support predicates. In other words, the amendment would provide the government the ability to prosecute those who finance or otherwise provide material support to these terrorists. Naturally, these are complex crimes that aren't committed by just one person. They involve entire networks that need to be stopped in their tracks. This provision will help do that by making sure that those who provide materiel support to terrorists don't escape justice.

Third, the amendment would add these offenses to the list of those crimes that are predicates for wiretap applications. As the law now stands, prosecutors can't request a traditional criminal wiretap against a terrorist suspected of breaking these new laws, but at the same time, they can get a wiretap to investigate a long list of less serious offenses. Again, this doesn't make sense. In fact, this is a dangerous omission. Our government needs the ability to listen in on calls of suspected nuclear terrorists. So this provision would permit prosecutors to request the authority to do so from a Federal judge.

Once again, I use the term ''common sense.'' These are commonsense fixes, supported by both Republican and Democratic Presidents, fixing and harmonizing these recently created crimes with the rest of the criminal code, fixing and harmonizing these recently

created crimes with the rest of the Criminal Code. They were requested by both the Obama and Bush administrations because they will help protect us from the catastrophe that could result from terrorists seeking to use the ultimate weapons against us. So I urge my colleagues to support Grassley-Whitehouse amendment No. 1786.

At this time, I ask unanimous consent to set aside the pending amendment and call up and make pending Grassley-Whitehouse amendment No. 1786.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Mr. President, reserving the right to object.

First, the Senator is chairman of the committee which has jurisdiction for this particular amendment, so he has complete—in fact, more than complete—authority to bring it up in regular order and bring it forward to the floor. In addition, we have been advised by the Department of Justice that these provisions are not necessary, given the scope of existing law with respect to terrorists and with respect to anyone who conducts a terrorist act. Perhaps an example of that is the Boston bombing, where there is now someone condemned to death for terrorist activities—not involving a nuclear device, but I hardly think he would get any less of a sentence regardless of the device he used.

So for all these reasons, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. Mr. President, I accept the good-faith effort to listen to my point of view, even though there is a rejection, but I would like 1 minute to react to the objection.

This amendment only does what both the Bush and Obama administrations asked Congress to do, to make clear that the death penalty could apply to any active nuclear terrorism. It is not enough that other criminal statutes might also apply to nuclear terrorists and might also carry the death penalty. It is quite the opposite; that terrorists who use guns and explosives to kill can face the death penalty means that nuclear terrorists certainly should as well. It does not take too much imagination to come up with a situation which, under current law, the death penalty might not clearly apply.

We are all aware of the threat of cyber terrorism. If a terrorist used a computer to take over a nuclear powerplant and caused a deadly nuclear meltdown, it is not clear that his crime would be eligible for the death penalty under any other Federal Criminal Code. We simply shouldn't accept this potential gap in the law which my amendment fixes.

So, once again, I am sorry there was an objection. I am not done with this. We will continue it in some other environment. I respect my colleagues, however, for objecting.

I yield the floor.

AMENDMENT NO. 1889

Mr. LEAHY. Mr. President, Congress has some unfinished business before it. When the President took office, he issued an Executive order banning torture. It is regrettable that such a step was even necessary for a country that has been a signatory to the Convention Against Torture since 1988, more than 25 years ago. But it was the right thing for the President to do and consistent with our values as Americans. In particular, the President ordered that all U.S. Government personnel and contractors must comply with the interrogation standards in the Army Field Manual and that the International Committee of the Red Cross should have notice of and access to detainees held by the U.S. Government.

Now it is time for Congress to adopt these same requirements—to enshrine them in law and ensure that America never again employs torture, no matter what the threat.

Senators MCCAIN and FEINSTEIN have offered an amendment that mirrors these requirements of the Executive order. It would require all government personnel and contractors, across all agencies and departments, to abide by the rules and regulations contained in the Army Field Manual. It also would ensure that the International Committee of the Red Cross, or ICRC, is provided access to all individuals detained by the United States.

These requirements have already been in place for 6 years, and this amendment is consistent with current practice. The Army Field Manual provides clear guidelines on acceptable and effective interrogation practices. It reinforces explicit prohibitions in existing law against torture and other cruel and inhumane treatment. It is relied upon by our military personnel when they conduct high-risk interrogations on the battlefield. There is no reason why these rules should not apply to all government personnel and contractors, in all places, and at all times.

This is a critically important amendment. We know from the historic report of the Senate Intelligence Committee that the CIA engaged in horrific acts of torture during the Bush administration. We must be unequivocal to the world and to ourselves that torture is wrong and that it is never permitted.

An Executive order is not enough. Congress must act. We must codify these safeguards into law. When it comes to our core values—the things that make our country great and that define America's place in the world—they do not change depending on the circumstances. The Convention Against Torture does not make exceptions. We must be clear that there are no instances when torture is acceptable.

I urge Senators to support the anti-torture amendment, and I commend Senators MCCAIN and FEINSTEIN for their enduring leadership on this issue. We must ensure that America never allows this to happen again.

The PRESIDING OFFICER. The President pro tempore.

Mr. HATCH. Mr. President, I rise to speak out at a time when our world is on fire: Putin's Russia is on the march, invading a sovereign neighbor in a bid to rebuild the Soviet empire; China asserts its growing strength in aggressive and provocative ways in the Pacific; Iran presses ahead in its efforts to develop nuclear weapons capability, a development that threatens to put the deadliest weapons known to man in the hands of a maniacal rogue state; the Islamic State continues to expand its barbaric reign of terror and endanger everything our brave men and women in uniform fought and died for long ago in Iraq; terrorist groups, including Al Qaeda in the Arabian Peninsula and Al-Shabab, use the refuge of failed states to plot attacks on our homeland; and, across the globe, our allies look to the United States to provide the leadership necessary to confront these threats to peace.

One of the foundational purposes of our Constitution was to establish a Federal Government to—in the words of the preamble—provide for the common defense. In facilitating this purpose, the Congress is charged with two particularly crucial duties: establishing the legal authority for our military to operate and funding our military's activities. For 53 years in a row, Congress has fulfilled these responsibilities with an annual National Defense Authorization Act and accompanying funding through the appropriations process. Despite the gridlock that has so often beset the legislative process in recent years, Congress has consistently risen to the call of its constitutional duty every year to authorize and appropriate on behalf of our brave men and women in uniform.

This year, our colleagues on the Armed Services Committee have lived up to the finest traditions of this body in crafting the National Defense Authorization Act for Fiscal Year 2016. This bill provides for our national security needs across a wide variety of fronts, including programs to aid allies such as Ukraine and Iraq that face aggression, compensation for the men and women who put their lives on the line to defend our freedom, restructuring to improve readiness, authority to procure a wide range of new weapons systems such as the F–35 Joint Strike Fighter that are crucial to maintaining our defense capabilities, and acquisition reform to restore accountability to defense contracting and make the money we spend go further.

These aren't Republican or Democratic priorities, they are American priorities. They are concrete steps we need to take in order to ensure our safety and security for years to come, and they should earn the support of every single Senator.

The bill before us authorizes $604 billion in spending for the Defense Department in the coming year. That is essentially the very same amount requested by President Obama himself.

President Obama and our colleagues on the Armed Services Committee did not come up with that number out of thin air. In testimony before the Senate Armed Services Committee this year, all four of the military service chiefs testified that American lives are being put at risk if we cap defense spending at the sequester levels. The amount proposed by President Obama and embraced by the Armed Services Committee is the amount that both Republican and Democratic, as well as nonpartisan, experts believe is crucial to the Defense Department's ability to preserve our national security. Surely, such an approach on such a critical measure should win broad support from both parties.

Nevertheless, many of our colleagues on the other side of the aisle are threatening a filibuster of the bill over the amount of funding it authorizes. They are considering the prospect of defeating the National Defense Authorization Act for the first time in 53 years unless we agree to their demands to increase spending on domestic programs. Put another way, they are aiming to condition the ability of our soldiers, sailors, airmen, and marines to defend our Nation on their demand for more funding for the wasteful Federal bureaucracy that already costs too much.

Let me be absolutely clear. To roll back what progress we have made in restoring fiscal discipline after years of profligate spending is seriously misguided, to do so by hijacking the Defense bill at a time of serious danger—when we face so many crises around the world—represents the height of irresponsibility, and to make such a ''my way or the highway'' demand as a condition of fulfilling one of the Senate's basic duties is unworthy of the great traditions of this body.

Many of us have worked toward various solutions to replace the sequester going forward. Republicans and Democrats alike have their preferred alternatives to the current funding arrangements. Nevertheless, we simply cannot shirk our duty to provide for the common defense in the present. Political reality demands that we reject partisan grandstanding in favor of working together on this must-pass bill.

Over the past 2 weeks, the majority leader and the chairman of the Armed Services Committee have led a debate on this bill that represents the Senate at its finest. We have considered the bill on time—a needed change from recent years that restores the Senate's proper voice in our national defense. We have held hours upon hours of debate on the floor, and we have held a fair and open amendment process for Members on both sides of the aisle.

As part of that open amendment process, the Senate considered an amendment from the ranking member of the Armed Services Committee that would condition the funding level on the domestic spending increases sought by our Democratic colleagues.

Despite my disagreements on the substance, I want to commend the ranking member for his sincere advocacy and for his determination to put his plan before this body for an up-or-down vote. But as that vote result showed, a majority of this body strongly disagrees with the minority's preferred alternative. Having fully aired this issue and voted on it, it is time for the Senate to wrap up our debate and pass this bill. To exploit the supermajority threshold to demand a concession rejected by a majority of Senators on a bill of such vital importance to our national defense would represent a gross dereliction of duty and a tragically irresponsible choice.

I urge my friends in the minority: do not give in to the temptation of partisan grandstanding, do not let this become another exercise in political brinksmanship, do not place a desire to fight the majority over our shared duty to keep this country safe, and do not jeopardize our men and women in uniform to win concessions for yet more domestic spending.

Work with us. Embrace the funding levels the Obama administration believes are necessary to keep us safe and keep alive our proud tradition of placing national security ahead of partisan politics.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I know there is important debate, but I wish to take a few minutes and talk about America losing one of its finest entrepreneurs and citizens.

REMEMBERING KIRK KERKORIAN

Mr. President, last night, at 10:30, my friend Kirk Kerkorian died. What a wonderful man. He was 98 years old, and when history books are written, they will say a lot about this good man.

I had the good fortune as a young lawyer to meet him. I didn't do any of his mergers and acquisitions and all the stock stuff. I didn't do any of that. But when we first met, he was a businessman with an airline called Trans International Airlines. I will talk about that in a minute, but it started out as one airplane.

I knew that Kirk was failing because he and I were supposed to go watch the Mayweather-Pacquiao fight, and he said he couldn't go. I knew then that his days were numbered, for lack of a better description.

I had kept in touch with him all these many years. As I said, I am not one to boast about all the great legal work I did for Kirk. I didn't do much. But I did do a lot of work for his brother, a man by the name of Nish Kerkorian, and Kirk never forgot all the work I did for his brother.

Kirk had two siblings: One woman who was a sweet, sweet lady, vibrant, named Rose, his sister Rose. She died not long ago. I called Kirk. It was really hard on him; he cried, and we shed a tear together.

He was born in 1917 in Fresno, CA. His parents were Armenian immigrants. He grew up at a very difficult time. He didn't graduate from the eighth grade. He became a prize fighter, became the Pacific amateur welterweight champion, and his name was ''Rifle Right'' Kerkorian.

His brother Nish, whom I talked about, was also a fighter and a boxer, and he fought a lot. Kirk didn't fight too much.

On the floor is one of ours—if not the hero we have in the Senate for military endeavors—the senior Senator from Arizona.

It is important to talk about Kirk Kerkorian for just a minute and about what he did for our country in the military, using that term broadly—''in the military.'' He had learned to fly, while milking cows and looking after a woman's cattle, at an air strip near now what is Edwards Air Force Base. That is where he learned to fly, at a place called Happy Bottom Riding Club. That is where he learned to fly. He loved to fly. He got his pilot's license in just a few months, and he wanted to go into the military, but he couldn't at the time because we weren't in the war yet.

The British Royal Air Force was ferrying Canadian-built de Havilland Mosquitoes over the North Atlantic because England was desperate for help. The Nazis were after them, Hitler was sweeping Europe, and the submarines were sinking the ships trying to take supplies to England. So out of desperation, Canada, which was part of Great Britain at the time, decided they would help. The problem was that to fly those airplanes over the North Atlantic was really very, very difficult. They had two routes. One was 1,400 miles. The other was shorter but extremely more dangerous. Kirk Kerkorian agreed to take the one more dangerous. It was dangerous because the North Atlantic is very brutal. The wings would ice. But he got a lot of money for each flight—almost $1,000 for each flight. He delivered 33 planes to England. Every one of those flights was a nightmare, but he did it.

He was truly an American patriot. There is a documentary on what he did—flying across the North Atlantic with some other gallant men who did that and helped preserve freedom in the world and take on the Nazis.

After the war, he had saved a lot of his money, and he bought a Cessna. It was expensive at the time—$5,000. He worked in general aviation. He first visited Las Vegas in 1944. In 1947 he paid $60,000 for the airline where I first met him. He was dealing with Trans International Airlines, which was a small air charter service that basically flew gamblers between L.A. and Las Vegas. He, of course, was a very frugal man. He operated the airline until 1968, when he sold it for $104 million. He paid $60,000 for it and sold it for $104 million. That was him. He was an entrepreneur.

He moved into Las Vegas quickly. He bought a piece of land across from the Flamingo Hotel for $960,000. It was 80 acres. That is now where Caesars Palace is. He was originally the landlord for that property. He made $9 million on that deal.

He then, shortly thereafter, paid $5 million cash for an off-Strip property—the first one that had ever been done. That is something I was involved with. It was quite interesting. That transaction showed to me his absolute honesty. I have said publicly—I am not going into detail here—but I will end by saying that the lawyer with whom I worked, Bill Singleton, said: No, Kirk doesn't do business that way, and he walked out of the room. He wound up buying the property. That was where the International Hotel was built, and it was a very, very expensive property at the time. It was off-Strip. The first two people to appear in the showroom were Barbra Streisand and Elvis Presley, and that was the beginning of Kirk Kerkorian's ascension to power broker, to say the least, in Las Vegas.

He bought and sold MGM movies two different times. In the process, of course, he built the MGM hotel in Las Vegas. He was really an interesting, wonderful man. He is one of the personalities I will never forget, and my relationship with him is one of the special things in my life. I feel so fortunate to be able to talk on a personal basis about this man. He was one of a kind.

I am so disappointed. His No. 1 person, Tony Mandekik, called me and told me that Kirk had died. To be honest with you, the tears on the other side of the phone connection from Tony ended the conversation because he couldn't talk anymore. Now he is responsible, among others—but principally him—for disposing of this man's wealth.

He did not make all of his money in movies or hotels and casinos. He branched out. He made a number of fortunes. People would say: How does he know anything about the automobile industry? He wound up owning large chunks of General Motors. He was one of the chief players in Chrysler. He no longer made in those propositions millions of dollars but billions. He made about $5 billion on this Chrysler Corporation deal, where people said: What a fool—why would he do that?

You know that deal.

Not too long ago, about 3 years ago, I met him for lunch in Los Angeles. I said: I have to get going. He pulled out of his pocket his watch.

Kirk, what is that?

He says: It is my watch.

It was a Timex with no band on it.

He said: It keeps perfect time.

He came to the Beverly Wilshire Hotel. He drove himself in a little jeep—a jeep with the top partially down. That was him. He was a very private man. He rarely gave interviews. I mean, he rarely gave interviews. Even though he was one of the richest men in Los Angeles, he was probably one of the most private. He simply did not do things in public.

With all of the hotels that he owned—for those people who have a little bit of knowledge of Las Vegas, a lot of stuff is done with complimentary privileges. If you are a hotel owner, you get a lot of stuff for nothing—not Kirk Kerkorian. He would not take a comp for anything. Everything he paid for.

One of the last times we went to a fight, he also would not sit ringside. He always wanted to be up away from everybody.

In 2008 he was worth $16 billion. I am not sure how much he was worth when he died. But he has given huge amounts of his wealth away. His job for Tony Mandekik and others was to give away the rest of his money.

It is a sad day for me and for the people who knew Kirk Kerkorian. He lived a good, full life. He has two daughters. He always went out of his way and paid his help well.

I wish I had the ability to articulate what a wonderful human being Kirk Kerkorian was. I will always remember him. When I talk to people who know something about business, I will always interject the name Kirk Kerkorian.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 1889

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from California have 15 minutes and I have 10 minutes and that the vote be delayed until completion of the 15 minutes and the 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you very much, Mr. President.

I thank the distinguished chairman for this time. I do not think I will take 15 minutes. We have worked it down.

I join Senator MCCAIN and Ranking Member REED—as well as Senator COLLINS and the other cosponsors, Senators LEAHY, PAUL, KING, FLAKE, HEINRICH, WHITEHOUSE, MIKULSKI, WYDEN, MURPHY, HIRONO, WARNER, BALDWIN, BROWN and MARKEY—in offering an amendment that will help ensure the United States never again carries out coercive and abusive interrogation techniques or indefinite secret detentions.

I am very pleased that the Senate will consider this amendment, and I urge an aye vote.

The amendment we are offering today is really very simple. It applies the authorizations and restrictions for interrogations in the Army Field Manual to the entire U.S. Government.

It extends what Congress did in 2005, by a vote of 90 to 9, with the Detainee Treatment Act—which I believe Senator MCCAIN authored—which banned the Department of Defense from using techniques not authorized by the Army Field Manual and also banned the government from using cruel, inhuman, and degrading treatment or punishment.

The amendment also requires prompt access by the International Committee of the Red Cross to any detainee held by the U.S. Government.

Both of these provisions are consistent with United States policy for the past several years, but this amendment would codify these requirements into law.

President Obama banned the use of coercive and abusive interrogation techniques by Executive order in his first few days in office, actually on January 22, 2009.

That Executive order formally prohibits—as a matter of policy—the use of interrogation techniques not specifically authorized by the Army Field Manual on Human Intelligence Collector Operations.

This amendment places that restriction in law. It is long overdue.

The amendment also codifies another section of President Obama's January 2009 Executive order, requiring access by the International Committee of the Red Cross to all U.S. detainees in U.S. Government custody—access which has been historically granted by the United States and other law-abiding nations and is needed to fulfill our obligations under international law, such as the Geneva Conventions.

It is also important to understand that the policies in the 2009 Executive order are only guaranteed for as long as a future President agrees to leave them in place. This amendment would codify these two provisions into law.

Current law already bans torture, as well as cruel, inhuman, or degrading treatment or punishment.

However, this amendment is still necessary because interrogation techniques were able to be used, which were based on a deeply flawed legal theory, and those techniques, it was said, did not constitute ''torture'' or ''cruel, inhuman, or degrading treatment.''

These legal opinions could be written again.

In 2009, President Obama's Executive Order settled the issue as formal policy, and this amendment will codify a prohibition on a program that was already defunct at the end of the Bush administration.

CIA Director John Brennan has clearly stated that he agrees with the ban on interrogation techniques that are not in the Army Field Manual. Director Brennan wrote the following to the Intelligence Committee in 2013 about the President's 2009 Executive order:

> I want to reaffirm what I said during my confirmation hearing: I agree with the president's decision, and, while I am the Director of the CIA, this program will not under any circumstances be reinitiated. I personally remain firm in my belief that enhanced interrogation techniques are not an appropriate method to obtain intelligence and that their use impairs our ability to continue to play a leadership role in the world.

Furthermore, it is important to point out that the Senate and the House both

required the use of the Army Field Manual across the government in the fiscal year 2008 Intelligence authorization bill. Unfortunately, President Bush vetoed that legislation.

Whatever one may think about the CIA's former detention and interrogation program, we should all agree that there can be no turning back to the era of torture.

Interrogation techniques that would together constitute torture do not work. They corrode our moral standing, and ultimately they undermine any counterterrorism policies they are intended to support.

So before I close, I ask unanimous consent to have printed in the RECORD a series of letters and statements in support of this amendment.

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

JUNE 9, 2015.

DEAR SENATOR: As retired generals and admirals who believe that American ideals are a national security asset, we urge you to support the amendment to the 2016 National Defense Authorization Act that solidifies the ban against torture and cruel treatment of detainees in U.S. custody.

While international and domestic law, including the 2005 Detainee Treatment Act, prohibit such cruelty, high-level officials in the Executive Branch still managed to evade congressional intent by using loophole lawyering to authorize torture and cruel treatment. We need to make sure this never happens again. The United States should have one standard for interrogating detainees that is effective, lawful, and humane.

The McCain-Feinstein amendment would ensure lawful, effective, and humane interrogations of individuals taken into custody by requiring all agencies and departments to comply with the time-tested requirements of the Army Field Manual (''Human Intelligence Collector Operations''). It would also codify existing Department of Defense (DOD) practice of guaranteeing timely notification and access to the International Committee of the Red Cross (ICRC) for detainees taken into custody—an important bulwark against abuse.

We strongly urge you to support this legislation to help move our country towards decisively rejecting the use of torture or cruel treatment against detainees held in our custody.

Thank you for your commitment to upholding our national security and American values.

Sincerely,

General Joseph Hoar, USMC (Ret.); General Charles Krulak, USMC (Ret.); General David M. Maddox, USA (Ret.); Lieutenant General John Castellaw, USMC (Ret.); Lieutenant General Robert G. Gard, Jr., USA (Ret.); Vice Admiral Lee F. Gunn, USN (Ret.); Lieutenant General Claudia J. Kennedy, USA (Ret.); Lieutenant General Charles Otstott, USA (Ret.); Lieutenant General Norman R. Seip, USAF (Ret.); Vice Admiral Joe Sestak, USN (Ret.); Lieutenant General Harry E. Soyster, USA (Ret.); Lieutenant General Keith J. Stalder, USMC (Ret.); Rear Admiral Don Guter, JAGC, USN (Ret.); Rear Admiral John D. Hutson, JAGC, USN (Ret.); Major General J. Michael Myatt, USMC (Ret.); Major General William L. Nash, USA (Ret.).

Major General Eric T. Olson, USA (Ret.); Major General Thomas J. Romig, USA (Ret.); Major General Walter L. Stewart, Jr., USA (Ret.); Major General Antonio M. Taguba, USA (Ret.); Brigadier General John Adams, USA (Ret.); Brigadier General Stephen A. Cheney, USMC (Ret.); Brigadier General James P. Cullen, USA (Ret.); Brigadier General Evelyn P. Foote, USA (Ret.); Brigadier General Gerald E. Galloway, USA (Ret.); Brigadier General Leif H. Hendrickson, USMC (Ret.); Brigadier General David R. Irvine, USA (Ret.); Brigadier General John H. Johns, USA (Ret.); Brigadier General Murray G. Sagsveen, USA (Ret.); Brigadier General Stephen N. Xenakis, USA (Ret.).

[From Peaceful Tomorrows, June 10, 2015]

SEPTEMBER 11TH FAMILIES SUPPORT THE REINFORCEMENT OF BAN ON TORTURE

(Posted by Katharina)

As family members of those killed on September 11th we have strong opinions regarding torture. The use of enhanced interrogation techniques, or torture by another name, was wrongly justified by some as means to prevent another terrorist attack. Torture is never justified. September 11th Families for Peaceful Tomorrows applauds the legislation being offered by Senators McCain and Feinstein to reinforce the ban on torture. Any assertion of torture as effective must be repudiated. Any loophole suggesting torture as a justifiable means to security must be closed. Any ethical principle that finds torture morally permissible must be challenged.

American legislators must clearly and forcefully codify policy that rejects and criminalizes torture in all its forms. Only then will trust in the rule of law be restored, and the people of this nation truly safe.

JUNE 9, 2015.

DEAR SENATOR: As intelligence and interrogation professionals who have offered our collective voice opposing torture and other forms of cruel, inhuman or degrading treatment, we strongly encourage you to support the amendment to the 2016 National Defense Authorization Act that solidifies the ban against torture and cruel treatment of detainees in U.S. custody.

While international and domestic law, including the 2005 Detainee Treatment Act, prohibit such cruelty, sadly high-level officials in the Executive Branch exploited loopholes and still authorized torture and cruel treatment. The interrogation methods that have kept America safe for generations are sophisticated, humane, lawful, and produce reliable, actionable intelligence in any interrogation scenario. To promote a return to that respected level of professionalism, there must be a single well-defined standard of conduct—consistent with our values as a nation—across all U.S. agencies to govern the detention and interrogation of people anywhere in U.S. custody.

The amendment would ensure lawful, effective, and humane interrogations of individuals taken into custody by requiring all agencies and departments to comply with the time-tested requirements of the Army Field Manual (''Human Intelligence Collector Operations''). It would also require a review of the Army Field Manual to ensure that best practices and the most recent evidenced-based research on humane interrogation are incorporated. It would also codify existing Department of Defense (DOD) practice of guaranteeing timely notification and access to the International Committee of the Red Cross (ICRC) for detainees taken into custody—an important bulwark against abuse.

We strongly urge you to support this legislation to help move our country forward and reaffirm that there is no conflict between adhering to one of our nation's essential and founding values—respect for inherent human dignity—and our ability to obtain the intelligence we need to protect the nation.

Sincerely,

Frank Anderson, CIA (Ret.); Donald Canestraro, DEA (Ret.); Glenn Carle, CIA (Ret.); Jack Cloonan, CIA (Ret.); Barry Eisler, Formerly CIA; Eric Fair, Formerly U.S. Army; Mark Fallon, NCIS (Ret.); Charlton Howard, NCIS (Ret.); David Irvine, Brigadier General, U.S. Army (Ret.); Timothy James, NCIS (Ret.); Steve Kleinman, Colonel, USAFR (Ret.); Marcus Lewis, Formerly U.S. Army; Brittain Mallow, Colonel, USA (Ret.); Mike Marks, NCIS (Ret.);

Robert McFadden, NCIS (Ret.); Charles Mink, Formerly U.S. Army; Joe Navarro, FBI (Ret.); Torin Nelson, Formerly U.S. Army; Carissa Pastuch, Formerly U.S. Army; William Quinn, Formerly U.S. Army; Ken Robinson, U.S. Army (Ret.); Rolince, Mike, FBI (Ret.); Ed Soyster, Lieutenant General, U.S. Army (Ret.).

COMMITTEE ON INTERNATIONAL JUSTICE AND PEACE,
Washington, DC, June 10, 2015.

U.S. SENATE,
Washington, DC.

DEAR SENATOR, As deliberations over the FY 2016 National Defense Authorization Act continue, I write to express support for an amendment offered by Senators John McCain and Dianne Feinstein that would prohibit all U.S. government agencies and their agents from using torture as an interrogation technique.

The amendment would:

Require all U.S. government agencies (including the CIA) to limit interrogation techniques to those set out in the Army Field Manual;

Require the Army Field Manual be updated regularly and remain available to the public to reflect best interrogation techniques designed to elicit statements without the use or threat of force; and

Require the International Committee of the Red Cross be given access to all detainees.

These provisions are ones that the Committee on International Justice and Peace of the United States Conference of Catholic Bishops have long supported in trying to ban the practice of torture by the U.S. government.

The Army Field Manual 2–22.3 prescribes uniform standards for interrogating persons detained by the Department of Defense. A guiding principle of the Field Manual echoes the Golden Rule: ''In attempting to determine if a contemplated approach or technique should be considered prohibited, and therefore should not be included in an interrogation plan, consider . . . if the proposed approach technique were used by the enemy against one of your fellow soldiers, would you believe the soldier had been abused?'' (5–76)

The McCain-Feinstein amendment seeks to ensure that Army Field Manual's standard is also the same standard used by other governmental agencies, including the CIA. Adhering to these standards and ensuring access by the International Committee of the Red Cross to visit detainees in international armed conflicts would make a substantial contribution to our nation's efforts to uphold our international obligations under the Geneva Conventions and the Convention Against Torture. The amendment would help restore the moral credibility of the United States.

In Catholic teaching, torture is an intrinsic evil that cannot be justified under any

circumstances as it violates the dignity of the human person, both victim and perpetrator, and degrades any society that tolerates it. We urge all Senators to support the McCain-Feinstein amendment that would help to ensure that laws are enacted so that our government does not engage in torture ever again.

Sincerely yours,

MOST REVEREND OSCAR CANTÚ,
Bishop of Las Cruces, Chair, Committee on International Justice and Peace.

PROTECTING U.S. SECURITY UPHOLDING AMERICAN VALUES

The United States detainee interrogation policy can live up to American values and, at the same time, protect our national security. This policy, supported by overwhelmingly bipartisan legislation in 2005, states: ''No individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.'' Such principles can be attained by following the U.S. Army Field Manual on Human Intelligence Collector Operations. We believe these lawful, humane, and effective techniques will produce actionable intelligence while adhering to our founding principles.

To ensure the integrity of this critical process, Congress should conduct effective, real-time oversight on America's intelligence communities. Failure to live up to these internal safeguards adversely affects the nation's security and damages America's reputation in the world.

Richard Armitage, Deputy Secretary of State, 2001–2005; Howard Berman, U.S. Congressman (D–CA), 1983–2013; David Boren, U.S. Senator (D–OK), 1979–1994, Governor of Oklahoma, 1975–1979; Harold Brown, Secretary of Defense, 1977–1981; David Durenberger, U.S. Senator (R–MN), 1978–1995; Lee Hamilton, U.S. Congressman (D–IN), 1965–1999; Gary Hart, U.S. Senator (D–CO), 1975–1987; Rita Hauser, Chair, International Peace Institute, 1992–Present; Carla Hills, U.S. Trade Representative, 1989–1993; Thomas Kean, Governor of New Jersey, 1982–1990, 9/11 Commission Chairman.

Richard C. Leone, Senior Fellow and former President of the Century Foundation; Carl Levin, U.S. Senator (D–MI), 1979–2015; Richard Lugar, U.S. Senator (R–IN), 1977–2013; Robert C. McFarlane, National Security Advisor, 1983–1985; Donald McHenry, Ambassador to the United Nations, 1979–1981; William Perry, Secretary of Defense, 1994–1997; Charles Robb, U.S. Senator (D–VA); 1989–2001; Governor of Virginia, 1982–1986; Ken Salazar, Secretary of the Interior, 2009–2013, U.S. Senator (D–CO), 2005–2009; George Shultz, Secretary of State, 1982–1989; William H. Taft IV, Deputy Secretary of Defense, 1984–1989.

NATIONAL ASSOCIATION OF EVANGELICALS,
Washington, DC, June 8, 2015.

DEAR SENATOR: As you authorize FY16 appropriations for the Department of Defense, please approve language in an amendment to be offered by Senators McCain and Feinstein that would strengthen the prohibition of torture in U.S. law and apply the Army Field Manual interrogation policies and standards to all personnel and facilities operated or controlled by our government.

The National Association of Evangelicals (NAE) opposes the use of torture as a violation of basic human dignity that is incompatible with our beliefs in the sanctity of human life. The use of torture is also inconsistent with American values, undermines our moral standing in the world and may contribute to an environment in which captured U.S. personnel are subjected to torture.

The NAE's position is set forth in ''An Evangelical Declaration Against Torture,'' available at http://nae.net/an-evangelical-declaration-against-torture/, and reaffirmed in a recent NAE statement (http://nae.net/nae-affirms-u-s-army-prohibition-of-torture/).

While the use of torture is currently prohibited across all government agencies by executive order, this fundamental principle must be enshrined in law, to ensure that no future President may authorize the use of torture.

We are grateful for your leadership and pray that God will guide you as you consider how best to defend our nation.

Sincerely,

LEITH ANDERSON,
President.

NATIONAL COUNCIL OF CHURCHES,
June 11, 2015.

U.S. SENATE,
Washington, DC.

DEAR SENATORS: As you consider amendments to the National Defense Authorization Act, please support the McCain-Feinstein amendment on torture. The amendment would prohibit torture by requiring the CIA and other agencies to follow the guidelines in the Army Field Manual when conducting interrogations, and by ensuring that the International Committee of the Red Cross is given access to all detainees. The amendment also provides a means to update the Field Manual to reflect the best legal, humane, and effective interrogation techniques.

As Christians we believe that all people are created in the image of God, endowed by our Creator with an inalienable dignity and worth. Torture is a deeply degrading violation of that image and to us it is never morally acceptable. As the most powerful country on earth, we should set an example for humane treatment of prisoners; we should never allow our nation's practices to be used to justify torture.

Passing the McCain-Feinstein amendment would strengthen the legal prohibition against torture and thereby prevent the CIA from ever resuming its torture program. Please support McCain-Feinstein and help begin to put the CIA's brutal and degrading use of torture behind us.

Sincerely,

JIM WINKLER,
President and General Secretary.

AMERICAN CIVIL LIBERTIES UNION; HUMAN RIGHTS; NATIONAL RELIGIOUS CAMPAIGN AGAINST TORTURE; THE CONSTITUTION PROJECT; PHYSICANS FOR HUMAN RIGHTS; OPEN SOCIETY POLICY CENTER; THE CENTER FOR VICTIMS OF TORTURE

(For Immediate Release: June 9, 2015)

HUMAN RIGHTS GROUPS APPLAUD LEGISLATION REAFFIRMING U.S. PROHIBITION ON TORTURE

On Tuesday, June 9, 2015, Senators McCain, Feinstein, Reed, and Collins introduced legislation to make the U.S. Army Field Manual on Interrogations the standard for all U.S. government interrogations to make sure that the United States never uses torture again. Seven human rights and civil liberties organizations, including the ACLU, the Center for Victims of Torture, The Constitution Project, Human Rights First, the National Religious Campaign Against Torture, the Open Society Policy Center, and Physicians for Human Rights, announced their strong support for the legislation via the joint statement below.

WASHINGTON, DC.—We applaud Senators McCain, Feinstein, Reed and Collins for offering bipartisan legislation to ensure that the United States never uses torture again. Senator McCain's prior legislation (the Detainee Treatment Act) was approved by the Senate in 2005 with strong bipartisan support and was a positive game-changer by mandating among other things that interrogations conducted by all Department of Defense personnel had to follow the U.S. Army Field Manual on Interrogation (the Interrogation Manual). The McCain-Feinstein amendment extends and improves the Detainee Treatment Act by making the Interrogation Manual the standard for all U.S. government interrogations, and by mandating that the Manual be reviewed and updated regularly to insure that it reflects the very best evidence-based interrogation practices and complies with all U.S. legal obligations. The McCain-Feinstein amendment also requires that the International Committee of the Red Cross have access to every prisoner in U.S. custody no matter where or by whom they are held.

We believe that the CIA's ''enhanced interrogation'' techniques and ''black sites'' were clearly illegal under the law that existed on 9/11, under the 2005 Detainee Treatment Act and also under the relevant provisions of the 2006 Military Commissions Act. But the overwhelming evidence that has emerged of shocking brutality employed by the CIA notwithstanding these laws—including waterboarding, nudity, stress positions, sleep deprivation, forced rectal feeding, beatings and other abuses—demonstrates that additional protections are still essential. Had the McCain-Feinstein amendment been in place following the 9/11 attacks we believe it would have significantly bolstered other prohibitions on torture and made it far more difficult, if not impossible, for the CIA to establish and operate their torture program. Among other things, the Interrogation Manual explicitly prohibits waterboarding, forced nudity and other forms of torture employed by the CIA and it specifies that only interrogation methods that are expressly described in the Interrogation Manual are permitted. In addition, under the McCain-Feinstein legislation no prisoner could have been hidden away at CIA ''black sites'' without access to the Red Cross.

More can and should be done to pursue accountability for past brutal and illegal interrogations and to improve the Interrogation Manual. But the McCain-Feinstein Amendment is a vital and welcome step toward ensuring that the United States never again uses torture.

Mrs. FEINSTEIN. I ask my colleagues to support this amendment, and by doing so, we can recommit ourselves to the fundamental precept that the United States does not torture—without exception and without equivocation—and ensure that the mistakes of our past are never again repeated in the future.

I ask for a ''yes'' vote, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCAIN. Mr. President, I ask my colleagues to, if they wish, disregard my statement with the exception of the statement by GEN David Petraeus. I don't know of a military leader who is more respected in America and throughout the world than GEN David Petraeus. I don't have to remind my colleagues that he was the commander of U.S. forces in Iraq and Afghanistan and Director of the CIA. He arguably has more experience dealing with foreign detainee issues across the U.S. Government than any other American. These are the words of GEN David Petraeus:

I strongly support the extension of the provisions of the U.S. Army Field Manual that currently govern the actions of the U.S. military to all U.S. Government personnel and contractors. Our Nation has paid a high price in recent decades for the information gained by the use of techniques beyond those in the field manual, and in my view, that price far outweighed the value of the information gained through the use of techniques beyond those in the manual.

I urge my colleagues to listen to the words of David Petraeus.

Here is a letter I received this month from former intelligence interrogation professionals, the U.S. military, the CIA, and the FBI. Here is an excerpt from the letter they sent to me this month:

As intelligence and interrogation professionals who have offered our collective voice opposing torture and other forms of cruel, inhuman or degrading treatment, we strongly encourage you to support the amendment. . . . The interrogation methods that have kept America safe for generations are sophisticated, humane, lawful and produce reliable, actionable intelligence in any interrogation scenario. To promote a return to that respected level of professionalism, there must be a single well-defined standard of conduct—consistent with our values as a nation—across all U.S. agencies to govern the detention and interrogation of people anywhere in U.S. custody.

This is supported by some of our most experienced military leaders. They expressed their views in a letter I received this month, 30 of whom are retired, including a former Commandant of the Marine Corps, former commander of Centcom, former commander and chief of U.S. Army Europe—they wrote the following:

This amendment not only solidifies America's stance against torture and other forms of cruel, inhuman or degrading treatment. It also ensures that interrogation methods used by all U.S. personnel are professional and reflect the government's best practices. In that way, we not only ensure that these interrogations are humane and lawful, but also that they produce reliable intelligence on which we depend if we are to fight and win against the current terrorist threat.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from those individuals dated June 9, 2015.

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

JUNE 9, 2015.

DEAR SENATOR: As intelligence and interrogation professionals who have offered our collective voice opposing torture and other forms of cruel, inhuman or degrading treatment, we strongly encourage you to support the amendment to the 2016 National Defense Authorization Act that solidifies the ban against torture and cruel treatment of detainees in U.S. custody.

While international and domestic law, including the 2005 Detainee Treatment Act, prohibit such cruelty, sadly high-level officials in the Executive Branch exploited loopholes and still authorized torture and cruel treatment. The interrogation methods that have kept America safe for generations are sophisticated, humane, lawful, and produce reliable, actionable intelligence in any interrogation scenario. To promote a return to that respected level of professionalism, there must be a single well-defined standard of conduct—consistent with our values as a nation—across all U.S. agencies to govern the detention and interrogation of people anywhere in U.S. custody.

The amendment would ensure lawful, effective, and humane interrogations of individuals taken into custody by requiring all agencies and departments to comply with the time-tested requirements of the Army Field Manual (''Human Intelligence Collector Operations''). It would also require a review of the Army Field Manual to ensure that best practices and the most recent evidenced-based research on humane interrogation are incorporated. It would also codify existing Department of Defense (DOD) practice of guaranteeing timely notification and access to the International Committee of the Red Cross (ICRC) for detainees taken into custody—an important bulwark against abuse.

We strongly urge you to support this legislation to help move our country forward and reaffirm that there is no conflict between adhering to one of our nation's essential and founding values—respect for inherent human dignity—and our ability to obtain the intelligence we need to protect the nation.

Sincerely,

Frank Anderson, CIA (Ret.); Donald Canestraro, DEA (Ret.); Glenn Carle, CIA (Ret.); Jack Cloonan, CIA (Ret.); Barry Eisler, Formerly CIA; Eric Fair, Formerly U.S. Army; Mark Fallon, NCIS (Ret.); Charlton Howard, NCIS (Ret.); David Irvine, Brigadier General, U.S. Army (Ret.); Timothy James, NCIS (Ret.); Steve Kleinman, Colonel, USAFR (Ret.); Marcus Lewis, Formerly U.S. Army; Brittain Mallow, Colonel, USA (Ret.); Mike Marks, NCIS (Ret.); Robert McFadden, NCIS (Ret.); Charles Mink, Formerly U.S. Army; Joe Navarro, FBI (Ret.); Torin Nelson, Formerly U.S. Army; Carissa Pastuch, Formerly U.S. Army; William Quinn, Formerly U.S. Army; Ken Robinson, U.S. Army (Ret.); Rolince, Mike, FBI (Ret.); Ed Soyster, Lieutenant General, U.S. Army (Ret.).

Mr. MCCAIN. In a letter this month, the National Association of Evangelicals wrote the following in support of this amendment:

While the use of torture is currently prohibited across all government agencies by executive order, this fundamental principle must be enshrined in law to ensure that no future President may authorize the use of torture.

Again, that is from the National Association of Evangelicals.

The Committee on International Justice and Peace at the United States Conference of the Catholic Bishops wrote the following in support of the amendment:

In Catholic teaching, torture is an intrinsic evil that cannot be justified under any circumstances as it violates the dignity of the human person, both victim and perpetrator, and degrades any society that tolerates it. We urge all Senators to support the McCain-Feinstein amendment that would help to ensure that laws are enacted so that our government does not engage in torture ever again.

I respect the dedication and services of those charged with protecting this country. For 14 years, America's security professionals in the military, intelligence community, and beyond have lived every day with a dogged determination to protect their fellow Americans. But at the same time, we must continue to insist that the methods we employ in this fight for peace and freedom must always be as right and honorable as the goals and ideals we fight for.

I believe past interrogation policies compromised our values, stained our national honor, and did little practical good. I don't believe we should have employed such practices in the past, and we should never permit them in the future. This amendment provides greater assurances that never again will the United States follow that dark path of sacrificing our values for our short-term security needs.

I also know that such practices don't work. I know from personal experience that the abuse of prisoners does not produce good, reliable intelligence. Victims of torture will offer intentionally misleading information if they think their captors will believe it.

I firmly believe that all people, even captured enemies, possess basic human rights which are protected by international standards often set by America's past leaders. Our enemies act without conscience. We must not. Let's reassert the contrary proposition that it is essential to our success in this war that we ask those who fight it for us to remember at all times that they are defending a sacred ideal of how nations should be governed and should remember this when they conduct their relations with others, even our enemies.

Those of us who give them this duty are obliged by history, by our Nation's highest ideals and the many terrible sacrifices made to protect them, and by our respect for human dignity to make clear that we need not risk our national honor to prevail in this or any war. We need only remember in the worst of times, through the chaos and terror of war, when facing cruelty, suffering, and loss, that we are always Americans and different, stronger, and better than those who would destroy us.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I stand as a very proud cosponsor, along with Senator MCCAIN and Senator FEINSTEIN, on this amendment. I particularly wish to commend both Senator FEINSTEIN and Senator MCCAIN because they have really been the leaders in this Senate and in this country in expressing our fundamental values when

it comes to the techniques we employ for those we detain in combat zones. Both their words and personal example have set an extraordinary standard for us to respond to, and this amendment is typical of what they have done. It would codify the terms of President Obama's Executive order 13491 that applies to the Army Field Manual on interrogations not only for the U.S. military but also for the interrogation of detainees by other U.S. Government agencies.

What I think is so critical to this debate, this amendment, and the service of these two Senators is that the humane treatment standard we set for those who are in our custody also serves to protect our men and women if they fall into the hands of our opponents. We then can say with complete sincerity and complete fidelity that we demand our troops receive humane treatment when in the custody of hostile forces because that is what we do. When we deviate from that standard, we imperil the safety and lives of our men and women in uniform who may fall into hostile hands.

As we adhere to these standards, we are not only setting a very high bar for the treatment of those whom we may hold, but we are innately protecting the safety, health, welfare, and well-being of those who serve in the uniform of the United States, and for that reason in particular, I commend the sponsors of this amendment and urge all of my colleagues to support it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank both Senator MCCAIN and Senator REED for their remarks. I particularly wish to thank Senator MCCAIN, whose life experience, for me, has been a guidepost. I don't know anyone in this body who is more standup—and can sometimes be more stubborn, but this all comes into play as an important thing—and stands for the real, true, major issues this country faces.

I will never forget a conversation I had with him on the plane back from Guantanamo. When he spoke in the Kennedy Caucus Room and used the tap language he learned as a prisoner of war in Vietnam and to see this man, so many years since that time, tap out messages that were meant for prison mates in other cells with such speed and alacrity certainly indicated that this was a very deep impression which was made on his life. I think the fact that he has shared that with others, including me, is very important.

I want Senator MCCAIN to know how much I appreciate his work on this and how grateful we are for his service to this country. He has unique courage and unique stamina, and maybe that is just all-American. Again, I thank the Senator from Arizona very much for his work, and the same for Senator REED, the ranking member on this committee. Senator REED is military-American through and through. Having his support has been terrific.

Again, I thank both of them very much. It was a pleasure to work with both of my colleagues, and I hope this passes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank Senator FEINSTEIN for her very kind words and her friendship and leadership. I hope that in return for all of this, she will send back all the water to Arizona that California has stolen from our State. My beloved former colleague, Senator Barry Goldwater, used to say that in Arizona, we had so little water that the trees chased the dogs, so we would like to get the water back from California, and I hope that can be part of the wonderful friendship we have enjoyed now for many years.

I thank the Senator from California.

I yield the floor.

Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Under the previous order, the question is on agreeing to amendment No. 1889, offered by the Senator from California, Mrs. FEINSTEIN.

Mr. MCCAIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

The result was announced—yeas 78, nays 21, as follows:

[Rollcall Vote No. 209 Leg.]

YEAS—78

Alexander	Franken	Murray
Ayotte	Gardner	Nelson
Baldwin	Gillibrand	Paul
Bennet	Grassley	Perdue
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Portman
Boozman	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Rounds
Burr	Isakson	Sanders
Cantwell	Johnson	Schatz
Capito	Kaine	Schumer
Cardin	King	Shaheen
Carper	Kirk	Shelby
Casey	Klobuchar	Stabenow
Cassidy	Leahy	Sullivan
Collins	Manchin	Tester
Coons	Markey	Thune
Corker	McCain	Tillis
Cruz	McCaskill	Toomey
Daines	Menendez	Udall
Donnelly	Merkley	Warner
Durbin	Mikulski	Warren
Enzi	Moran	Whitehouse
Feinstein	Murkowski	Wicker
Flake	Murphy	Wyden

NAYS—21

Barrasso	Ernst	McConnell
Blunt	Fischer	Risch
Coats	Graham	Roberts
Cochran	Hatch	Sasse
Cornyn	Inhofe	Scott
Cotton	Lankford	Sessions
Crapo	Lee	Vitter

NOT VOTING—1

Rubio

The amendment (No. 1889) was agreed to.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I rise for a special request. I just returned from a military trip overseas with four other Members just a matter of minutes ago to find out that the two amendments that I was trying to get pending—and I would really settle for just one of those two. I was not here when all of these UCs were made and the arrangements were put together between the parties.

So I ask the leader on the other side—or the handler on the other side, Senator JACK REED—if he would consider a waiver of his commitment to allow me to bring up one of these to get in the queue.

I yield to the Senator.

Mr. REED. To the Senator from Oklahoma, we have been trying to move forward on an equal basis in terms of pending amendments. At this juncture, I am not able to agree to make another amendment pending.

There is a possibility that we spoke about, briefly, of including these amendments in the manager's package or, since it is germane, of trying to arrange for consideration after cloture, along with another germane amendment. So at this point I would not be prepared to—

Mr. INHOFE. Regaining the floor, I would only say to my good friend that as the second ranking member on the Armed Services Committee, I have talked about these for a long time. I tried to do them before I left for 4 days on business. Also, Senator MIKULSKI is my cosponsor on amendment No. 1728.

So I have to make a motion to lay the pending amendment aside for the purpose of consideration of amendment No. 1728.

Mr. REED. Have you made the motion?

Mr. INHOFE. I just did.

Mr. REED. I would object.

Mr. INHOFE. Mr. President, I ask unanimous consent to lay the pending business aside for the purpose of considering the Inhofe-Mikulski commissary amendment No. 1728.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Mr. President, at this time, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, I wish to make a comment, because first, this is something beyond anyone's control. No one could have controlled this. We had four Members who were gone. It couldn't be helped. We were on business.

I have 41 amendments, almost equally divided, Democrat and Republican, on an issue that is probably the most significant issue to the spouses of our kids who are over there, overseas. What it does is that it lets us do an assessment before we close any of the commissaries—not close them but privatize them, instead of privatizing them and then seeing how it works. I think we have a vast majority of people who do support that.

It is something that is offered on a bipartisan basis, and it is something that a lot of people—over 100 organizations are sponsoring this amendment—spoke very strongly in support of and consider this amendment to be the most significant amendment in the everyday lives of our troops. Anyone who travels overseas and travels to these various areas knows that when they go through a commissary, they see—particularly in areas where there are no other opportunities out there—that there is almost no competition. It is something like a club. It is something that the wives, the husbands, the families, and the kids do. They go to the commissary. Taking that away would be taking away a tradition.

Again, the bill doesn't state that it goes away, but it does temporarily privatize five major commissaries. Now, when that happens, you have started the ball rolling. And the bill also states—and we discussed this in committee—that this gives us time to look and evaluate to see whether we want to privatize them.

So everyone who is on here as a cosponsor has made the statement: Why don't we find out first.

So that is all we want to do—instead of closing or transferring five and then finding out whether we did the right thing, go ahead and have the study and then go ahead and proceed however we think is in the best interest.

So it is a very serious amendment.

I ask unanimous consent to set aside the pending business.

The PRESIDING OFFICER. Is there objection?

Mr. REED. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New York.

AMENDMENT NO. 1578

Mrs. GILLIBRAND. Mr. President, I rise to urge my colleagues to support my amendment No. 1578, the Military Justice Improvement Act, to ensure that survivors of military sexual assault have access to an unbiased, trained, military judicial system.

Last year, despite the support of 55 Senators, a coalition spanning the entire ideological spectrum, including both the majority and minority leader, our bill to create an independent military justice system free of inherent biases and conflicts of interest within the chain of command was filibustered by this body.

But as we said then: We will not walk away. The brave men and women in uniform who are defending this Nation deserve a vote. That is our duty. It is our oversight role. It is Congress's responsibility to act as if the brave survivors of sexual assault are our sons, our daughters, our husbands, our wives, who are being betrayed by the greatest military on Earth. We owe them that at the very least.

Over the last few years, Congress has forced the military to make many incremental changes to address this crisis. And after two decades of complete failure and lip service to zero tolerance, the military now says, essentially: Trust us this time; we have it.

They misrepresent data to claim that their mission is accomplished, but when you dig below the service of their top lines, you will find that the assault rate is exactly where it was in 2010—an average of 52 cases every single day—and 3 out of 4 servicemember survivors still don't think it is worth the risk of coming forward to report crimes committed against them.

Seventy-five percent don't trust the current system. One in seven victims was assaulted by someone in their chain of command. And in 60 percent of the cases, a supervisor or unit leader is responsible for either sexual harassment or sexual discrimination. This is not the climate our military deserves. It is no surprise, then, that one in three survivors believes that reporting would hurt their career.

For those who do report, they are more likely than not to experience retaliation. Despite a much touted reform that made retaliation a crime, the DOD made zero progress on improving the 62-percent retaliation rate that we had in 2012.

According to a Human Rights Watch report, the DOD cannot provide a single example of serious disciplinary action taken against those who retaliated against a victim of sexual assault. A sexual assault survivor is 12 times more likely to suffer retaliation than to see their offender get convicted of a sex offense.

In my close review of 107 cases—from the largest domestic military bases and one from each service—in 2013, I found that nearly half of those who did move forward and report ended up dropping out of their cases. Survivors still have little faith in this system. Under any metric the system remains plagued with distrust and does not provide the fair and just process that our men and women in the military deserve.

Simply put, the military has not held up to the standard posed by General Dempsey 1 year ago when he said:

> We are on the clock, if you will . . . the President said to us in December, you've got about a year to review this thing . . . and if we haven't been able to demonstrate we are making a difference, you know, then we deserve to be held to the scrutiny and standard.

I urge my colleagues to hold the military to that higher standard. Enough is enough with the spin, with the excuses, and the false promises.

Just yesterday I received a letter from a survivor of military sexual assault who is serving Active Duty. She says:

> The reason I am writing on her behalf is because I fear she will be retaliated against for speaking out.
>
> While the military is on the Hill lobbying Senators not to support the Military Justice Improvement Act (MJIA), I am asking you to take a stand with survivors and their families.
>
> These military lobbyists have good intentions; however, I am doubtful any of them will represent my perspective.
>
> I have experienced the anguish of a child who has been raped by another servicemember, a fellow brother-in-arms whom she should have been able to trust.
>
> Please support the Military Justice Improvement Act, a commonsense law that significantly improves the military justice system. Our military sons and daughters who survive these heinous crimes carry high rates of post-traumatic stress disorder and suicide. I believe that if the MJIA is passed, it could save lives and will positively affect the lives of survivors, both victims and their families.
>
> No one should have to worry about retaliation from their chain of command when they report these crimes. Retaliation happens so often that a majority of these assaults go unreported. Every military victim of sexual assault deserves due process, professional treatment by a trained military individual, and equal opportunity to seek and receive justice.
>
> Our military has promised improvement and has had adequate time in which to improve, but the numbers show that the military has failed to live up to its promise.
>
> The Department of Defense has admitted that it made no progress since 2012. It is time for the chain of command to be removed from decision-making in sexual assault cases and replaced by those trained, non-biased military personnel, educated in the law and experienced in handling sexual assault cases.
>
> Further, MJIA specifically carves out sexual assault and other serious crimes, with the remainder of military crimes being left in the chain of command.
>
> Please hold the military to a higher standard by voting yes to an unbiased military system, promoted in MJIA.

We have to listen to our victims, our survivors, the men and women who give their lives to this country, who will sacrifice anything for this country. America's military, if they do these reforms, will have fewer dangerous criminals and far more heroes. The brave men and women we send to war to keep us safe deserve nothing less than a justice system equal to their sacrifice. By listening to the victims, we can deliver that.

I urge everyone here to listen to our brave survivors, support our bill, and do the right thing.

I would now like to yield the floor to one of the authors of the Military Justice Improvement Act, the Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank Senator GILLIBRAND for her leadership in this area over a long period of time, and I add my voice to the support of her amendment. She has been a great leader on the issue. As you can see, she has a lot of passion in her dogged pursuit of justice.

Last year, when I spoke in favor of this measure, I made the point this was not a new issue that required further study or incremental reforms. We had been hearing promises for years and years that there would be zero tolerance and a real crackdown on military sexual assault. Last year, the National Defense Authorization Act included a lot of commonsense reforms, but it did not include any fundamental reform of the military justice system. We were told to give these new adjustments to the current system a chance to work and come back next year.

At the time, I made the point that we had already tried working within the current system to no avail. I am not one to advocate for major sweeping reform if less will address the problem, but what we have been doing has not worked.

Last year, after Congress passed the package of more modest reforms but not our Military Justice Improvement Act amendment, the Chairman of the Joint Chiefs of Staff, General Dempsey, said: ''We have been given about a year to demonstrate both that we will treat this with the urgency it deserves and that we can turn the trend lines in a more positive direction.'' He made clear that if we didn't see real progress, he wouldn't stand in the way of more major reforms. Well, we have not seen significant movement.

In terms of the number of sexual assault cases and the shocking rate of retaliation against those who report, we simply don't see progress. That is probably because the current system is part of the problem. The fact that victims of sexual assault cannot turn to an independent system to get justice, combined with the very real fear of retaliation, acts as a terrible deterrent to reporting sexual assault. If sexual assault cases are not reported, they then cannot be prosecuted. If sexual assault isn't prosecuted, it leads to predators remaining in the military and a perception that this sort of activity is going to be tolerated.

By allowing this situation to continue, we are putting at risk the men and women who have volunteered to place their lives on the line. We are also seriously damaging military morale and readiness.

Taking prosecutions out of the hands of commanders and giving them to professional prosecutors who are independent of the chain of command will help ensure impartial justice for the men and women of our Armed Forces. This would in no way take away the ability of commanders to punish troops under their command for military infractions. Commanders also can and should be held accountable for the climate under their command, but the point here is the sexual assault is a law enforcement matter, not a military one.

This isn't some reform that came out of the blue either. We have an advisory committee appointed by the Secretary of Defense himself which came out in support of reforms. On September 27, 2013, the Defense Advisory Committee on Women in the Services—which goes by the acronym DACOWITS—voted overwhelmingly in support of each of the components of the Military Justice Improvement Act amendment.

DACOWITS was created way back in 1951 by then-Secretary of Defense George C. Marshall. The committee is composed of civilian and retired military men and women who are appointed by the Secretary of Defense to provide advice and recommendations on matters and policies relating to the recruitment and retention, treatment, employment, integration, and well-being of highly qualified professional women in the Armed Forces. Historically, this committee's recommendations have been very instrumental in effecting changes to laws and policies pertaining to military women.

The bottom line is, this isn't some advocacy group or fly-by-night panel. It is a longstanding advisory committee handpicked by the Secretary of Defense and it supports the substance of our amendment to a tee.

We have tried reforming the current system and it didn't work. When we are talking about something as serious and life-altering as sexual assault, we cannot afford to wait any longer. So I urge my colleagues to join us in supporting this amendment.

As we approach this from the outside, it gives me an opportunity to reiterate what I see so wrong in so many bureaucracies. We are always promised change, but as I have looked back over a couple or three decades of this problem of the culture of the various bureaucracies, nothing really happens from within. It has to happen from without. In this particular case of national defense being the No. 1 responsibility of the Federal Government, this change has to happen from without because it hasn't happened from within, regardless of the promises.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, last year we gathered here to debate this issue, and I think it is really important to point out that everyone in this body has the same heart when it comes to this issue; that is, that we want to make sure victims who are assaulted in our military are protected and supported, that the system is highly trained and professional, and that perpetrators have due process but also are put in prison if the system finds them guilty. This difference is an honest policy difference over which system would better accomplish those goals.

Now, we have agreed on so much, I think it is important to point out the work the Congress has done reforming sexual assault in the military. Last year, we had over 26 different provisions that were enacted into law. This year, we haven't stopped. We have 13 more provisions in this piece of legislation. There is simply a disagreement over which system would protect victims better.

There have been historic reforms, such as commanders having been stripped from their ability to overturn convictions. They are being held accountable under rigorous new standards and oversight. Every victim who reports now gets their own independent lawyer to protect their rights and fight for their interests. It is now a crime for any member to retaliate against a victim who reports a sexual assault. The ''good soldier'' defense has been removed, along with dozens and dozens more.

Yes, there were panels that looked at this issue, as the one just referenced by my colleague from Iowa—DACOWITS. They heard no testimony from expert witnesses. They heard a brief presentation by myself and Senator GILLIBRAND, but they didn't spend days on it; whereas, the system's response panel, put in place by this Congress, spent weeks and weeks examining this and heard from dozens and dozens of witnesses from every side of the issue. By the way, this panel was made up of a majority of civilians—the majority of them women—and it voted overwhelmingly to reject an approach that removes commanders from their responsibility and their duties and, therefore, their accountability.

One of the members of this Commission, the woman who runs the victims center at the Department of Justice for the entire country, said: ''I went into this thinking Senator GILLIBRAND's legislation made sense . . . but when you hear the facts, it doesn't hold up.''

She was joined by the liberal icon—a feminist icon—Elizabeth Holtzman, who was the author of the rape shield statute in the Congress when she served as a Representative. She, too, spoke out, saying that once she understood the system and understood the facts, she agreed that keeping commanders accountable was crucial.

Now, have we seen progress? It is one thing to have anecdotal information, it is another to have a statistically valid survey. The same survey that shows retaliation is still a stubborn problem that we can't give up on also shows some very important data. So if you are going to argue retaliation is a continuing problem, you are relying on the very same survey that tells us the following: incidents are down—that is meaningful progress—dropping 29 percent just in the last 2 years. Reporting continues to go up, which was our stated goal as we began these reforms. Reports are up 70 percent from 2012. Back in 2012, only 1 in 10 victims were reporting. We have that down to one in four. That is not spin, that is fact. These victims are coming forward because they have renewed confidence they will have support, they will get good information, and that the system is not stacked against them.

Increased reporting occurred in all categories. The number of unrestricted reports are up, restricted reports are up, and, importantly, the number of reports that victims converted from restricted to unrestricted.

Furthermore, they went around the country and did focus groups with victims. This was RAND. This wasn't the military, this wasn't the Department of Justice, this was the RAND Corporation—well known for its ability to do statistical information—that went around the country and did focus groups—11 different focus groups—on different bases with just victims and asked victims to come forward and participate in the survey.

In that survey—and this is really important—82 percent agreed their unit

commander supported them, 73 percent were satisfied with their unit commander's response, and 73 percent said they would recommend others report if they were a victim of sexual assault.

And this is really important: The Gillibrand amendment does nothing to combat retaliation. The recent RAND survey found that the majority of reported retaliation does not come from commanders; it comes from peers. This is a cultural problem we have to get after, and certainly I would stand ready to work with Senator GILLIBRAND, Senator GRASSLEY, and all of my colleagues to look to see what we have to do to get at this peer-to-peer retaliation, which is the vast majority of what was reported.

Finally, the Gillibrand amendment actually weakens punishment for the crime of retaliation. By moving retaliation from article 92 to article 93 of the UCMJ, it would actually reduce the maximum punishment for this crime, and it, finally, prohibits the resources necessary to get at this problem. The amendment says we cannot add any additional resources to get after this.

Historic reforms have been made. They are working, based on data. Talking to dozens and dozens of prosecutors and untold victims, as a former sex crimes prosecutor who cares about nothing more than taking care of victims and making sure they have due process and are respected and deferred to, I must urge this body to reject the Gillibrand approach, which removes commanders from being held accountable where they must be held accountable.

Mr. President, I urge a ''no'' vote on the Gillibrand amendment.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I wish to respond to the last point and the first point that my colleague made that somehow this reform makes commanders less responsible.

The PRESIDING OFFICER. The Senator is advised that all time for debate has expired.

Mrs. GILLIBRAND. I ask unanimous consent to continue the debate for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, this statement that somehow commanders are removed from responsibility and that we are not keeping commanders responsible, that couldn't be further from the truth. Today, commanders are the only ones responsible for good order and discipline at every level. The unit commander is responsible for order and discipline. Every aspect of the chain of command is responsible. It is their jobs to train troops, to maintain good order and discipline, to prevent rapes and crimes from being committed under their command, and to punish retaliation. They have failed in that duty.

In this chain of command, 97 percent of commanders are responsible and do not have the convening authority we would like to give to prosecutors—97 percent, their job doesn't change one iota.

So to say you are making commanders less responsible is a false statement that has no bearing. In fact, they are 100 percent responsible for good order and discipline, for training their troops, to prevent these rapes, and to prosecute retaliation. In 1 year—they have been on notice for years about this, 25 years, and we have this zero tolerance. They are super on notice now—in 1 year, not one prosecution of retaliation.

This guy can prosecute retaliation under article 15. This guy can do something about retaliation. This guy, this guy, this guy. Only 3 percent have the right to convening authority, and that 3 percent needs to be moved to someone who is actually a lawyer, who is trained, who knows how to weigh evidence and can make the right decision, and that is not what is happening today.

So right now this supervisor and unit leader—in 60 percent of the cases where there is alleged gender discrimination or sexual harassment, it is the unit leader. One in seven of the alleged rapists is one of these commanders—chain of command.

There is a perspective by a survivor that this chain of command ''does not have my back.'' So I would like to give it to another chain of command—senior military prosecutors—to make this decision, so her perspective can be: Someone has my back. This chain of command may well be tainted for her if her unit commander is harassing her and her rapist is in the chain of command. We need to professionalize the system.

We are trying to make the military the best prosecutorial system in the world, and they can do this mission. We need to give them the tools, and having this current status quo—the status quo that has been in charge of no retaliation and no rape for 25 years—is failing. To have the same rate of retaliation we had 2 years ago when the commanders said: You must trust us to do this—every one of these commanders does not have convening authority, but every one of these commanders could have stopped retaliation.

When you say it is just peer-to-peer, it is dishonest. Thirty percent of the cases of retaliation are administrative, 30 percent of the cases are professional. Only a commander can administer administrative or professional retaliation.

This culture must change, and if Congress doesn't take their responsibility to hold the Department of Defense accountable, no one will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the fiscal year 2015 NDAA passed last year included 34 new provisions dealing with sexual assault. Commanders have barely had time to implement these provisions, let alone assess their effectiveness.

The fiscal year 2014 NDAA included more than 50 individual provisions, the most comprehensive set of changes to the Uniform Code of Military Justice since 1968.

Cumulative, the last three NDAAs included 71 sections of law containing more than 100 unique requirements, including 16 congressional reporting requirements. This year's bill builds on that progress with 12 military justice provisions, including every proposal that was offered by Senator GILLIBRAND during the committee's markup of this legislation.

It is true that sexual assaults have been reduced. That is a fact. That is a fact. So to somehow allege that nothing has been done—her proposal is rejected by literally every member of the military whom I know who has years of experience.

We cannot remove the commanding officer from the chain of command, and that is what Senator GILLIBRAND's amendment and effort has been—to remove the commanding officer from responsibility—and I will steadfastly oppose it.

I hope that at some point the Senator from New York would acknowledge that we took in this bill every provision that she offered during the markup of the legislation.

So with respect and appreciation for Senator GILLIBRAND's passion and for her dedication on this issue, I respectfully disagree and urge my colleagues to reject this amendment.

Mr. President, I yield the floor.

UNANIMOUS CONSENT AGREEMENT—ORDER OF PROCEDURE

Mr. MCCAIN. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture vote on the substitute amendment No. 1463 be waived; further, that there be 2 minutes of debate, equally divided, prior to each vote in the 2:15 p.m. series.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—Continued

AMENDMENT NO. 1549

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 1549, offered

by the Senator from Arizona, Mr. MCCAIN, for the Senator from Iowa, Mrs. ERNST.

The Senator from Iowa.

Mrs. ERNST. Will the Chair notify me after 30 seconds?

The PRESIDING OFFICER. The Senator will be so notified.

Mrs. ERNST. I thank the Presiding Officer.

Colleagues, just a few brief points on this amendment.

We are just providing the administration the option to get arms directly to the Kurds. The Kurds currently are providing refuge to over 1.6 million refugees from Iraq and Syria. Many of them are ethnic and religious minorities, such as Christians.

The Peshmerga have shown the ability to be effective on the battlefield against ISIS. This Ernst-Boxer amendment is a companion bill to the one presented by Representatives ROYCE and ENGEL in the House.

I urge my colleague to support this amendment.

The PRESIDING OFFICER. The Senator has used 30 seconds.

Mrs. ERNST. I yield to Senator BOXER.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. I thank the Presiding Officer.

Mr. President, I am very proud to team up with the good Senator because this is a very modest amendment that just puts us in line with our colleagues: the United Kingdom, Germany, Turkey, Canada, France, Australia, and others who already are directly arming the Kurds.

Now, the President's policy that I absolutely support is we are going to take this fight to ISIS, but we are not going to have combat boots on the ground; we are going to help strategically with airstrikes.

These are the people who are taking it day after day—deaths and blood and wounds. The least we can do is support this amendment.

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

The Senator from Rhode Island.

Mr. REED. Mr. President, I oppose the Ernst amendment. It would undermine what has been the fundamental policy of the United States going back into the last administration: a unified, sovereign Iraq. This amendment would send a signal to the Iraqis that we are supporting the Kurds directly, not supporting a unified, sovereign Iraq. That would complicate our efforts against ISIL. It would complicate our efforts in the region.

Also, it is the situation now where the effort is shifting into Anbar Province in the Sunni areas. We are supporting the Kurds. In fact, Prime Minister Barzani was here a few weeks ago and indicated that he was at least accepting of the arrangements, which I think were appropriate.

If this amendment passes, the perception will be that the United States is now not trying to unify or help the Iraqis unify but put a degree of separation between an autonomy, and that would be a mistake.

The PRESIDING OFFICER. The question occurs on agreeing to the amendment.

Mrs. ERNST. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

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

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 210 Leg.]

YEAS—54

Ayotte	Fischer	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Peters
Booker	Grassley	Portman
Boozman	Hatch	Risch
Boxer	Heinrich	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Sasse
Cassidy	Inhofe	Schatz
Coats	Isakson	Scott
Collins	Johnson	Shelby
Cornyn	Kirk	Stabenow
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Vitter
Ernst	Moran	Wyden

NAYS—45

Alexander	Flake	Murray
Baldwin	Franken	Nelson
Bennet	Gillibrand	Perdue
Blumenthal	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Sanders
Cardin	King	Schumer
Carper	Klobuchar	Sessions
Casey	Leahy	Shaheen
Cochran	Markey	Tester
Coons	McCaskill	Udall
Corker	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wicker

NOT VOTING—1

Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1578

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 1578, offered by the Senator from Rhode Island, Mr. REED, for the Senator from New York, Mrs. GILLIBRAND.

The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to urge my colleagues to vote yes on this strongly bipartisan amendment. The central question is simple—whether this Congress is doing everything we can to protect members of our military. The metric of success is not how many reforms we have passed; it is whether we have passed all of the reforms that are necessary to make the difference. If you think the assault rate that is exactly where it was in 2010 is unacceptable, then vote yes. Some 20,000 sexual assaults, rapes, and unwanted sexual contact in 1 year alone is unacceptable. If you think an average of 52 cases every single day is unacceptable, then vote yes. If you think it is unacceptable that three out of four servicemembers still don't feel it is worth the risk of reporting, then vote yes. If you think that zero progress on retaliation isn't good enough, then vote yes. If you think a sexual assault survivor being 12 times more likely to suffer retaliation than see their offender get convicted for a sex offense, then vote yes.

Let's do the right thing. Let's take action and stop the assaults, stop the retaliation, and build trust and professionalize our military justice system.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I strongly oppose this effort. If you care about our military commanders, listen to them. Every one of them opposes this. If my colleagues believe that the military legal community knows what they are talking about, listen to them. Every JAG of every service opposes this. A 29-percent decrease in sexual assault incidents, a 70-percent increase in reporting. Senator MCCASKILL, Senator AYOTTE, Senator FISCHER, and many others, along with Senator REED—we have reformed the military justice system in an appropriate manner. But here is what we should never allow to happen:

Commander, last night there was an alleged rape in the barracks.

Oh, I don't care about that anymore; send that over to the lawyers.

Let's never let that happen. Never let a commander avoid responsibility for what happens in their unit. It is their job to make sure we have good order and discipline. Don't let them off the hook. Reinforce good commanders and fire bad ones. Do not disenfranchise the best military leadership in the history of the world. And that is exactly what this does. We will solve the sexual assault problem. We are not going to dismantle the infrastructure that has given us the finest military in the history of mankind. That is why everybody who knows what they are talking about opposes this.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—50

Baldwin	Franken	Murkowski
Bennet	Gardner	Murphy
Blumenthal	Gillibrand	Murray
Booker	Grassley	Paul
Boxer	Heinrich	Peters
Brown	Heitkamp	Reid
Cantwell	Heller	Sanders
Cardin	Hirono	Schatz
Casey	Kirk	Schumer
Collins	Klobuchar	Shaheen
Coons	Leahy	Stabenow
Cruz	Markey	Thune
Daines	McConnell	Udall
Donnelly	Menendez	Vitter
Durbin	Merkley	Warren
Enzi	Mikulski	Wyden
Feinstein	Moran	

NAYS—49

Alexander	Flake	Reed
Ayotte	Graham	Risch
Barrasso	Hatch	Roberts
Blunt	Hoeven	Rounds
Boozman	Inhofe	Sasse
Burr	Isakson	Scott
Capito	Johnson	Sessions
Carper	Kaine	Shelby
Cassidy	King	Sullivan
Coats	Lankford	Tester
Cochran	Lee	Tillis
Corker	Manchin	Toomey
Cornyn	McCain	Warner
Cotton	McCaskill	Whitehouse
Crapo	Nelson	Wicker
Ernst	Perdue	
Fischer	Portman	

NOT VOTING—1

Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

CLOTURE MOTION

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on amendment No. 1463, offered by the Senator from Arizona, Mr. MCCAIN.

Mr. LEAHY. Mr. President, today, the Senate will vote on whether we will accept the budget gimmicks used by the Senate majority to pay for defense spending priorities, or reject those efforts in favor of a meaningful budget deal that protects both defense and discretionary spending. After more than 2 weeks of consideration, and votes on fewer than a dozen of the over 550 amendments that have been filed, I am disappointed by the majority leader's decision to vote to cut off debate on the pending Defense authorization bill. This bill deserves thorough consideration. It has not received that.

Even worse, little progress has been made in approving amendments through managers' packages. Less than two dozen amendments have been approved by unanimous consent. Even in years when this bill has been most troubled, we have been able to clear noncontroversial amendments on both sides in significantly greater numbers, to improve the underlying authorization. But this year, that has not happened. So when asked if we should cut off debate, my answer is a clear ''no.'' Debate over what should or should not be in this bill is not yet close to over.

It is too bad, because this bill includes many provisions that I support to promote our national interests, provide support to our military personnel, and reaffirm our commitment to partners abroad. As the bill's managers have both noted time and again, this Defense authorization bill increases readiness, keeps faith with servicemembers and their families, and invests in game-changing technology.

As in past years, however, I am concerned that this year's Defense authorization bill includes several ill-advised provisions that would make it even harder to close the detention facility at Guantanamo Bay. It imposes unnecessary new restrictions on transferring detainees to foreign countries—despite the steep cost of holding detainees at Guantanamo. And even though military commission proceedings still have barely gotten off the ground—14 years after September 11—it provides no realistic path for transferring detainees to the United States for trial in Article III courts. As long as the detention facility at Guantanamo remains open, it will continue to serve as a recruitment tool for terrorists and tarnish America's role as a champion of human rights. Closing Guantanamo is the morally and fiscally responsible thing to do, and I strongly oppose the provisions in this bill that needlessly restrict detainee transfers out of that facility.

But perhaps the biggest flaw of this bill is that it yet again relies on and expands the Overseas Contingency Operations fund to avoid sequestration caps. The intention of this fund, which I have repeatedly stated should be done away with, has been severely distorted since its inception. We cannot continue to put our national defense on a credit card while asking working families to take responsibility for these costs. I support eliminating sequestration and believe it never should have been put in place, but simply ignoring its cap for defense spending by putting it in this off-books account doesn't get us any closer to that reality. We need a real solution to rid ourselves of sequestration, not one that relies on gimmicks while leaving military families, and low- and middle-class families, as well as our veterans, behind.

The Senate needs to fully consider this bill. The annual Defense authorization is an important bill. It is also a comprehensive bill that authorizes over $½ trillion in defense spending, including pay and benefits, acquisition programs, and initiatives to protect our national security. It should be fully vetted before debate is ended. We owe it to the American people. I will oppose cloture on this substitute amendment.

Mr. MCCAIN. Mr. President, I yield back the time.

Mr. REED. Mr. President, I yield back the time.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McCain amendment No. 1463 to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

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

The question is, Is it the sense of the Senate that debate on amendment No. 1463, offered by the Senator from Arizona, Mr. MCCAIN, to H.R. 1735, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Maryland (Ms. MIKULSKI) is necessarily absent.

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

The yeas and nays resulted—yeas 83, nays 15, as follows:

[Rollcall Vote No. 212 Leg.]

YEAS—83

Alexander	Feinstein	Murray
Ayotte	Fischer	Nelson
Barrasso	Flake	Perdue
Bennet	Gardner	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Boxer	Heitkamp	Rounds
Burr	Heller	Sasse
Cantwell	Hirono	Schatz
Capito	Hoeven	Schumer
Cardin	Inhofe	Scott
Carper	Isakson	Sessions
Cassidy	Johnson	Shaheen
Coats	Kaine	Shelby
Cochran	King	Stabenow
Collins	Kirk	Sullivan
Coons	Klobuchar	Tester
Corker	Lankford	Thune
Cornyn	Lee	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Daines	McConnell	Vitter
Donnelly	Menendez	Warner
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	

NAYS—15

Baldwin	Gillibrand	Paul
Brown	Leahy	Reid
Casey	Manchin	Sanders
Cruz	Markey	Warren
Franken	Merkley	Wyden

NOT VOTING—2

Mikulski Rubio

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 15.

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

The Senator from Arizona.

AMENDMENT NO. 1456

Mr. MCCAIN. Mr. President, I call for the regular order with respect to the McCain amendment No. 1456.

The PRESIDING OFFICER. The amendment is now pending.

Mr. MCCAIN. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1911 TO AMENDMENT NO. 1456

Mr. MCCAIN. Mr. President, I call up the Hatch amendment No. 1911, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. HATCH, proposes an amendment numbered 1911 to amendment No. 1456.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require a report on the Department of Defense definition of and policy regarding software sustainment)

At the appropriate place, insert the following:

SEC. _____. REPORT ON DEPARTMENT OF DEFENSE DEFINITION OF AND POLICY REGARDING SOFTWARE SUSTAINMENT.

(a) REPORT ON ASSESSMENT OF DEFINITION AND POLICY.—Not later than March 15, 2016, the Secretary of Defense shall submit to the congressional defense committees and the President pro tempore of the Senate a report setting forth an assessment, obtained by the Secretary for purposes of the report, on the definition used by the Department of Defense for and the policy of the Department regarding software maintenance, particularly with respect to the totality of the term ''software sustainment'' in the definition of ''depot-level maintenance and repair'' under section 2460 of title 10, United States Code.

(b) INDEPENDENT ASSESSMENT.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in matters described in subsection (a), selected by the Secretary for purposes of the assessment.

(c) ELEMENTS.—

(1) IN GENERAL.—The assessment obtained for purposes of subsection (a) shall address, with respect to software and weapon systems of the Department of Defense (including space systems), each of the following:

(A) Fiscal ramifications of current programs with regard to the size, scope, and cost of software to the program's overall budget, including embedded and support software, percentage of weapon systems' functionality controlled by software, and reliance on proprietary data, processes, and components.

(B) Legal status of the Department in regards to adhering to section 2464(a)(1) of such title with respect to ensuring a ready and controlled source of maintenance and sustainment on software for its weapon systems.

(C) Operational risks and reduction to materiel readiness of current Department weapon systems related to software costs, delays, re-work, integration and functional testing, defects, and documentation errors.

(D) Other matters as identified by the Secretary.

(2) ADDITIONAL MATTERS.—For each of subparagraphs (A) through (C) of paragraph (1), the assessment obtained for purposes of subsection (a) shall include review and analysis regarding sole-source contracts, range of competition, rights in technical data, public and private capabilities, integration lab initial costs and sustaining operations, and total obligation authority costs of software, disaggregated by armed service, for the Department.

(d) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary of Defense shall provide the independent entity described in subsection (b)with timely access to appropriate information, data, resources, and analysis so that the entity may conduct a thorough and independent assessment as required under such subsection.

AMENDMENT NO. 1473, AS FURTHER MODIFIED

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Vitter amendment No. 1473 be further modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as further modified, is as follows:

(Purpose: To limit the retirement of Army combat units, and to provide an offset)

On page 38, line 12, insert after ''**FIGHTER AIRCRAFT**'' the following: ''**AND ARMY COMBAT UNITS**''.

On page 43, between lines 3 and 4, insert the following:

(e) MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.—Section 3062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain the following:

''(A) A total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

''(B) A total number of brigade combat teams for the Army National Guard of not fewer than 28 brigade combat teams.

''(2) In this subsection, the term 'brigade combat team' means any unit that consists of—

''(A) an arms branch maneuver brigade;

''(B) its assigned support units; and

''(C) its assigned fire teams''.

(f) REDUCTION OF ARMY BRIGADE COMBAT TEAMS.—

(1) PRESERVATION OF TEAMS.—The Secretary of the Army shall give priority to maintaining 32 brigade combat teams for the Army as required by subsection (e)(1) of section 3062 of title 10 United States Code (as amended by subsection (e) of this section), and shall carry out such priority as funding or appropriations become available to maintain such war fighting capability.

(2) REDUCTION.—Notwithstanding subsection (e)(1) of section 3062 of title 10 United States Code (as so amended), or paragraph (1) of this subsection, the Secretary may, after October 1, 2015, reduce the number of brigade combat teams of the Army to fewer than 32 brigade combat teams, or reduce the number of brigade combat teams of the National Guard to fewer than 28 brigade combat teams, upon the latest of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required by paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that the reduction of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy.

(C) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—

(i) in the case of a reduction in the number of brigade combat teams of the Army to fewer than 32 brigade combat teams, funding or appropriations are not adequate to sustain 32 brigade combat teams for the regular Army; or

(ii) in the case of a reduction in the number of brigade combat teams of the Army National Guard to fewer than 28 brigade combat teams, funding or appropriations are not adequate to sustain 28 brigade combat teams for the National Guard.

(3) REPORT.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as so amended), and an operational analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the Army National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(g) ADDITIONAL REPORTS.—

(1) IN GENERAL.—At least 90 days before the date on which the total strength of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard or Chief of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated down to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(ii), a description of changes, if any, to the designed operational capability (DOC) statement of the

unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

(h) REPORT MANNING OF BRIGADE COMBAT TEAMS AT ACHIEVEMENT OF ARMY ACTIVE END-STRENGTH.—Upon the achievement of the end strength for active duty personnel of the Army specified in section 401(1), the Secretary of the Army shall submit to the congressional defense committees a report on the current manning of each brigade combat team of the Army.

(i) CONSTRUCTION.—Nothing in this section should be construed to supersede Army manning of brigade combat teams at designated levels.

(j) ANNUAL PAY INCREASES.—

(1) SENSE OF CONGRESS ON PAY INCREASES.—It is the sense of Congress that, if the President exercises the authority under section 1009(e) of title 37, United States Code, with respect to the rates of basic pay for members of the uniformed services—

(A) the adjustment in the rates of basic pay for each statutory pay system under section 5303 of title 5, United States Code, should be 0.5 percentage points less than the percentage adjustment in the rates of basic pay for members of the uniformed services; and

(B) the President should not adjust, under the authority under section 5303(b) of title 5, United States Code, the rates of basic pay for a statutory pay system by a percentage that is greater than the percentage described in subparagraph (A).

(2) ADJUSTMENT TO RATES OF PAY FOR FISCAL YEAR 2016.—

(A) STATUTORY PAY SYSTEMS.—The adjustment in rates of basic pay for employees under the statutory pay systems (as defined in section 5302 of title 5, United States Code) that takes effect in 2016 under section 5303 of title 5, United States Code, shall be a decrease of 1.0 percent, and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2016.

(B) PREVAILING RATE EMPLOYEES.—The adjustment in rates of basic pay for the statutory pay systems that take place in 2016 under sections 5344 and 5348 of title 5, United States Code, shall be equal to the percentage decrease received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under subparagraph (A) of this paragraph and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is decreased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of US'' pursuant to section 5304 of title 5, United States Code, for purposes of this subparagraph.

(3) ADJUSTMENT TO RATES OF PAY FOR FISCAL YEAR 2017.—

(A) STATUTORY PAY SYSTEMS.—The adjustment in rates of basic pay for employees under the statutory pay systems (as defined in section 5302 of title 5, United States Code) that takes effect in 2017 under section 5303 of title 5, United States Code, shall be a decrease of 1.0 percent, and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2017.

(B) PREVAILING RATE EMPLOYEES.—The adjustment in rates of basic pay for the statutory pay systems that take place in 2017 under sections 5344 and 5348 of title 5, United States Code, shall be equal to the percentage decrease received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under subparagraph (A) of this paragraph and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is decreased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of US'' pursuant to section 5304 of title 5, United States Code, for purposes of this subparagraph.

(4) SENSE OF CONGRESS ON USE OF FUNDS AVAILABLE.—It is the sense of Congress that amounts available to the Government by reason of the reductions in adjustments to rates of pay for fiscal years 2016 and 2017 by reason of paragraphs (2) and (3) should be used to sustain a total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams, anda total number of brigade combat teams for the Army National Guard of not fewer than 28 brigade combat teams, during fiscal years 2016 and 2017 as required by subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section).

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate vote in relation to the Vitter amendment at 5 p.m., with the time equally divided in the usual form and no second-degrees prior to the vote. I further ask that Senator LEE or his designee be recognized to withdraw his amendment No. 1687 prior to the vote on the Vitter amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1687

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Lee amendment No. 1687 be withdrawn.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

AMENDMENT NO. 1889

Mr. CORNYN. Mr. President, this morning I voted against the Feinstein-McCain amendment No. 1889 because I believe it represents shortsighted national security policy.

The central provision of this amendment would limit the interrogation of detainees by any U.S. Government employee or agent to techniques that are listed in the publicly available Army Field Manual on human intelligence collection (FM 2–22.3), essentially codifying a portion of Executive Order No. 13491, issued by President Obama on January 22, 2009. Due to the wide public availability of this manual, this policy enables our enemies to study and dissect the methods we use to try to elicit sensitive information from them, giving them the opportunity to train against these techniques and prepare for them.

Quite simply, the effect of this policy is to hand our entire interrogation playbook to groups such as the self-declared Islamic State of Iraq and the Levant, ''ISIL,'' Al Qaeda, and the Taliban, which is a profound mistake. Moreover, this limitation is unnecessary, because Congress has already taken action to prohibit interrogation or other treatment of detainees that is ''cruel, inhuman, or degrading treatment or punishment'' by enacting the Detainee Treatment Act of 2005.

In the past, other interrogation techniques that were not publicly disclosed to our enemies, known as enhanced interrogation techniques, proved their worth in numerous instances. In the wake of the terrorist attacks of September 11, 2001, these enhanced techniques were deemed necessary for use with certain hardened Al Qaeda leaders and operatives who possessed valuable intelligence that could save American lives, including knowledge of planned attacks against our Nation. There is strong evidence to believe that EITs, in desperate situations, helped protect our country from terrorist attacks. In addition, intelligence obtained through these interrogations helped locate Osama bin Laden and enabled the operation to kill or capture him in Abbottabad, Pakistan, on May 2, 2011. The Obama administration cannot deny that intelligence gleaned through the use of enhanced techniques played a role in tracking down bin Laden.

In recent months, the threat of terrorism has been increasing in both intensity and complexity. The rise of the terrorist army of ISIL makes this a challenging time in the fight against terrorism. While it is clear that President Obama has no intention of authorizing the use of enhanced interrogation techniques while he is President, this amendment would unwisely and tightly restrict the tools available to future Presidents to protect this country. I cannot support such a policy.

WORKING ACROSS THE AISLE

Mr. President, for the past several weeks we have been debating the National Defense Authorization Act, which performs one of our most important and significant functions, which is to make sure the people who fight our

Nation's wars have the resources they need in order to do the job and to keep the American people safe.

This bill that started in the Armed Services Committee passed out overwhelmingly, and that is because this is not or should not be a partisan issue. Our duty to protect our troops so they can protect us should be a no-brainer. You would think partisan politics would be the furthest thing from this debate.

I am glad the Senate has now taken a big step forward to help move this legislation along, but I have to admit there are some ominous signs on the horizon. Initially, Senate Democrats on the Armed Services Committee threatened to block this bill in the committee unless there was some deal cut on spending. That is troubling, although I am grateful that only four Democrats voted against this bill in the committee. Then there is some suggestion from the President of the United States that he might consider vetoing this legislation. Why? Because he disagrees with some of the content of this legislation? Well, no. The reason he threatened to veto it is because he said we haven't agreed to his demands to increase spending—by the way, spending money we don't have, adding to our national debt.

It concerns me a great deal when something that should enjoy broad bipartisan support, such as our national defense, somehow becomes a potential hostage to take in the spending wars here in Washington, DC.

Now we have learned that the strategy among our Democratic friends is not to block this bill. Candidly, I think that is because they realized they didn't have the votes to do it, and it would have been a momentous decision if they had blocked it for some extraneous reason. But now we are told that the next bill we turn to, which will probably be the Defense appropriations bill—that our friends across the aisle are threatening to block that in another continuing effort to do what they call prepare for their filibuster summer.

The great thing about our friends across the aisle is that you don't have to wonder necessarily what they are planning to do; all you have to do is read the newspapers because they will tell you. There, Senator SCHUMER, one of the senior Democrats in leadership, said they plan to block every appropriations bill until they get a negotiated deal to raise spending limits that have been in effect since 2011.

Well, I have to think this is why the minority leader, the Senator from Nevada, initially when we were starting debate on this bill, suggested it would be a waste of time. I can't think of any other reason why he would say debating and voting on and passing the Defense authorization bill would be a waste of time unless there was some implicit threat there that it would never actually see the light of day.

But there has been a casualty along the way. You will remember that last Thursday we had a vote on a bill that would effect commonsense improvements in our cyber security at a time when more and more Americans are undergoing cyber attacks. Of course, these take different forms, but many nation states have active cyber attack efforts against our intellectual property—let's say the people who have labored long and hard and make big investments in weapons systems and airplanes and the like. Well, our adversaries are actively trying to steal the design information so they can copy that, of course at a much cheaper cost, and they can learn what the capabilities are of our weapons systems and our airplanes.

But other cyber attacks are more straightforward. It is just crime. It is stealing people's identity. It is stealing their money. It is stealing their resources. There are criminal networks all around the world that are actively engaged in trying to steal from the American people online.

So you would have thought that this amendment, dealing as it did with cyber security—that a good place to park this would have been on the Defense authorization bill, as important a role as cyber security plays in our national security. Of course, the purpose was to help the government and private businesses work together to protect Americans' personal information and their privacy, which is a pretty straightforward goal. Protecting the personal information of the American people is very important. And it was noncontroversial. This particular bill that was offered as an amendment to the Defense authorization bill passed out of the Senate Intelligence Committee 14 to 1. But since this is filibuster summer, the minority leader, Senator REID, decided the Democrats were going to vote as a group to block that amendment.

Not even 24 hours later, though—their timing could not have been worse—the need for this critical legislation became even more urgent. On Friday—1 day after the Democratic leader urged his colleagues to block this important cyber security measure—media reports began confirming that hackers had accessed government networks and obtained incredibly sensitive background information used for security clearances in a second breach to the personnel management systems. This information, which one former NSA official described as the crown jewels and a gold mine for foreign intelligence services, was reportedly stolen en masse and includes many personal details of job applicants. As a matter of fact, the people who actually applied for a security clearance, which is processed by the Office of Personnel Management, the people who fill out these forms fill out extensive background information, including birth dates, names, telephone numbers, and the like, but it also includes things such as passport information, Social Security numbers, private identification and background details, extensive information about background places of residence and addresses, and the names and contact information of close friends and family members. So you can see why there would be concern when state actors penetrate the network at the Office of Personnel Management to steal information about that background and security clearance process. This stolen information could be used not only against our intelligence officers and military officials but also their family and friends who may well now be exposed.

That same day, last Friday, it was reported that the first Office of Personnel Management data breach—a breach that was initially reported 2 weeks ago—actually compromised the records of as many as 14 million current and former government officials. That is more than three times the original estimate.

While our Nation's public servants were having their sensitive personal information stolen, the Democratic leader led nearly all of his colleagues to block sensible, bipartisan legislation which was focused on that specific threat and which would provide for greater information sharing between the private sector and government in order to address this very problem.

I am pleased to say that the minority leader was not able to convince all Democrats to block this legislation. In fact, seven Democratic members voted to promote security over partisanship. Good for them for joining us in doing that.

As I said before, but it is worth noting again, the American people have rejected this idea that the Senate and the Congress should do nothing. They did that last November during the election. They made crystal clear that they wanted their elected representatives, whether the House or the Senate, to come here to Washington on their behalf and to actually take steps to make their lives better and to work on their behalf, not to use this Chamber for partisan political games.

We have heard the accusations in the past. The Democratic leader has loudly and routinely criticized this side of the aisle for obstruction. But threatening to block all funding bills unless you get 100 percent of what you want, after spending money we don't have and while looking at an escalating debt in the tens of trillions of dollars, is, to me, the height of hypocrisy.

By pledging to filibuster upcoming appropriations bills, including the Defense appropriations bill, he and his Democratic colleagues have made their priorities very clear. They are willing to jeopardize the paychecks and the security of our men and women in uniform so they can give more taxpayer dollars to sprawling bureaucracies such as the IRS and the EPA. Unfortunately, the leadership on the other side of the aisle is using these very same troops who put their lives on the line every day to score a few partisan

points and to leverage their insatiable appetite for tax dollars. There is never enough. There is never enough.

I don't know that everyone on that side of the aisle is comfortable with this strategy. I am somewhat encouraged in a strange sense of the word by the fact that seven Democrats refused to follow the Democratic leader down this path to blocking the cyber security legislation. To their credit, they voted on the merits of the legislation. But, unfortunately, not enough did in order for us to get it considered and voted on.

In light of this almost contemporaneous occurrence at the Office of Personnel Management and the recurring daily stories about how cyber attacks are stealing personal property, represent an intelligence threat, and are stealing the money of the American people, I hope our colleagues will work with us to do what the American people elected us to do, which is to work together to move forward sensible, bipartisan legislation that is important to the country.

I hope our friends across the aisle will listen to the American people instead of their misguided leadership. Over the past few months under Republican majorities, this Chamber has demonstrated that we are willing to work across the aisle to get the Senate functioning again for the American people.

Do you know what? The irony is that our friends who are now in the minority who used to be in the majority—I think they kind of like it because they actually can offer amendments, they can get votes on amendments, and they can represent their constituents in this body, which they came here to do.

I hope we can keep the Senate working and avoid this filibuster summer that was touted in one of the newspapers just last week. I know the people of my State expect me to come up here and represent their interests, and I know all of our constituents expect us to do better by them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I come to the floor to talk about an amendment I have to the Defense authorization legislation.

Americans who volunteer to defend our country deserve our utmost support and great credit for their uniquely honorable, difficult, and important service. We are a safe and free Nation because of their bravery and sacrifice. However, as we honor our troops and veterans, we have to remember they don't serve alone. Military families serve too. They make serious career and personal sacrifices on behalf of their loved ones so their loved ones can serve our country.

Anyone who has served in the military or has been married to a servicemember or even attended a military retirement ceremony—I actually come from a military family—understands that a successful military career depends on the support and sacrifice of those you love and those who are in your family. A career in the military frequently involves frequent moves and long separations for your spouse, which present unique challenges for military families.

The service and sacrifice of military families not only deserves recognition and respect, but military families are also a critical component of our military readiness. It is difficult for a mother, father, husband or wife serving in the military to focus on defending our Nation if they are worried about the well-being of their family at home. Perhaps that is why, in March of this year, the Commandant of the Marine Corps, Gen. Joseph Dunford, who has now been nominated to serve as the Chairman of the Joint Chiefs of Staff, testified that ''a key element in our overall readiness is family readiness. The family members of our Marines are very much a part of the Marine Corps family. Their sacrifices and support are not taken for granted.''

However, it has come to our attention that the current laws and regulations fail to fully reflect the sacrifices of our military families or the importance of this issue to military readiness.

I wish to talk about a specific problem; that is, when a member of our military actually gets into criminal trouble. Yet their spouse and children have to suffer as a result of it.

Current law forces military juries to sometimes confront the undesirable dilemma of either supporting justice or supporting the military family—but not both. In these rare and tragic cases, a jury must choose either to impose a just sentence on a member of our military—which of course these cases are rare—who commits a crime, but if the jury imposes a just sentence, this could cause the retirement benefits that the family of the military member is counting on to be taken away, and so it leads to this choice of either giving a just or strong sentence and also punish the family who is an innocent bystander in all of this or give a weak and unjust sentence to spare the innocent family—but not both.

When a jury chooses a just sentence, an innocent family can be left with nothing, and that is wrong. Knowing this, some family members choose not to report a crime out of fear that coming forward will risk loss of benefits that a family member helped earn.

For these reasons, I am proud that the National Defense Authorization Act, as passed by the committee, does include an amendment that I introduced with Senator GILLIBRAND which could make transitional benefits available to innocent military family members when their retirement-eligible servicemember forfeits those benefits due to a court-martial.

I am also pleased that the Defense authorization legislation contains sense-of-Congress language that recognizes the valuable service of military families and emphasizes the view of the committee that military juries should not have to choose between a fair sentence and protecting military families. However, this doesn't go far enough. Our work isn't finished. We must do more to recognize the service of military families and to ensure a strong and fair military justice system.

I will briefly talk about the case of Rebecca Sinclair. Rebecca was married to a career Army officer who served with distinction. She married him early in his career and supported him as he rose through the ranks to become General. She served alongside him for 27 years. He was at home for a total of 5 years between 2001 and 2012. She had been a single mother during those five combat deployments when he was serving our country.

She moved 17 times in 27 years. Her oldest son went to six schools by the time he was in sixth grade. Despite earning a bachelor's and master's degree, Rebecca's career had been severely limited by the constant moves.

She thought this sacrifice was worthy because she was doing it on behalf of her Nation and her family. Because she wasn't able to achieve her full earning potential, she was counting on the pay benefits and retirement plan she helped her husband earn over 27 years. But then, in 2012, she watched helplessly as all of this sacrifice, all of this effort, and all of this work hung in the balance. Unlike the vast majority of servicemembers who serve their whole career with honor, her husband was charged with 25 counts of misconduct, including: forcible sodomy, sexual assault, indecent conduct, making fraudulent claims against the government, and obstruction of justice.

Rebecca was totally innocent of this conduct. Her sons, who were 10 and 12 years old, were totally innocent. Yet her husband's actions threatened to leave her with no benefits and no security after 27 years of sacrifice, and if he were to be dismissed from the Army, Rebecca and her sons would be left with nothing.

During his sentencing hearing, Rebecca's husband begged the court to allow him to retire at a reduced rank so his family could collect the benefits which, in his words, ''they have earned serving alongside me all these years.''

Rebecca also made a plea to the court for a sentence that would spare her family from being punished for her husband's actions. I think Rebecca sums it up well in the piece she wrote for the Washington Post in 2012:

> For military wives, the options are bad and worse. Stay with an unfaithful husband and keep your family intact; or lose your husband, your family and the financial security that comes with a military salary, pension, health care and housing. Because we move so often, spouses lose years of career advancement. Some of us spend every other year as single parents. We are vulnerable emotionally and financially. Many stay silent out of necessity, not natural passivity.

It is time to fix these problems. Saying thank you to the military families is not enough. We must ensure that our laws and regulations reflect our gratitude to military families and the importance of what they do. They serve our country, too, and they have earned the benefits as well. It is not right for a military member to rely on his family to help earn retirement benefits and then have that individual commit misconduct and the family is punished too.

My amendment will fix this problem by recognizing that military families serve, too, remove disincentives to report misconduct, and put the sentencing process back in balance. Juries can choose a punishment to fit the crime without worry that an innocent family member will suffer as a result. My amendment has been endorsed by 10 veterans service organizations.

I urge my colleagues to support this important amendment that allows the military justice system to function properly and also makes sure that innocent family members do not suffer and that their service is recognized as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

PROTECTING INTERNET ACCESS FROM TAXATION

Mr. WYDEN. Mr. President, I wish to address events from the last several days, both of which have the potential to reshape the way the American people use the Internet for communication and commerce.

The first came last week when the other body voted on a bipartisan basis to permanently extend the Internet Tax Freedom Act. I wrote that law, which is commonly known as ITFA, along with former Congressman Chris Cox, in 1998. The Internet Tax Freedom Act is one of the most popular tax policies in the country, and I believe it is past time for the Senate to follow the House's lead and send a permanent extension to the President's desk.

The second important matter came up yesterday, when a bill called the Remote Transaction Parity Act was introduced in the other body. What this proposal offers is a brand-new national sales tax managed by a privatizing, tax-collecting bureaucracy that not a single voter in America has approved. I see this online tax hike as a major threat to the Internet that has flourished under the bipartisan Internet Tax Freedom Act.

I want to address both of these issues briefly today, beginning with the importance of the permanent Internet Tax Freedom law. Ever since Congress passed it, it has been an essential tool in helping the Internet grow unencumbered by discriminatory taxation. It prohibits the kind of discriminatory taxes that some in Congress are too fond of; the kind of taxes that I believe will hurt innovation and punish the millions of citizens and businesses that use and depend on the Internet each day.

The Internet Tax Freedom Act has saved families in Oregon and across America hundreds of dollars a year. That is because without the law, access to the Internet would likely be subject to the same level of punishing taxation that is currently imposed on cigarettes and alcohol. We already see that with wireless services not protected by the Internet Tax Freedom Act, and this area does involve onerous taxes. Inflicting those taxes on Internet access is a burden the Senate absolutely should not heap on the American people.

Unfortunately, Congress has become too reliant on stop-and-go governing, so the Internet Tax Freedom Act has been extended several times on a temporary basis. Some Members in the Senate and House want to tie the Internet Tax Freedom Act, which saves people money, to a controversial proposal that will drive up the cost of using the Internet the way Americans do today, and that is where the second issue I would like to address comes in.

The House proposal, called the Remote Transaction Parity Act, has taken a variety of different forms over the years. An older version that died in Congress was called the Marketplace Fairness Act. The idea used to be to turn every business that operated online—big or small—into a tax collector for the thousands of tax jurisdictions across the country. With every new version of this online tax hike bill, we would see a new set of problems crop up. Now the proposal has become even bigger and more unwieldy. The new proposal coming from the other body would build an enormous, privatized, tax-collecting bureaucracy, and that new bureaucracy would take a big cut of every online sale before a single dime of sales tax gets distributed back to the States or local communities.

I will take a minute and talk about how this hurts my home State. My home State has no sales tax, but under this proposal, this murky tax-collecting middle man is going to get involved anytime somebody in Virginia, Michigan or California makes a purchase online from an Oregon company. This proposal would unfairly siphon money away from Oregon. Yet Oregonians will get nothing in return from these newly empowered national tax collectors. In effect, there would be a new national sales tax overseen by a privatized middle man, and that raises serious questions about whether taxpayer dollars should be going to a for-profit tax collector. It could put sensitive data about businesses and their customers into the crosshairs of hackers and criminals. That would be just about the biggest Federal intrusion into State commerce in a long time.

The online tax bill also creates a major new hurdle for small businesses that want to find consumers online. That would be a particularly harsh blow to companies in rural America, rural Oregon, and elsewhere. It would suddenly be a whole lot harder to compete with a retailer in a crowded city when the cost of doing business online takes a jump.

Finally, it takes a fundamentally tilted playing field against U.S. employers, and, in effect, makes those employers pay a national sales tax. It creates a fundamentally tilted playing field. The Internet spans national borders, but sellers from China, Canada, and Europe will not and cannot be subject to this tax, and under this approach, they will profit at the expense of the American consumer and American worker.

In my view, we have at hand now two radically different pieces of legislation. The first has been on the books now for well over a decade and has been hugely valuable in terms of innovation, choice, and consumers. That is the permanent Internet Tax Freedom Act, in effect taking what we have had for over a decade and making it permanent. With the permanent approach, we lower costs for consumers and protect the Internet as a bulwark for free speech and commerce, promoting American companies and American ideals. So that is approach No. 1—making permanent legislation that has worked since 1998.

The second approach is the Remote Transaction Parity Act, which would raise costs for Americans, hurt small and rural businesses, and punish States such as Oregon that have kept taxes low.

In my view, it would be legislative malpractice to tie these two approaches together. The path forward for the U.S. Senate should be very clear; that is, to take the permanent Internet Tax Freedom Act that has sailed through the House and, with the ball in our court, pass it here. I believe that a permanent law protecting Internet access from taxation is long overdue, and the proposal for an online tax hike should not get in the way.

So I urge my colleagues to join me now in working for a bipartisan, permanent Internet Tax Freedom Act, unencumbered by the kind of approach which has been introduced in the House and which creates a national sales tax. Let's reject that and move to pass a permanent Internet Tax Freedom Act as soon as possible.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Rhode Island.

AMENDMENT NO. 1473, AS FURTHER MODIFIED

Mr. REED. Madam President, at 5 p.m. we will be voting on an amendment proposed by the Senator from Louisiana, Mr. VITTER. The amendment would require the Secretary of the Army to maintain at least 32 brigade combat teams in the Regular and Reserve components of the Army and 28 brigade combat teams in the Army National Guard.

Effectively and deliberately, this amendment would prevent the Army from managing its own force structure, determining how many brigades it needs, how they are disposed in terms of Active, Reserve, and Regular forces. In addition, the way the amendment is

paid for, to maintain these additional brigades would be to mandate a 1-percent pay cut for all Federal civilian employees for 2016 and 2017—not a pay freeze, a pay cut.

The Army does not support this amendment. They need the flexibility to manage their forces to respond to the threats as they perceive them in the world, to determine where the forces are mechanized, whether they are located in the National Guard or whether they are located in the Regular force. As such, as the Army draws down—and it is on that trajectory because of many issues, some of them budgetary—they would have to totally reexamine their existing force structure and they would indeed have to, I think, sacrifice what they think is the most optimal force for a legislative mandate of an arbitrary number of brigades in place. This will create readiness problems because it is one thing to have brigades on paper; it is another to have brigades that are ready to deploy, fully trained, fully equipped, fully manned. That would complicate this process for the Army.

So for these reasons, when the amendment is presented at 5 p.m., I will be opposing the amendment, and I urge my colleagues to join me in that opposition. I think the Army is the most capable to determine its force structure and not by legislative fiat.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCAIN. Madam President, the Vitter amendment tries to enforce a minimum number of Army brigade combat teams. It seeks to direct the U.S. Army to maintain not fewer than 32 brigade combat teams in the Regular Army and 28 in the Army National Guard. The Secretary of the Army could not reduce these until he reports to Congress and certifies impacts on operational risk to the national defense strategy and insufficient funds or appropriations. The Secretary of the Army must also report rationale for any proposed reduction of total strength in the Regular Army, National Guard, and Army Reserves. This includes an operational analysis that shows continued mission performance given a reduction and an assessment of force-mix ratio among all of those organizations.

Additionally, the Secretary, with the Director of the Army, National Guard, or Chief of Army Reserve, must report to Congress at least 90 days before any possible reductions. The report must list remaining major combat units, missions, unit assignments by installation, and proposed BCTs for disestablishment—on and on and on and on.

I say to the Senator from Louisiana, we don't do this. We don't tell the Army or the National Guard that they can only have a minimum of this or that and that they can't do certain things. The amendment requires the Army to report manning levels. In principle, I agree with the Senator from Louisiana. The world is less secure. We are facing many threats. We need an Army capable of securing our interests around the world. In fact, last week, decisions were made to deploy more forces to Iraq.

The amendment is bad policy. The Congress shouldn't attempt to manage forces. That is the job of the Secretary of the Army and the Chief of Staff. Our job is to authorize and fund. The key is giving Army leadership the flexibility to manage the total Army force given the planned drawdown. In fiscal year 2016, the Army end strength is being reduced and funding is planned to be adjusted accordingly.

The cost to maintain the total Army at 490,000 for 1 year is about $2.4 billion. Of course, the Senator's amendment does not have any indication where that $2.4 billion would come from.

If enacted, the amendment could result in a Regular Army of ''tiered readiness.'' The Army would have a force of 490,000 with a budget for 475,000. We don't want a ''hollow Army'' as we had in the 1970s.

So I urge my colleague from Louisiana, the sponsor of this amendment, to devote his energies and efforts to the repeal of sequestration. That is what is forcing these decisions to be made by the Army, which, in my view and the view of our military leaders, is putting the lives of the men and women at greater risk.

Mr. VITTER. Will the Senator yield for a question?

Mr. MCCAIN. I wish to finish my statement first, and I appreciate that.

So I oppose the amendment on the fact that we do not have the funding here to maintain the Army at the level that both he and I would prefer. If we do repeal sequestration, then there will be sufficient funding for maintaining the Army, the National Guard, and the Army Reserves at the level the Senator from Louisiana strongly advocates and I also advocate.

I will be glad to respond to a question from the Senator from Louisiana.

Mr. VITTER. I thank the Senator for yielding. I would just ask whether the underlying bill doesn't do exactly the same sort of thing in other categories, such as minimum numbers of aircraft carriers in the Navy, such as minimum numbers of certain key equipment in the Air Force, which I agree with. But I don't see any difference between those provisions of the underlying bill and what this provision would constitute with regard to a key element of Army brigade combat teams. That is the first question.

The second question is, Did the Senator know that in the resubmitted version of the amendment, there is a noncontroversial sense-of-the-Senate regarding an offset for this to be put forward?

Finally, I would certainly agree with the Senator about trying to fix the top-line numbers and the top-line situation with regard to sequestration, and, as I am sure he knows, I support that.

Mr. MCCAIN. Madam President, I respond to my friend to say that what we have authorized, as the Senator from Louisiana clearly described, is what the services have said they need to do their mission—and based on their requirements, not the view of what my requirements are. So I think the Senator's proposal is very different from what he described.

Again, there is sufficient funding for everything we have authorized in the bill. What this amendment is authorizing in the bill would require an additional $2.4 billion to be authorized out of the budget that was set by the Budget Committee, which would then mean reductions in other areas, as I am sure the Senator appreciates, that we authorized to the budget numbers as a result of the Budget Committee's allocation for defense.

So I thank the Senator from Louisiana for his continued support of the men and women in the military, especially the bases in Louisiana as well as around the world. He is an advocate for the men and women who are serving, and I appreciate his continued dedication to their welfare and benefit. We just have an honest disagreement on whether this amendment is appropriate in our management of the armed services.

I thank the Senator. We have a disagreement on the amendment. We will vote on it, as he requested. He requested not having a tabling motion. He asked if we could consider his amendment, if we could have it not be a tabling motion, and I am glad to accommodate the Senator.

With that, I yield the floor, and I ask unanimous consent to start the vote now.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Under the previous order, the question is on agreeing to amendment No. 1473, as further modified, offered by the Senator from Louisiana, Mr. VITTER.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

The result was announced—yeas 26, nays 73, as follows:

[Rollcall Vote No. 213 Leg.]

YEAS—26

Alexander	Ernst	Paul
Blunt	Gardner	Perdue
Capito	Grassley	Risch
Cassidy	Heller	Scott
Corker	Hoeven	Sullivan
Cornyn	Isakson	Tillis
Crapo	Lankford	Toomey
Cruz	Lee	Vitter
Daines	Moran	

NAYS—73

Ayotte	Franken	Nelson
Baldwin	Gillibrand	Peters
Barrasso	Graham	Portman
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Booker	Heitkamp	Roberts
Boozman	Hirono	Rounds
Boxer	Inhofe	Sanders
Brown	Johnson	Sasse
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Leahy	Shelby
Coats	Manchin	Stabenow
Cochran	Markey	Tester
Collins	McCain	Thune
Coons	McCaskill	Udall
Cotton	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	
Flake	Murray	

NOT VOTING—1

Rubio

The amendment (No. 1473), as further modified, was rejected.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I seek recognition to speak for up to—I ask unanimous consent to withhold my motion at this time.

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

The Senator from Oklahoma.

MORNING BUSINESS

Mr. LANKFORD. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

PAPAL ENCYCLICAL ON THE ENVIRONMENT

Mr. MARKEY. Madam President, on Thursday, Pope Francis will officially release a historic encyclical on the environment. An encyclical is a personal message from the Pope to Catholic bishops and the 1.2 billion Catholics around the world on a topic that he feels requires urgent attention. It is an opportunity for the Pope to bring together accumulated teachings in a comprehensive way. This will be only Pope Francis's second papal missive, and it has garnered enough attention that the conservative Heartland Institute traveled to the Vatican this spring to respectfully inform the Pope that there is no global warming crisis.

Earlier this week, my colleague Senator INHOFE agreed with the Heartland Institute and told them that Pope Francis should ''stay with his job and we'll stay with ours.'' Well, I disagree with Senator INHOFE. Pope Francis is doing his job, but it is Republicans in this Chamber who are not doing theirs.

To those critics who say that Pope Francis shouldn't be speaking out on this, I will give them a very simple history lesson. Pope Francis is not the first to speak out on climate change and environmental protection. He will join a chorus of previous pontiffs who drew attention to the crisis of climate change and its impact on people, especially the poor and the children of our planet.

In 1971, Pope Paul VI warned that human actions that harm nature may make the future intolerable. Pope John Paul II first raised the greenhouse effect as a moral issue in his landmark 1990 World Day of Peace message. Two decades later, Pope Benedict XVI shined a light on environmental refugees in his World Day of Peace message and committed the Vatican to going carbon neutral, including installing a massive solar panel energy system on one of the largest buildings in the Vatican.

As the leader of more than 1 billion Catholics around the world, many of whom are suffering from the worst consequences of global warming—disease, displacement, poverty—it is the Pope's responsibility to speak out on behalf of the people he leads. And that is exactly what he will be calling all of us to do.

The same people who want to deny Pope Francis's right to speak out on climate change are the same people who deny the science of it. But our understanding of human influence on climate change rests on 150 years of wide-ranging scientific observations and research, and it is informed by what we see today with our own eyes and measured by our own hands.

Here is the reality. Global temperatures are warming, glaciers are melting, sea levels are rising, extreme downpours and weather events are increasing, the ocean is becoming more acidic, and last year was the warmest year on record. Increasing temperatures increase the risk of bad air days, in turn increasing the risk of asthma attacks and worse for people with lung disease. We have a public health crisis.

We are already feeling the cost of climate disruption. The Government Accountability Office added climate change to its 2013 high-risk list and found that climate change ''presents a significant financial risk to the Federal Government.'' GAO could just have easily said it presents a significant financial risk for all of America. But the United States is not tackling this climate change alone. Efforts are underway in countries all around the world. We are seeing academies of science in country after country all coming to the same conclusion.

What can we do here in the United States to answer the call of the Pope? Here is what we can do. We can make sure the wind and the solar tax credits do not expire. That is what is happening in this Congress. We can continue this incredible revolution in wind and solar and other renewable sources. That is going to die in this Congress unless we renew them.

We can ensure there is a dramatic increase that continues in the fuel economy standards of the vehicles we drive—the cars, the SUVs, the trucks—that dramatically reduces greenhouse gases. We can ensure when President Obama propounds his clean powerplant rules, which will reduce by 30 percent the amount of greenhouse gases going up into the atmosphere by the year 2030, that they are not repealed on the Senate Floor.

We are the greatest innovation country in the history of the world. Science and technology are the answer to our prayers. They are going to give our country the ability to give the leadership and hope to the rest of the world when we answer the prayer of Pope Francis. The poorest in the world are going to be those who are most adversely affected by the richest countries in the world.

We can, in fact, save all of creation by engaging in massive job creation—the new vehicles we drive, the new energy technologies we create, the new technologies that will reduce the amount of greenhouse gases going up from powerplants. We did it once with the Clean Air Act of 1990, and we can do it again.

So while Pope Francis preaches to the world, the world turns to us for leadership. We cannot preach temperance from a barstool. We cannot tell the rest of the world they should change their habits unless we take the leadership in creating the new technologies that we deploy here and then see deployed around the rest of the world.

We can transform the way energy is in fact produced across this entire planet within the 21st century. That is what the Pope is asking us to do—not to sacrifice but to innovate, not to give up but to invest in those technologies that will transform this planet.

President Kennedy called upon us in 1961 to put a man on the moon by investing in new metals and new propulsion technologies, so that we could ensure that the Soviet Union did not impose its communistic regime across the entire planet. We invented the new technologies for peaceful purposes. And when our astronauts stepped foot on the moon, that American flag that flew was the return on investment of that generation. This generation of Americans is now being asked to make the same kind of commitment to a new generation of energy technologies that can reduce greenhouse gases dramatically, give leadership for the rest of the world, and answer the call from Pope Francis.

Those who say it is not Pope Francis's business to speak out on

something that is obviously created by human beings and that can be solved by human beings are wrong. It is his place. He challenges us to put on the books of the laws of this country the kinds of standards that unleash the green energy revolution, that create jobs by the millions, while ensuring that we reduce the greenhouse gases going up and endangering the planet.

I thank the Chair for the opportunity to be recognized, and I say in conclusion that it is just an incredible moment when the Pope speaks on an issue of this importance. I am not saying action will be easy, but if we harness the ambition of the Moon landing, the scope of the Clean Air Act, and the moral imperative of Pope Francis's encyclical, we can leave the world a better place than we found it. We have the tools to do it. Now we need to forge the political will.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from South Dakota.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. THUNE. Mr. President, this week the Senate will complete its work on the National Defense Authorization Act by holding a final vote. The National Defense Authorization Act is one of the most important bills Congress considers each and every year. I think this will mark the 54th consecutive year in which Congress has passed a Defense authorization bill, recognizing its importance to America's national security interests.

The bill authorizes funding for our Nation's military and our national defense, ensuring that our soldiers get paid, their equipment and training is funded, and that our commanders have the resources they need to confront the threats that are facing our Nation.

In particular, this bill ensures our air men and women maintain readiness levels and receive the training they need to safely return home after protecting our national security abroad.

In my State of South Dakota, we are proud to host the 28th Bomb Wing at Ellsworth Air Force Base, one of our Nation's two B–1 bomber bases. The B–1s are a critical part of the U.S. bomber fleet, providing our military with critical long-range strike capabilities. These bombers have the highest payload capacity, the fastest maximum speed, and the lowest cost per flying hour of any bomber in our fleet.

Bombers from the 28th Bomb Wing have played a key role in the armed conflicts the United States has engaged in over the past 20 years. Whatever the mission, from supporting NATO operations in Kosovo to conducting operations in Afghanistan, B–1s from Ellsworth have been in the thick of the action.

During Operation Odyssey Dawn, B–1s from Ellsworth launched from South Dakota flew halfway around the world to Libya, dropped their bombs, and returned home all in a single mission. This marked the first time in history that B–1s launched combat missions from the United States to strike targets overseas.

After 8 years of review, the Air Force and the Federal Aviation Administration recently finalized the expansion of the Powder River Training Complex, an airspace training range that serves as the primary training space for Ellsworth B–1s, as well as the B–52 bombers based at Minot Air Force Base in North Dakota.

The expanded training range will be the largest training airspace over the continental United States. It will save Ellsworth up to $23 million a year by reducing the need for the B–1 bombers to commute for training to other States, such as Nevada and Utah. In an era of tighter budgets, measures such as this, which increase readiness while saving costs, are essential.

I was pleased to work with the Air Force and the FAA on this critical expansion, and I am hopeful our air men and women will be able to start using this range for large-force training exercises in the near future.

In addition to ensuring our military has the resources necessary to maintain our B–1 bombers, the bill authorizes full funding for one of the Air Force's top acquisition priorities—the Long Range Strike Bomber, which represents the future of our bomber fleet. This aircraft is scheduled to come on line by the mid-2020s and is just one of many acquisition priorities necessary to defend our Nation against future threats.

Our Nation's defense budget must consider not only the enemies we face today but also those we will face tomorrow.

In addition to the critical funding this bill authorizes, this year's bill is particularly important because it contains a number of reforms that will expand the resources available to our military men and women and strengthen our national security.

For starters, this bill tackles waste and inefficiency at the Department of Defense. It targets $10 billion in unnecessary spending and redirects those funds to military priorities such as funding for aircraft and weapons systems and modernization of Navy vessels.

The bill also implements sweeping reforms to the military's outdated acquisitions process by removing bureaucracy and expediting decisionmaking, which will significantly improve the military's ability to access the technology and the equipment it needs.

The act also implements a number of reforms to the Pentagon's administrative functions. Over the past decade, Army Headquarters staff has increased by 60 percent. Yet, in recent years, the Army has been cutting brigade combat teams. From 2001 to 2012, the Department of Defense's civilian workforce grew at five times the rate of our Active-Duty military personnel. There is something wrong with that picture. Prioritizing bureaucracy at the expense of our preparedness and our Active-Duty personnel is not an acceptable use of resources.

The Defense authorization bill we are considering changes the emphasis at the Department of Defense from administration to operations, which will help ensure that our military personnel receive the training they need and that they are ready to meet any threats that arise.

The bill also overhauls our military retirement system. The current military retirement system limits retirement benefits to soldiers who serve for 20 years or more—which doesn't apply, by the way, to 83 percent of those who have served, including many veterans of the wars in Iraq and Afghanistan. The Defense bill replaces this system with a modern retirement system that would extend retirement benefits to 75 percent of our servicemembers.

This bill is the product of a bipartisan process, and it received bipartisan support in committee. I believe it came out of the Armed Services Committee by a vote of 20 to 6. This makes it particularly disappointing that the President is attempting to hijack this bill for political purposes.

Despite the fact that this legislation authorizes spending at the President's budget request—his budget request—of $612 billion, the President is threatening to veto this legislation if Republicans don't agree to provide more funding for agencies such as the IRS and EPA, and he has tried to convince Democrats here in the Senate to abandon bipartisan efforts on this bill and back up a Presidential veto.

Holding up funding authorization for our troops is reckless, and it is irresponsible. And it is flat wrong for the President of the United States to attempt to hijack this bill not because he disagrees with the bill itself but because he wants to make sure his pet projects receive the funding he wants.

At this very moment, threats are multiplying around the world. Russian aggression is on the rise. ISIS fighters are carving a trail of slaughter across the Middle East. Iran is working to acquire a nuclear weapon. Now more than ever, we cannot afford to be holding up funding for our military, especially for partisan political purposes.

Democrats and Republicans have had a chance to make their voices heard on this bill, and our joint efforts have resulted in strong, bipartisan legislation that will ensure that our military is prepared to meet the threats of the 21st century. The Senate should pass this bill this week and the President should sign it to make sure our troops have the equipment and the resources they need to do the most important thing we can do as a nation, and that is defend our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

ORDER OF PROCEDURE

Mr. SANDERS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 15 minutes and that Senator DURBIN be recognized following my remarks.

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

SENIOR HUNGER AND GAO REPORT

Mr. SANDERS. Mr. President, I want to touch on an issue that I think does not get the attention it deserves. My view is that a nation is judged not by how many billionaires and millionaires it has but by how it treats the most vulnerable people among us. If we look at the greatness of a nation in that respect, the sad truth is that the United States today does not get particularly high marks. That is true not only in the way we treat our children, but it is also true in the way we treat our seniors.

Yesterday, at my request, the Government Accountability Office—the GAO—released a new report that found that nearly 4 million seniors in our country are what they call food insecure. That means these seniors do not know where their next meal is coming from. What that means is that nearly 4 million American seniors may skip dinner tonight because they do not have enough money to buy food today.

Every day in my State of Vermont and around this country, millions of seniors have to juggle with their limited budgets their ability to buy food, their ability to buy medicine, or, in the wintertime, their ability to keep themselves warm in their homes. Those are not the choices seniors in this country should be forced to make.

There is a myth out there pushed by corporate and moneyed interests suggesting that seniors in this country are doing just great, that all seniors are comfortably middle class. But those people who hold those views have not looked at the reality of life for many seniors in this country. The truth is—and this is really a shocking truth—that 20 percent of seniors in America live on an average income of $7,600 a year. Between us, I don't know how anybody can live on $7,600 a year, let alone older people who need more medicine and more health care.

The GAO recently found that more than half of all older American households have absolutely no retirement savings. So we are looking at families where people 55 or 60 have zero saved for retirement because for many years they have been working for wages that have been totally inadequate, preventing them from putting money into the bank.

Many seniors obviously have worked their whole lives. They have raised kids. But, sadly, many of them do not have the resources they need to live a secure retirement.

As I mentioned a moment ago, we have seniors in this country who are going hungry. The GAO report found that fewer than 10 percent of low-income seniors who needed a home-delivered meal in 2013 received one. In other words, what we have created here in Congress over the years are good and effective programs, such as the Meals on Wheels program, that provide nutritious food to the most vulnerable people in this country—seniors who cannot leave their homes; yet, what the GAO report discovered is that fewer than 10 percent of low-income seniors who needed a home-delivered meal in 2013 received one.

I have gone to many senior citizen locations around this country, and I know that many senior citizens enjoy coming out and getting a congregate meal. They go to senior centers, and they are able to socialize with their friends. They get a good and nutritious meal at a reasonable price. Unfortunately, fewer than 10 percent of low-income seniors who need a congregate meal receive one.

The need, in fact, is growing amongst seniors. GAO found that a higher percentage of low-income seniors are food insecure now—24 percent in 2013—than were in 2008, when the number was 19 percent. So the problem is becoming more acute. One in three low-income seniors aged 60 to 69 is food insecure; yet, fewer than 5 percent receive a meal at home and fewer than 5 percent receive a congregate meal in a senior center.

GAO found that seniors with a disability, minorities, and older adults living on less than $10,000 a year were even more likely to be hungry. Overwhelmingly, those seniors are not getting the help they need.

The report also found that 16 million older adults from all income levels report difficulties with one or more daily activity, such as shopping, bathing, or getting dressed. More than two-thirds of these seniors do not get the help they need.

Many of the programs designed to provide support to seniors—in terms of Meals on Wheels, in terms of the Congregate Meal Program, and in terms of a variety of other programs—are funded by the Older Americans Act. The Older Americans Act was first passed by Congress in 1965, which is the same year Medicare and Medicaid were passed. This year, all three programs are celebrating their 50th anniversary.

I requested this study to see how seniors have been faring in recent years. GAO reported that while the number of older adults in America has increased from 56 to 63 million Americans, the Older Americans Act funding provided to States has gone down since 2009. In other words, the need has gone up, but the funding has gone down. At current funding levels, less than two-tenths percent of Federal discretionary spending is going to achieve its original purpose.

Common sense tells us that putting money into prevention and keeping seniors healthy in the end run not only prevents human suffering, but it also saves us money. If a senior is malnourished, that senior is more likely to fall, break a hip, end up in the hospital, at huge expense for Medicaid and Medicare. It makes sense to me, it seems, that if we fund adequately this important program which keeps seniors healthy, independent, and out of hospitals and nursing homes—that is what we should be doing. That is why I sent a letter to my colleagues on the Senate Appropriations Committee calling for a 12-percent increase in funding for the Older Americans Act programs, such as the nutrition programs. Thirty-two colleagues joined me on that letter. I hope that when we receive the funding level for the Older Americans Act this year, we will see an increase on these important programs. We should not be giving more tax breaks to those who don't need them. Instead, we should be expanding nutrition programs and other services for seniors.

I also encourage my colleagues to support the bill reauthorizing the Older Americans Act, S. 192, and I look forward to working with the Presiding Officer to reauthorize and expand these critical programs for seniors.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNIZING THE 100TH ANNIVERSARY OF HOLY GHOST UKRAINIAN CATHOLIC CHURCH

Mr. PORTMAN. Mr. President, I wish to recognize Holy Ghost Ukrainian Catholic Church as it celebrates its 100th anniversary. Holy Ghost Ukrainian Church was founded in Akron, OH by a small group of faithful and passionate Ukrainian Christians.

In 1915, the Holy Ghost Ukrainian Catholic Church began when two organizations came together to create a place where Ukrainian immigrants could practice the beliefs and traditions they cherished in the new country they called home. The parish has grown and prospered over the years, and continues to flourish at its original location at 1866 Brown Street, offering a center for spiritual and cultural life to Akron and surrounding northeast Ohio communities.

On June 21, 2015, Father Vsevolod Schevchuk, ''Father Sal'', and parishioners will welcome honored guests His Beatitude Sviatoslav Sherchuk, Patriarch, and The Most Reverend Bohdan J. Danylo, Bishop, of the Ukrainian Catholic Church to their Hierarchical Divine Liturgy and celebration dinner. The congregation will join together on this day to celebrate the anniversary of the church, their Ukrainian cultural

traditions, and all that this parish has meant to the community throughout the years.

With more than 50,000 Ukrainian Americans in Ohio, cultural and religious ties remain strong within the community and between Ohio and Ukraine. As cochair of the U.S. Senate Ukrainian Caucus, I have had the privilege of working with the Ukrainian community and know how strongly connected they remain with family and friends overseas. I am certain the continued engagement of Ukrainians in the United States is making a difference in the efforts for the independence of Ukraine. I join the members of the Holy Ghost parish and Ukrainians throughout the United States who continue to pray and work toward a peaceful resolution to the situation in Ukraine. I am proud to stand with Ukrainian Americans and the Ukrainian people as they further their resolve and commitment to maintaining a free and independent Ukraine.

Mr. President, I would like to personally extend my congratulations to Holy Ghost Ukrainian Catholic Church on 100 years of faith, service, and worship.

TRIBUTE TO PETER BLAIR

Mr. LEE. Mr. President, Peter Blair has been a highly valued and trusted member of my staff from the time I took office in 2011. He was part of the team that did the heavy lifting of getting the Senate office off the ground and was instrumental in establishing the systems, structure, and disciplines necessary to support the Senate office and serve the people of Utah.

Peter has filled a wide range of roles and responsibilities in our office, from administrative duties to correspondence and constituent services, from strategic relationships and outreach to the vital role of handling our veterans' affairs. He has approached each of these with a firm commitment to excellence, an eye toward challenging the status quo, and a determination to deliver an experience that is meaningful and memorable.

Assigning something to Peter is not only to consider it done but to know that it will be done right. His commitment to serve the office at anytime, day or night, and in whatever way is needed is extraordinary. He has been vital to the office running on all cylinders. Late night votes, townhalls, serving constituents and veterans, and coordinating with the hardworking people who really make the Senate function, were all part of a day's work for Peter.

Peter has a unique and innovative way of looking at tasks, projects and long-term opportunities—one I wish more people in Washington would embrace. Peter is a servant leader—a street-smart and savvy servant, who understands strategy, structure, and discipline and is simply determined to deliver regardless of circumstances or setbacks.

Peter is a forever learner. His quest to find a better way to do things and his inner drive to make a difference has had an impact on every aspect of my office. He is a trusted colleague who is more concerned about getting things done and done right than he is about who gets credit. Ronald Reagan often made the comment, ''There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit.'' I would add that there is no limit to Peter's impact and where he can go in the future, because he doesn't care who gets the credit.

It has been a blessing for me, my family, and my staff to have Peter as a member of our team. Having Peter around, from the early days of my service in the Senate, has given me great confidence and peace of mind. Nothing has been better than knowing that the moment an assignment was given to Peter it had begun, would soon be done, and above all, be done right.

TRIBUTE TO RYAN McKEON

Mr. LEE. Mr. President, Ryan McKeon has served as my chief advisor on economic policy for the past several years and has been an indispensable member of my staff. The old saying, ''still water runs deep,'' is a good metaphor for Ryan. Many on Capitol Hill race about trying to call attention to themselves or create a torrent of activity to prove how smart or important they are. Ryan, on the other hand, has a style that is indicative of the depth of his substance. He is concerned with properly informing, not impressing, and is less interested in entertaining than he is in engaging in deeper dialogue on issues that matter.

I have trusted Ryan's wisdom and keen insight on a wide range of policy issues and have always had complete confidence in his thorough briefings and recommendations. He has been the driving force behind an expanding and more meaningful economic policy reach from my office.

Ryan is very perceptive. His understanding of core disciplines, principles, and policies, as well as the nuances and subtleties of his issue areas, has been priceless. Ryan is aware of not only the principle and policy ramifications of congressional business but the likely results and down-stream effect of the decisions made. Ryan's stillness allows him to present information in a concise, clear manner that informs me of vital data and impact points while filtering out the noise and chatter typical of Washington, DC, debate.

Everyone in my office knows they can approach Ryan to have him run the numbers on any piece of legislation. He understands the big picture and regularly worked in tandem with our communications team to ensure our messaging was congruent with what we had introduced legislatively. Ryan has worked well with other offices, as well as with academics and highly specialized policy experts outside of my office. While so much of Ryan's work is centered in serious issues and tough topics, he also knows the value of some well placed humor, a wry comment, and a little levity.

Ryan is committed to adding value and making a difference. I greatly appreciate what he has done for me, for the people of Utah, and for our nation. There is a confidence that comes of stillness, a strength that comes from serenity, and quiet determination that comes from depth. Ryan McKeon runs deep, and I am confident his influence will continue to ripple and roll on in the years ahead.

ADDITIONAL STATEMENTS

CELEBRATING THE 60TH ANNIVERSARY OF HOXIE SCHOOL INTEGRATION

● Mr. BOOZMAN. Mr. President, today I wish to honor the resilience, determination, and courage of the community of Hoxie, AR for its leadership in school desegregation and the foundation it laid for integration across the country.

This year, the community is celebrating the 60th anniversary of the first day of school for the African-American students who became known as the Hoxie 21.

This small northeast Arkansas community voluntarily integrated its schools in the summer of 1955 in response to the Supreme Court case Brown v. Board of Education. The reasoning for the school board and Superintendent Kunkel Edward Vance's decision was simple; integration was ''morally right in the sight of God.''

On July 11, 1955, African-American students made history in Hoxie and helped build the momentum for integration.

This unprecedented move began with a smooth transition, and the students were welcomed into the school. The news of a small town in the South desegregating peacefully caught the attention of Life magazine, and in its July 1955 issue the story captured the attention of the world. Unfortunately, the media attention brought with it an avalanche of negativity despite the positive and peaceful progression.

This action was unpopular in the South and while segregationists flooded the community in protest, families of the Hoxie 21 and school leaders stood their ground and with great faith persevered against the inequality.

The Hoxie School Board fought back by filing suit on the segregationists, charging the segregationists with trespassing on school property, threatening picket lines, organizing boycotts and intimidating school officials. Citizens of Hoxie of all races peacefully waited for a resolution, and with encouragement from the NAACP were able to stand up against the verbal and physical threats from the segregationists. Their patience and fortitude was

soon rewarded. In September, the FBI became involved in the investigation. Two months later, Federal District Judge Thomas C. Trimble ruled that segregationists prevented integration in Hoxie, and issued a temporary restraining order against them. In December, a permanent ban against the segregationists was issued and later upheld by the Supreme Court, freeing the school of their influence. It was the first mediation in support of a school district trying to comply with Brown v. Board of Education—a momentous moment for the country and a victory for integration.

This decision was instrumental in desegregating the entire country and was a major victory for the 14th Amendment. This demonstrates that change only comes when people stand up for what is morally right.

I congratulate the town of Hoxie and the Hoxie 21 on this milestone. I am encouraged by your dedication to share this history and positive message. I thank the Hoxie 21 and the community for their bravery in the face of adversity. It is an honor to tell your story and educate people about your struggle.●

REMEMBERING HAROLD E. WARD

● Mrs. SHAHEEN. Mr. President, when author Tom Brokaw called Americans who came of age during World War II the ''greatest generation,'' he had in mind remarkable people like Harold E. Ward, who passed away last week. Mr. Ward lived nearly six decades in Lee, NH, where neighbors knew him for his kindness and warm smile. But few knew that during his 94 years he bore witness to some of the most profound events and transformations of 20th and 21st century America.

In his teens, during the Great Depression, he experienced dire poverty and frequent hunger, enduring what he called ''missed meal cramps.'' As an African American, he endured the slights and segregation of Jim Crow, including when he joined the Navy 2 years before the United States entered World War II. Mr. Ward had graduated from trade school as a skilled electrician, but the few African Americans serving in the Navy were routinely assigned to menial positions such as stewards for ship officers. It was only later, after desegregation of the military, that he became a cook.

On Sunday morning, December 7, 1941, he was on duty aboard the USS *San Francisco* at Pearl Harbor. From his battle station, he witnessed the most devastating foreign attack ever carried out against our military on U.S. soil.

That was Harold Ward's first taste of combat but far from the last. Eleven months later, serving in the Pacific during the Battle of Guadalcanal, he survived numerous wounds from shell fragments and watched a close friend die next to him. He was awarded the Purple Heart. But, referring to shrapnel permanently embedded in his legs, he later said, ''I wear my medals on my body.'' Recalling the prejudice he faced as a Black sailor, he told a local newspaper: ''You look back on it, and despite the fact there was such a separation of people, all the blood ran red.''

Harold Ward served two decades in the Navy, retiring as first class petty officer commissary steward. He went on to use his culinary skills at restaurants in Exeter and Durham, NH, including his own restaurant, Harold's Place, and also worked as a part-time police officer in Lee.

Mr. Ward was a 55-year member, past commander, and chaplain of American Legion Post 67 in Newmarket, NH, and a founding member and past commander of Veterans of Foreign Wars Post 10676 in Lee. He lived to witness the end of legal segregation, the triumphs of the civil rights movement, and the election and reelection of an African-American President.

Across the decades, Mr. Ward was a gifted mentor to countless young people who crossed his path. Harold and his wife Virginia treated these young men and women as members of the Ward family, giving them love, counsel, and a place to call home.

Dr. Martin Luther King, Jr., said, ''Life's most urgent and persistent question is: What are you doing for others?'' Across his eventful life, Harold Ward answered that question in powerful ways, including service to his country, to his community, and to anyone he encountered who needed a helping hand or a wise word.

Harold was predeceased by his beloved wife Virginia and two sons, Bruce and Theodore. He is remembered with much love by daughters Linda and Harriet and son Michael. The Lee community is mourning his passing, as are countless people whose lives he touched. On behalf of the United States Senate and a grateful nation, I thank Harold Ward for his many years of dedicated service. May he rest in peace.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF KOREA CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the ''Act''), the text of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Korea Concerning Peaceful Uses of Nuclear Energy (the ''Agreement''). I am also pleased to transmit my written approval, authorization, and determination concerning the proposed Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the proposed Agreement. (In accordance with section 123 of the Act, as amended by Title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277), two classified annexes to the NPAS, prepared by the Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of the export control system of the Republic of Korea (ROK) with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement contains all of the requirements established by section 123 a. of the Act. It provides a comprehensive framework for peaceful nuclear cooperation with the ROK based on a mutual commitment to nuclear nonproliferation. It would permit

the transfer of material, equipment (including reactors), components, information, and technology for nuclear research and nuclear power production. It would not permit the transfer of Restricted Data, and sensitive nuclear technology or technology or information that is not in the public domain concerning fabrication of nuclear fuel containing plutonium could only be transferred if specifically provided by an amendment to the proposed Agreement or a separate agreement. Any special fissionable material transferred could only be in the form of low enriched uranium, with two exceptions: small quantities of material for use as samples; or for other specified applications such as use in loading and operation of fast reactors or the conduct of fast reactor experiments. The proposed Agreement would also obligate the United States to endeavor to take such actions as may be necessary and feasible to ensure a reliable supply of low enriched uranium fuel to the ROK, similar to terms contained in other recent civil nuclear cooperation agreements.

The proposed Agreement would also establish a new standing High-Level Bilateral Commission (HLBC) to be led by the Deputy Secretary of Energy for the Government of the United States of America and the Vice Minister of Foreign Affairs for the Government of the ROK. The purpose of the HLBC is to facilitate peaceful nuclear and strategic cooperation between the parties and ongoing dialogue regarding areas of mutual interest in civil nuclear energy, including the civil nuclear fuel cycle.

The proposed Agreement will have an initial term of 20 years and would renew for one additional period of 5 years unless either party gives written notice at least 2 years prior to its expiration that it does not want to renew the proposed Agreement. The proposed Agreement also requires the parties to consult as soon as possible after the seventeenth anniversary of its entry into force to decide whether to pursue an extension of the proposed Agreement. In the event of termination of the proposed Agreement, key nonproliferation conditions and controls will continue in effect as long as any nuclear material, moderator material, byproduct material, equipment, or component subject to the proposed Agreement remains in the territory of the party concerned or under its jurisdiction or control anywhere, or until such time as the parties agree that, in the case of nuclear material or moderator material, such items are no longer usable for any nuclear activity relevant from the point of view of international safeguards or have become practically irrecoverable, or in the case of equipment, components, or byproduct material, such items are no longer usable for nuclear purposes.

The ROK has a strong track record on nonproliferation and its government has consistently reiterated its commitment to nonproliferation. The ROK is a party to the Treaty on the Non-proliferation of Nuclear Weapons, has an International Atomic Energy Agency safeguards agreement and Additional Protocol in force, is a member of the four multilateral nonproliferation export control regimes (Missile Technology Control Regime, Wassenaar Arrangement, Australia Group, and Nuclear Suppliers Group, for which it served as Chair in 2003–2004 and is scheduled to do so again in 2015–2016), and is an active participant in the Proliferation Security Initiative. A more detailed discussion of the ROK's civil nuclear program and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the NPAS and in two classified annexes to the NPAS submitted to you separately. As noted above, the Director of National Intelligence will provide an addendum to the NPAS containing a comprehensive analysis of the export control system of the ROK with respect to nuclear-related matters.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the proposed Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee as provided in section 123 b. Upon completion of the 30 days of continuous session review provided for in section 123 b., the 60 days of continuous session review provided for in section 123 d. shall commence.

BARACK OBAMA.
THE WHITE HOUSE, *June 16, 2015.*

MESSAGE FROM THE HOUSE

At 11:09 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''.

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''.

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''.

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''.

H.R. 2131. An act to designate the Federal building and United States courthouse located at 83 Meeting Street in Charleston, South Carolina, as the ''J. Waties Waring Judicial Center''.

H.R. 2559. An act to designate the ''PFC Milton A. Lee Medal of Honor Memorial Highway'' in the State of Texas.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2131. An act to designate the Federal building and United States courthouse located at 83 Meeting Street in Charleston, South Carolina, as the ''J. Waties Waring Judicial Center''; to the Committee on Environment and Public Works.

H.R. 2559. An act to designate the ''PFC Milton A. Lee Medal of Honor Memorial Highway'' in the State of Texas; to the Committee on Environment and Public Works.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1952. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Iran-Related Multilateral Sanctions Regime Efforts'' covering the period August 7, 2014 to February 6, 2015; to the Committees on Foreign Relations; Banking, Housing, and Urban Affairs; and Finance.

EC–1953. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Proceedings Before the Commodity Futures Trading Commission; Rules Relating to Suspension or Disbarment from Appearance and Practice'' (RIN3038–AE21) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1954. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Bruce E. Grooms, United States Navy, and his advancement to the grade of vice admiral

on the retired list; to the Committee on Armed Services.

EC–1955. A communication from the Secretary of Defense, transmitting, pursuant to law, the Annual Report of the Reserve Forces Policy Board for fiscal year 2014; to the Committee on Armed Services.

EC–1956. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 15–001); to the Committee on Foreign Relations.

EC–1957. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Minimum Requirements for Appraisal Management Companies'' (RIN1557–AD64) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1958. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Cuban Assets Control Regulations; Terrorism List Governments Sanctions Regulations'' (31 CFR Parts 515 and 596) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1959. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting, pursuant to law, Bank's 2014 Management Report and statement on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–1960. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting, pursuant to law, the Bank's 2014 management report and statement on the system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–1961. A communication from the Executive Vice President and Chief Financial Officer of the Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the Bank's 2014 management report and statement on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–1962. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Small Bank Holding Company Policy Statement; Capital Adequacy of Board-Regulated Institutions; Bank Holding Companies; Savings and Loan Holding Companies.'' (RIN1700–AE30) (FRB Docket No. R–1509)) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1963. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Substantial Business Activities'' ((RIN1545–BM85) (TD 9720)) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Finance.

EC–1964. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Pre-Approved Plan Revenue Procedure'' (Rev. Proc. 2015–36) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Finance.

EC–1965. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Segregation Rule Effective Date'' ((RIN1545–BM17) (TD 9721)) received in the Office of the President of the Senate on June 11, 2015; to the Committee on Finance.

EC–1966. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the Family Violence Prevention and Services Program for fiscal years 2011–2012; to the Committee on Health, Education, Labor, and Pensions.

EC–1967. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1968. A communication from the Acting Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1969. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department of Defense Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1970. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes in Requirements for Collective Trademarks and Service Marks, Collective Membership Marks, and Certification Marks'' (RIN0651–AC89) received in the Office of the President of the Senate on June 11, 2015; to the Committee on the Judiciary.

EC–1971. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, received in the Office of the President of the Senate on June 11, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1972. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Railroad Administration, Department of Transportation, received in the Office of the President of the Senate on June 11, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–37. A joint resolution adopted by the Legislature of the State of Maine memorializing the President of the United States and Congress of the United States to require expansion of fish hatchery operations; to the Committee on Commerce, Science, and Transportation.

HOUSE PAPER 933

Whereas, the Atlantic salmon, Salmo salar, is a salmon found in the north Atlantic Ocean and in rivers that flow into the north Atlantic Ocean, and the fish has historically been an important economic asset to the State of Maine; and

Whereas, the major rivers of the State once ran thick with salmon traveling upstream to spawn; and

Whereas, salmon populations have been reduced to nearly undetectable numbers in most rivers in Maine; and

Whereas, the Federal Government has designated the Atlantic salmon as an endangered species; and

Whereas, the Federal Government spends millions of dollars annually to restore the species with no significant success; and

Whereas, there are specific hatchery operations that can improve upon the current results; and

Whereas, a significant number of salmon originating in Maine are being harvested in a commercial fishery off the west coast of Greenland; and

Whereas, this fishery is a major obstacle to the restoration of salmon in Maine rivers: Now, therefore, be it

Resolved, That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President and the United States Congress direct the United States Fish and Wildlife Service and the National Marine Fisheries Service to expand hatchery operations to rivers in Maine by partnering with the State and with the many non-government organizations that are focused on restoring Atlantic salmon to their historic natal rivers; and be it further

Resolved, That We, your Memorialists, urge that additional resources be made available to the United States State Department that would assist its efforts through the North Atlantic Salmon Conservation Organization convention to help with the curtailment or suspension of the wild Atlantic salmon fishery off the west coast of Greenland; and be it further

Resolved, that suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM–38. A resolution adopted by the Senate of the State of Michigan calling on the President of the United States and the Congress of the United States to direct the Army Corps of Engineers to fully support efforts to determine the best long-term solution for preventing Asian carp from entering the Great Lakes and to move decisively to implement a solution; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 23

Whereas, The Great Lakes are one of our nation's great natural wonders. Bordering Michigan and seven other states, these inland seas contain nearly one-fifth of the world's surface fresh water. They support jobs in manufacturing, tourism, recreation, shipping, agriculture, science, engineering, energy, and mining throughout the region. The protection of the Great Lakes is essential to Michigan's state identity and economy as well as national economic growth; and

Whereas, Asian carp pose an imminent threat to the Great Lakes ecosystem and economy. Asian carp have successfully invaded the Mississippi River basin and now stand only 50 miles downstream from the Great Lakes. Asian carp can reproduce rapidly, consume large quantities of food, disrupt local ecosystems, out-compete native

fish, and devastate recreational fishing and boating opportunities. There is general scientific consensus that Asian carp will be able to establish populations and thrive in areas of the Great Lakes. Once established, they will be difficult, if not impossible, to control or eradicate. Thus, the federal government has recognized Asian carp as ''the most acute [aquatic invasive species] threat facing the Great Lakes today''; and

Whereas, A permanent, long-term solution must be identified and implemented to keep Asian carp out of the Great Lakes. While the U.S. Army Corps of Engineers' Great Lakes and Mississippi River Interbasin Study identified a number of solutions, it stopped short of determining the best option. Regional efforts to reach consensus on a solution, such as those of the Chicago Area Waterway System Advisory Committee, must be supported and recommendations seriously considered; and

Whereas, The best long-term solution will prevent Asian carp from entering the Great Lakes while preserving as much as possible the current uses of the Chicago area waterways. Although effective Asian carp prevention is paramount and should not be compromised, the value, impacts, and costs to the barge industry must also be taken into account; and

Whereas, Regardless of the means, immediate and decisive action is required to protect the Great Lakes. The status quo will not prevent irreparable harm. Asian carp could cause billions of dollars in lost revenues and thousands of lost jobs in the $7 billion sports and commercial fishing industry and the $9 billion recreational boating industry. In addition, damage done to the Great Lakes, rivers, and inland lakes by Asian carp would greatly harm our state's viability as an attractive vacation destination, thereby leading to decreased tourism revenue and jobs: Now, therefore, be it

Resolved by the Senate, That we call on the Obama Administration and the Congress of the United States to direct the U.S. Army Corps of Engineers to fully support efforts to determine the best long-term solution for preventing Asian carp from entering the Great Lakes; and be it further

Resolved, That we urge the Obama Administration and Congress to provide sufficient funding that will ensure the U.S. Army Corps of Engineers moves decisively to implement a solution; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–39. A resolution adopted by the Senate of the State of Michigan memorializing the Congress of the United States to pass legislation that authorizes the Army Corps of Engineers to implement measures at the Brandon Road lock and dam to prevent Asian carp from entering the Great Lakes; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 25

Whereas, Asian carp are an imminent and serious threat to the health and economy of Michigan and the entire Great Lakes region. Only 50 miles downstream from Lake Michigan, this aquatic invasive species' voracious appetite would disrupt food webs, leaving inadequate food for more desirable species within the Great Lakes, and threatening the $7-billion Great Lakes recreational and commercial fishing industry; and

Whereas, Current controls in the Chicago area are inadequate to prevent the movement of Asian carp and potential future aquatic invasive species (AIS) between the Great Lakes system and the Mississippi River system. A U.S. Army Corps of Engineer and U.S. Fish and Wildlife Service study has demonstrated that the electrical barriers that provide the front line of protection against carp do not prevent the movement of all fish; and

Whereas, Control measures implemented at the Brandon Road lock and dam in Joliet, Illinois, would reduce the risk of an Asian carp invasion while maintaining efficient navigation. Composed of representatives from government, industry, business, anglers, and conservation groups, the Chicago Area Waterway System Advisory Committee has recommended the deployment of innovative technologies and the reconfiguration of the locks in a newly-engineered channel at this key location. The U.S. Army Corps of Engineers has begun the scoping process for this project; and

Whereas, Moving forward with design, engineering, and construction of these measures would be a worthwhile short-term and longterm investment in the Great Lakes region. While negotiations continue on a permanent long-term solution, these measures would provide additional protection and be consistent with an eventual long-term solution. In addition, this project would serve as a valuable demonstration for technologies that could be implemented in other areas of the country; and

Whereas, There is a window of opportunity now to protect the Great Lakes, avoid irreparable harm to the system, and prevent decade upon decade of future management costs. Once established, Asian carp would be nearly impossible to eradicate and would join zebra mussels, sea lamprey, and other AIS that Great Lakes governments and businesses spend millions of dollars per year to control. The Brandon Road lock and dam project would be a solid first step in creating greater structural protections for the Great Lakes: Now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to pass legislation that authorizes the U.S. Army Corps of Engineers to implement measures at the Brandon Road lock and dam to prevent Asian carp from entering the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–40. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress to pass legislation that establishes a national, uniform, and scientifically-based label program for genetically modified food; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 89

Whereas, Genetically modified organisms, or GMOs, have become increasingly prominent in today's grocery marketplace. In recent years, scientists have used genetic engineering techniques to modify the DNA of plants to make them resistant to certain pests, diseases, environmental conditions, and chemical treatments. GMOs help increase crop yields, constrain food prices, and vitally support Michigan's agriculture, food processing, and other industries. Commonly found in crops like corn, soybeans, cotton, and canola, 70 to 80 percent of the foods Americans eat today contain GMOs. In 2014, 100 percent of all sugar, 93 percent of all corn, and 91 percent of all soybeans grown in Michigan were produced using GMOs; and

Whereas, Despite the widespread use of GMOs, there is no federal GMO labeling standard. Absent these rules, some states and localities have developed their own proposals, leading to a patchwork of regulation that can be confusing and possibly misleading to consumers. Moreover, a maze of GMO labeling regulations increases agriculture and food production costs, requiring food companies operating in Michigan to create separate supply chains in each state. Ultimately, this could significantly increase the average price consumers spend at grocery stores, which could average an extra $500 per year according to a Cornell University study; and

Whereas, Federal legislation must be passed to avoid this patchwork of regulations and the costly ramifications it creates. Legislation like the Safe and Accurate Food Labeling Act H.R. 1599, sponsored by congressmen Pompeo and Butterfield, is a bipartisan solution needed to allow consumers to have access to accurate and consistent information on the products that contain GMOs. A USDA-administered certification and labeling program modeled after the USDA organic labeling program for non-GMO foods would ensure that labeling is nationwide, uniform, and scientifically-based: Now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to pass legislation that establishes a national, uniform, and scientifically-based label program for genetically modified food; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–41. A resolution adopted by the Senate of the Commonwealth of Pennsylvania recognizing the month of May 2015 as ''Amyotrophic Lateral Sclerosis Awareness Month''; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 101

Whereas, Amyotrophic Lateral Sclerosis (ALS) is better known as Lou Gehrig's Disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the upper and lower motor neurons in the gray matter of the anterior horn of the spinal cord; and

Whereas, The initial symptom of ALS is weakness of the skeletal muscles, especially those of the extremities; and

Whereas, As ALS progresses, the patient experiences difficulty in swallowing, talking and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, Patients with ALS typically remain alert and aware of their loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, ALS affects military veterans at twice the rate of the general population; and

Whereas, ALS occurs in adulthood, most commonly between 40 and 70 years of age, peaking at about 55 years of age, and affects both men and women without bias; and

Whereas, Annually, more than 5,000 new ALS patients are diagnosed throughout the nation; and

Whereas, In Pennsylvania, there are currently more than 1,000 individuals who have been formally diagnosed with ALS; and

Whereas, The $350,000 in State funding the General Assembly appropriated for ALS support services in the General Appropriation Act of 2014 provided services to more than 900 constituents and substantial savings to the State budget and taxpayers; and

Whereas, The ALS Association reports that on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

Whereas, ALS has no known cause, prevention or cure; and

Whereas, ''Amyotrophic Lateral Sclerosis Awareness Month'' increases the public's awareness of ALS patients' circumstances and acknowledges the terrible impact this disease has not only on patients but on their families as well and recognizes the research being done to eradicate this horrible disease: Now therefore, be it

Resolved, That the Senate of Pennsylvania designate the month of May 2015 as ''Amyotrophic Lateral Sclerosis Awareness Month'' in Pennsylvania; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–42. A communication from a citizen of the State of Florida memorializing a resolution adopted by the City Council of Tampa supporting the re-establishment of a secure Cuban consulate being located in the City of Tampa, Florida, when relations between the United States and Cuba are appropriately normalized; to the Committee on Foreign Relations.

POM–43. A communication from a citizen of the State of Florida memorializing a resolution adopted by the City Council of Tampa supporting the President of the United States's actions to normalize cultural, humanitarian, economic, and diplomatic relations with Cuba; and urging that when relations between the United States and Cuba are appropriately normalized, the City of Tampa serve as the location for formalizing the re-establishment of diplomatic ties, which may then be referred to as ''The Tampa Accord'' between the United States and Cuba; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2578. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114–66).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself and Mr. THUNE):

S. 1578. A bill to amend the Internal Revenue Code of 1986 to enhance taxpayer rights, and for other purposes; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. THUNE, Mr. UDALL, Mr. HELLER, Mr. TESTER, Mr. FRANKEN, Ms. MURKOWSKI, and Mr. ROUNDS):

S. 1579. A bill to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States; to the Committee on Indian Affairs.

By Mr. TESTER (for himself, Mr. PORTMAN, Mr. CARDIN, Mr. MORAN, and Ms. HEITKAMP):

S. 1580. A bill to allow additional appointing authorities to select individuals from competitive service certificates; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY:

S. 1581. A bill to foster market development of clean energy fueling facilities by steering infrastructure installation toward designated Clean Vehicle Corridors; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself and Ms. WARREN):

S. 1582. A bill to establish pilot programs to encourage the use of shared equity mortgage modifications, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI:

S. 1583. A bill to authorize the expansion of an existing hydroelectric project; to the Committee on Energy and Natural Resources.

By Mr. CASSIDY:

S. 1584. A bill to repeal the renewable fuel standard; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 1585. A bill to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KIRK:

S. 1586. A bill to amend the Federal Water Pollution Control Act to prohibit sewage dumping into the Great Lakes, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KAINE (for himself and Mr. FLAKE):

S. 1587. A bill to authorize the use of the United States Armed Forces against the Islamic State of Iraq and the Levant; to the Committee on Foreign Relations.

By Mr. FRANKEN (for himself, Mr. COONS, Mr. HEINRICH, Mr. MURPHY, Mr. SCHATZ, Mr. DURBIN, Mr. CARDIN, and Ms. WARREN):

S. 1588. A bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. COONS, Ms. KLOBUCHAR, Mr. WICKER, Mrs. MCCASKILL, Mr. KIRK, Mr. BLUMENTHAL, and Mr. TILLIS):

S. 1589. A bill to facilitate efficient investments and financing of infrastructure projects and new, long-term job creation through the establishment of an Infrastructure Financing Authority, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 298

At the request of Mr. BENNET, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 366

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 622

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 622, a bill to strengthen families' engagement in the education of their children.

S. 637

At the request of Mr. CRAPO, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 740

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 740, a bill to improve the coordination and use of geospatial data.

S. 769

At the request of Mr. BLUNT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 769, a bill to streamline the permit process for rail and transit infrastructure.

S. 776

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 776, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 786

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 786, a bill to provide paid and family medical leave benefits to certain individuals, and for other purposes.

S. 827

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 827, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 877

At the request of Mr. SCHATZ, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 877, a bill to establish a pilot grant program to assist State and local law enforcement agencies in purchasing body-worn cameras for law enforcement officers.

S. 993

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 1020

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1040

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1040, a bill to direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study, and for other purposes.

S. 1046

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1046, a bill to accelerate the adoption of smart building technologies in the private sector and key Federal agencies.

S. 1099

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1099, a bill to amend the Patient Protection and Affordable Care Act to provide States with flexibility in determining the size of employers in the small group market.

S. 1135

At the request of Mrs. MCCASKILL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1135, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1438

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1438, a bill to allow women greater access to safe and effective contraception.

S. 1443

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1443, a bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes.

S. 1444

At the request of Mr. PETERS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1444, a bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax regarding the taxation of distilled spirits.

S. 1458

At the request of Mr. COATS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1476

At the request of Mrs. BOXER, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1476, a bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes.

S. 1513

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Delaware (Mr. COONS), the Senator from Minnesota (Mr. FRANKEN), the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1536

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1536, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S. 1546

At the request of Mr. VITTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1546, a bill to establish an export credit insurance program in the Small Business Administration.

S. 1551

At the request of Mr. THUNE, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1551, a bill to provide for certain requirements relating to the Internet Assigned Numbers Authority stewardship transition.

S. 1557

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1557, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service, and for other purposes.

S. RES. 200

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 200, a resolution wishing His Holiness the 14th Dalai Lama a happy 80th birthday on July 6, 2015, and recognizing the outstanding contributions His Holiness has made to the promotion of nonviolence, human rights, interfaith dialogue, environmental awareness, and democracy.

S. RES. 201

At the request of Mr. CORNYN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 201, a resolution designating June 19, 2015, as ''Juneteenth Independence Day'' in recognition of June 19, 1865, the date on which slavery legally came to an end in the United States.

AMENDMENT NO. 1473

At the request of Mr. VITTER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 1473 proposed to H.R.

1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1549

At the request of Mrs. ERNST, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 1549 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1703

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1703 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1704

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 1704 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1847

At the request of Mr. JOHNSON, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 1847 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1883

At the request of Mr. KAINE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 1883 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1889

At the request of Mr. LEAHY, his name was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

At the request of Ms. HIRONO, her name was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, supra.

At the request of Mr. MARKEY, his name was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, supra.

At the request of Ms. BALDWIN, her name was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, supra.

At the request of Mr. WARNER, his name was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, supra.

At the request of Mr. BROWN, his name was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, supra.

AMENDMENT NO. 1908

At the request of Mr. ENZI, the names of the Senator from Delaware (Mr. CARPER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 1908 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1948

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 1948 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1961

At the request of Ms. AYOTTE, the names of the Senator from North Carolina (Mr. BURR) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 1961 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 1962

At the request of Ms. AYOTTE, the names of the Senator from North Carolina (Mr. BURR) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 1962 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

AMENDMENT NO. 2039

At the request of Mr. HEINRICH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 2039 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI:

S. 1583. A bill to authorize the expansion of an existing hydroelectric project; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that will speed the next phase of a renewable energy project in my home State of Alaska, that Congress effectively authorized 35 years ago.

Back in 1980, Congress in Section 1325 of the Alaska National Interest Lands Conservation Act, noted that the Kodiak Electric Association Inc., KEA, then wished to build a lake-tap hydroelectric project by taking water from Terror Lake, a high alpine lake, whiph was placed just inside the boundary line of Kodiak National Wildlife Refuge by the act. At the time KEA had wanted to build a 20 megawatt hydroelectric project inside the refuge to power the namesake community on Kodiak Island. Under the law, the Secretary of the Interior was to approve the project and its expansion on a ''case-by-case'' basis—the law simply saying that nothing in the 1980 Act ''shall be construed as necessarily prohibiting or mandating the construction'' of the project. The Secretary the next year approved the power project, which started generation in the mid 1980's. A third 10-megawatt turbine since was added to the project in 2012–13.

Kodiak Electric Association, a rural electric cooperative, is a leader in Alaska in promoting renewable energy. In 2014, 99.7 percent of its total electricity came from hydroelectric generation and from a Pillar Mountain wind turbine farm—the first community in Alaska to be nearly 100 percent supplied by renewable energy sources. But that designation will disappear if the next phase of the originally planned Terror Lake project is not constructed, since the utility will need to

resume burning more diesel fuel to produce power if additional hydroelectric generation from the lake is not permitted. That will result in the burning of 2 million gallons of diesel fuel—in a typical year given current electricity load forecasts—that will emit 26,000 tons of carbon dioxide into the atmosphere annually.

The new expansion involves diverting five small streams located on Alaska State lands in the adjacent Upper Hidden Basin—streams branching off the East and West Upper Hidden Creeks—and allowing the water to flow into Terror Lake through an underground tunnel that will be drilled through the ridge line marking the boundary between State and refuge lands. The project, which will impact about 13 acres of refuge lands, 3 acres being made up by the tunnel itself, will have a single visible impact, some grading for a construction laydown area on the rocky slopes above the upper end of the lake, and the ''natural'' waterfall that will result from water entering the lake from the tunnel. The entire extent of the project involves drilling a 1.22 mile-long tunnel, about 2,150 feet by current estimates being on refuge lands, plus the diversion structure on the State's creeks, a water pipeline to carry water from the East Creek over to the main diversion structure located on the West Creek, and a related access road.

The project should have no impact on the environment or wildlife, since the amount of water being diverted from the 4 square mile basin is so slight as to have no impact on fisheries at the mouth of the Kizhuyak River on the east side of Kodiak Island at Ugak Bay, into which the Hidden Basin Creeks flow. The project should not affect the wildlife along the shore of the steep, rocky lake. The project will not involve adding turbines or equipment to the existing Terror Lake powerhouse, as the project will not increase the maximum amount of megawatt production, but simply increase the annual total production of electricity from the power project. Terror Lake in 2014, a normal water year, produced 134 gigawatt-hours of electricity. By the addition it should produce about 30 additional gigawatt-hours annually, about a 25 percent increase.

The project, besides allowing KEA to utilize clean, renewable energy, should also enhance the utility's innovative wind-hydro integration system and further its micro-grid energy storage technology.

While this project should be able to proceed by seeking administrative approvals either because of its ANILCA inclusion or because of Title 11 of ANILCA, which governs future rights-of-way requests, I am introducing legislation seeking Congressional approval to speed up the start of construction on the power project. Without Congressional approval, the utility will need to fund two environmental impact statements, EIS's, instead of one, covering the exact same issues, delaying the start of construction by years. With congressional approval, the project will still face the delay of the Federal Energy Regulatory Commission conducting a single EIS as part of its hydro licensing amendment process. The project still will be subject to any conditions to protect fisheries or wildlife placed on the project by the USF&WS under Section 4(e) of the Federal Power Act. But it will have to clear only one such EIS process, sparing rate payers on Kodiak Island a doubling of the permitting expense.

This authorization will simply allow another phase of the Terror Lake project to be constructed, as it was envisioned nearly 40 years ago. In the 1978 feasibility plan, two years before passage of the Alaska National Interest Lands Conservation Act, the Hidden Basin Creek diversion was clearly outlined. ''This scheme is the most economical means of increasing the output of the development . . . and it can be built whenever the growth in power demand in Kodiak justifies it. Therefore, the scheme is included in the present report as a recommended future development,'' said the Terror Lake hydro report in December 1978.

The project will permit additional clean, renewable energy to be generated for the inhabitants of Kodiak Island, but without any environmental or negative fishery or wildlife consequences. This bill, if approved by Congress this year, will produce that power more quickly and at less cost than will be involved should a lengthy, multiple administrative review take place. It is unfortunate, but in the past 35 years since passage of the Alaska lands act, no entity has ever completed the lengthy process and received a right-of-way permit under the bureaucratic process set up by Title 11 of ANILCA. I hope that this project will not have to attempt to be the first to actually navigate the Title 11 right-of-way process in order to proceed.

I hope Congress will quickly approve this authorization so that more renewable electricity can flow to the citizens of Kodiak in the near future.

By Ms. MURKOWSKI:

S. 1585. A bill to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation needed to provide additional options for how Ketchikan and parts of Southeast Alaska can receive additional clean, renewable electricity in the future. Today I am introducing legislation being requested by Cape Fox Native Corp. of Ketchikan, Alaska Power & Telephone Co., and the City of Saxman to extend a 2002 stay on the hydroelectric construction license for the Mahoney Lake project. This bill will effectively require the Federal Energy Regulatory Commission to grant another 10-year extension of the construction license for the project proposed northeast of downtown Ketchikan, in hopes that greater clarity will be obtained within the next decade on how to supply power to the region in the future.

Mahoney Lake was first proposed as a 9.6-megawatt, MW, lake-tap hydroelectric project in the early 1990s. By 2002 the sponsors had not received a power purchase agreement, PPA, and had exhausted the then allowed FERC extensions of their construction license. In June 2002 they asked former Alaska Senator Ted Stevens to win legislative approval of a stay so they wouldn't lose the license. Effectively, they wanted the license expiration to be stayed until after completion of the then proposed Swan-Tyee electrical transmission intertie—in hopes that such completion would clarify future electrical needs in the community. That project has since been finished, triggering the potential end of the 2002 license stay.

The entities backing Mahoney Lake's construction have spent more than $4 million on engineering and environmental studies—money in jeopardy of being wasted, if the stay and a continuation of the construction license is not approved by Congress. For that and a host of other reasons, I am introducing this legislation to extend the construction license and normal additional license periods under FERC rules for this project.

Ketchikan, which recently received more clean, renewable energy with the completion of the Whitman Lake hydroelectricity project, likely will need additional power within the next decade. Currently the Southeast Alaska Power Authority, SEAPA, is conducting a review of all potential power sources. As part of that study the authority is studying the merits of a host of projects, including construction of Mahoney Lake. The authority, for example, is considering whether to raise the height of the existing spillway of the Swan Lake project to hold more water and generate more power. The authority is considering whether to purchase power from two potential Metlakatla hydro projects: the 4MW Triangle Lake or the 4.6 MW Lower Todd Lake projects on Annette Island. And the authority is also checking the potential economics and costs, including transmission lines, of new projects throughout the area.

By this legislation I am simply trying to keep Mahoney Lake, which may be able to produce 41.6 gigawatts of additional power annually for the Ketchikan area, viable as a potential renewable energy project until that comprehensive review is finished in 2016 or perhaps in 2017.

The three entities that currently hold the license for Mahoney Lake have certainly spent more than enough

on construction to meet FERC requirements that licensees show they are serious about progressing a project and aren't simply ''stockpiling'' hydroelectric permits/licenses. Cape Fox Native Corporation, especially, is deserving of an extension given its unique position under terms of the 1971 Alaska Native Claims Settlement Act, ANCSA, Cape Fox was ''distinctly disadvantaged'' in its land selections under ANCSA because of Ketchikan land protections, the location of the Annette Island Indian reservation, and the then long-term timber contracts in the area owned at the time by the Ketchikan Pulp Corporation. All three issues prevented Cape Fox from selecting most of its lands inside its core selection areas. Arguably the Mahoney Lake hydro project site is the only valuable land that the corporation was allowed to select inside its core selection area, under the bill that settled aboriginal land claims in Alaska.

This legislation will not advantage Mahoney Lake over any other project that may be considered to provide low-cost hydroelectric power to the region. But its timely passage will level the playing field so that Mahoney Lake can be considered on the same economic grounds as all other future power projects in southern Southeast Alaska. I hope for the bill's swift passage in this Congress.

By Mr. KAINE (for himself and Mr. FLAKE):

S. 1587. A bill to authorize the use of the United States Armed Forces against the Islamic State of Iraq and the Levant; to the Committee on Foreign Relations.

Mr. KAINE. Mr. President, I am pleased today to introduce in the Senate, with my colleague Senator FLAKE, the first bipartisan Authorization for Use of Military Force, AUMF, against ISIL. The United States launched military action against ISIL over 10 months ago on August 8, 2014. It is far past time for Congress to fulfill its duty by debating and determining whether or not it is in the nation's best interest to order United States troops to risk their lives in this mission and vote on an ISIL AUMF.

This bill authorizes the U.S. mission against ISIL for the purpose of protecting the lives of U.S. citizens and providing military support to regional partners in their battle to defeat ISIL. As stated by the authorization, the use of significant U.S. ground troops in combat against ISIL is not consistent with this purpose, except to protect lives of U.S. citizens from imminent threat. Other key provisions include a sunset after three years unless reauthorized; a repeal of the 2002 Iraq AUMF; and a clause that defines this authorization as the sole statutory authority for the war on ISIL, as opposed to the 2001 AUMF.

Thousands of members of the United States Armed Forces have been deployed to support military operations against ISIL in Iraq and Syria. As of June 2015, the United States has conducted over 3,500 airstrikes against ISIL and spent more than $2,600,000,000 American taxpayer dollars on this war—a number that continues to rise by approximately $9,000,000 per day. Tragically, members of the Armed Forces have been killed in Operation Inherent Resolve, and United States hostages have been killed by ISIL in barbaric ways.

However, while Congress has authorized appropriations for Operation Inherent Resolve and the training of anti-ISIL forces in Syria, it has yet to take formal action to approve this mission. Doing so is critical for reinforcing the leadership of the United States with our coalition partners and sending a strong message to our adversaries that the United States is united in the fight against ISIL and speaks with one voice in confronting ISIL.

President Obama submitted an authorization for use of military force against ISIL in February 2015. And still Congress has not undertaken its most solemn duty and responsibility under Article 1. The American public deserves this congressional debate to educate them about the national security interests at stake and the advisability of this war and Congress should do its job by formally voicing its support or disapproval of the mission against ISIL.

I am proud to join Senator FLAKE in introducing a bill to start this necessary debate. As we saw with the Iran Nuclear Agreement Review Act, it is possible to find bipartisan compromise on even the toughest of foreign policy issues and I challenge my colleagues to finally come together to do what is right for our troops and our nation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2047. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1974 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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.

SA 2048. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2049. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2050. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1859 submitted by Mr. MENENDEZ and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2051. Mr. CASEY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2052. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1669 submitted by Mr. BOOZMAN (for himself, Mr. DONNELLY, and Mr. TOOMEY) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2053. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. BARRASSO (for himself and Mr. ENZI) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2054. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2055. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2042 submitted by Ms. BALDWIN and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2056. Mr. CARDIN (for himself and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 2057. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2047. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1974 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 3, strike lines 13 through 20 and insert the following:

(5) implement a strategy to provide for the safe, secure, and permanent relocation of Camp Liberty residents that includes a relocation plan, including a detailed outline of the steps that would need to be taken by recipient countries, the United States, the United Nations High Commissioner for Refugees (UNHCR), and Camp residents to relocate the residents to other countries;

SA 2048. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 appropriate place, insert the following:

SEC. ____. SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.

It is the sense of Congress that the appointment of a Lead Inspector General for

Operation Freedom's Sentinel by the Chair of the Council of Inspectors General on Integrity and Efficiency pursuant to section 8L of the Inspector General Act of 1978 (5 U.S.C. App.) is not intended to limit or otherwise affect the authority and responsibilities of the Office of the Special Inspector General for Afghanistan Reconstruction (commonly known as ''SIGAR'') as established by section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81; 122 Stat. 378).

SA 2049. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 G of title X, add the following:

SEC. 1085. SENSE OF CONGRESS REGARDING NOMINATING A PERMANENT INSPECTOR GENERAL OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) There are 4 Presidentially-appointed Inspector General vacancies for which a nomination is not pending before the Senate.

(2) It is vital that Offices of Inspectors General remain independent.

(3) In the absence of a permanent Inspector General, an Office of Inspector General is run by an acting Inspector General who, no matter how qualified or well-intentioned, is not granted the same protections afforded to an Inspector General who is confirmed by the Senate, as the acting Inspector General—

(A) is not truly independent;

(B) may be removed by the head of the agency at any time;

(C) only serves temporarily and does not drive the policy of the Office; and

(D) is at a greater risk of compromising the work of the Office to appease the agency or the President.

(4) One of the current Presidentially-appointed Inspector General vacancies is the Inspector General of the Department of Veterans Affairs, which has been vacant since December 31, 2013.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should nominate a permanent Inspector General of the Department of Veterans Affairs not later than 30 days after the date of enactment of this Act.

SA 2050. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1859 submitted by Mr. MENENDEZ and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 of page 1 of the amendment, strike line 3 and all that follows through page 2, line 21, and insert the following:

SEC. 1274. REPORT ON THE SECURITY RELATIONSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF CYPRUS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on the security relationship between the United States and the Republic of Cyprus.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of ongoing military and security cooperation between the United States and the Republic of Cyprus.

(2) A discussion of potential steps for enhancing the bilateral security relationship between the United States and Cyprus, including steps to enhance the military and security capabilities of the Republic of Cyprus.

(3) An analysis of the effect on the bilateral security relationship of the United States policy to deny applications for licenses and other approvals for the export of defense articles and defense services to the armed forces of Cyprus.

(4) An analysis of the extent to which such United States policy is consistent with overall United States security and policy objectives in the region.

(5) An assessment of the potential impact of lifting such United States policy.

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2051. Mr. CASEY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 section 1533, add the following:

(f) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should increase efforts to combat the use by the terrorist group the Islamic State of Iraq and the Levant (ISIL) of improvised explosive devices and the illicit smuggling of improvised explosive device precursor materials.

SA 2052. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1669 submitted by Mr. BOOZMAN (for himself, Mr. DONNELLY, and Mr. TOOMEY) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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, strike line 2 and all that follows through page 2, line 13, and insert the following:

SEC. 1085. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES AS VETERANS.

Any person who is entitled under chapter 1223 of title 10, United States Code, to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.

SA 2053. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. BARRASSO (for himself and Mr. ENZI) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 X, add the following:

SEC. 1049. USE OF THE NATIONAL GUARD FOR SUPPORT OF CIVILIAN FIREFIGHTING ACTIVITIES.

The Secretary of Defense may authorize members and units of the National Guard performing duty under section 328(b), 502(f), or 709(a) of title 32, United States Code, or on active duty under title 10, United States Code, to support firefighting operations, missions, and activities, including aerial firefighting employment of the Mobile Airborne Firefighting System (MAFFS), undertaken in support of a request from the National Interagency Fire Center or another Federal agency.

SA 2054. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 appropriate place insert the following:

REPORT AND ASSESSMENT OF POTENTIAL COSTS AND BENEFITS OF PRIVATIZING DEPARTMENT OF DEFENSE COMMISSARIES.

(a) IN GENERAL.—Not later than February 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the viability of privatizing, in whole or in part, the Department of Defense commissary system. The report shall be so submitted to Congress before the development of any plans or pilot program to privatize defense commissaries or the defense commissary system.

(b) ELEMENTS.—The assessment required by subsection (a) shall include, at a minimum, the following:

(1) A methodology for defining the total number and locations of commissaries.

(2) An evaluation of commissary use by location in the following beneficiary categories:

(A) Pay grades E–1 through E–4.

(B) Pay grades E–5 through E–7.
(C) Pay grades E–8 and E–9.
(D) Pay grades O–1 through O–3.
(E) Pay grades O–4 through O–6.
(F) Pay grades O–7 through O–10.
(G) Military retirees.

(3) An evaluation of commissary use in locations outside the continental United States and in remote and isolated locations in the continental United States when compared with other locations.

(4) An evaluation of the cost of commissary operations during fiscal years 2009 through 2014.

(5) An assessment of potential savings and efficiencies to be achieved through implementation of some or all of recommendations of the Military Compensation and Retirement Modernization Commission.

(6) A description and evaluation of the strategy of the Defense Commissary Agency for pricing products sold at commissaries.

(7) A description and evaluation of the transportation strategy of the Defense Commissary Agency for products sold at commissaries.

(8) A description and evaluation of the formula of the Defense Commissary Agency for calculating savings for its customers as a result of its pricing strategy.

(9) An evaluation of the average savings per household garnered by commissary use.

(10) A description and evaluation of the use of private contractors and vendors as part of the defense commissary system.

(11) An assessment of costs or savings, and potential impacts to patrons and the Government, of privatizing the defense commissary system, including potential increased use of Government assistance programs.

(12) A description and assessment of potential barriers to privatization of the defense commissary system.

(13) An assessment of the extent to which patron savings would remain after the privatization of the defense commissary system.

(14) An assessment of the impact of any recommended changes to the operation of the defense commissary system on commissary patrons, including morale and retention.

(15) An assessment of the actual interest of major grocery retailers in the management and operations of all, or part, of the existing defense commissary system.

(16) An assessment of the impact of privatization of the defense commissary system on off-installation prices of similar products available in the system.

(17) An assessment of the impact of privatization of the defense commissary system, and conversion of the Defense Commissary Agency workforce to non-appropriated fund status, on employment of military family members, particularly with respect to pay, benefits, and job security.

(18) An assessment of the impact of privatization of the defense commissary system on Exchanges and Morale, Welfare and Recreation (MWR) quality-of-life programs.

(c) USE OF PREVIOUS STUDIES.—The Secretary shall consult previous studies and surveys on matters appropriate to the report required by subsection (a), including, but not limited to, the following:

(1) The January 2015 Final Report of the Military Compensation and Retirement Modernization Commission.

(2) The 2014 Military Family Lifestyle Survey Comprehensive Report.

(3) The 2013 Living Patterns Survey.

(4) The report required by section 634 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) on the management, food, and pricing options for the defense commissary system.

(d) COMPTROLLER GENERAL ASSESSMENT OF REPORT.—Not later than May 1, 2016, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment by the Comptroller General of the report required by subsection (a).

Section 652 of this act is null and void.

SA 2055. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2042 submitted by Ms. BALDWIN and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 2, line 15, insert ''and makes a recommendation or otherwise suggests corrective action'' after ''General''.

SA 2056. Mr. CARDIN (for himself and Mr. CORKER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 H—Asia-Pacific Maritime Security

SEC. 1291. MARITIME SECURITY CAPACITY BUILDING PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of State is authorized, using funds transferred pursuant to subsection (b), to provide assistance for the purpose of increasing maritime security and domain awareness for countries in the Asia-Pacific region.

(2) DESIGNATION OF ASSISTANCE.—Assistance provided by the Secretary under this section shall be known as the ''Maritime Security Capacity Building Program'' (in this section referred to as the ''Program'').

(3) CONSTRUCTION OF LIMITATIONS.—The Secretary may provide assistance under this section without regard to any other provision of law, other than section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d)).

(b) TRANSFER AUTHORITY.—The Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense by this Act, $50,000,000 to the Secretary of State for the Program. Any amount so transferred shall be deposited in the ''Foreign Military Finance'' account for purposes of the Program.

(c) ELIGIBLE COUNTRIES.—In selecting countries in the Asia-Pacific region to which assistance is to be provided under the Program, the Secretary of State shall prioritize the provision of assistance to countries that will contribute to the achievement of following objectives:

(1) Retaining unhindered access to and use of international waterways in the Asia-Pacific region that are critical to ensuring the security and free flow of commerce and achieving United States national security objectives.

(2) Improving maritime domain awareness in the Asia-Pacific region.

(3) Countering piracy in the Asia-Pacific region.

(4) Disrupting illicit maritime trafficking activities and other forms of maritime trafficking activity in the Asia-Pacific that directly benefit organizations that have been determined to be a security threat to the United States.

(5) Enhancing the maritime capabilities of a country or regional organization to respond to emerging threats to maritime security in the Asia-Pacific region.

(d) PRIORITIES FOR ASSISTANCE.—In carrying out the purpose of the Program, the Secretary of State—

(1) shall place priority on assistance to enhance the maritime security capabilities of the military or security forces of countries in the Asia-Pacific region that have maritime missions and the government agencies responsible for such forces; and

(2) may provide assistance to a country in the Asia-Pacific region to enhance the capabilities of that country, or of a regional organization that includes that country, to conduct one or more of the following:

(A) Maritime intelligence, surveillance, and reconnaissance.
(B) Littoral and port security.
(C) Coast guard operations.
(D) Command and control.
(E) Management and oversight of maritime activities.

(e) ANNUAL REPORT.—The Secretary of State shall submit to the appropriate committees of Congress each year a report on the status of the provision of equipment, training, supplies or other services provided pursuant to the Program during the preceding year.

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

(1) the Committee of Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee of Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SEC. 1292. REPORT ON PLANS FOR THE MAINTENANCE OF FREEDOM OF OPERATIONS IN INTERNATIONAL WATERS AND AIRSPACE IN THE ASIA-PACIFIC MARITIME DOMAINS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, with the concurrence with the Secretary of State, submit to the appropriate committees of Congress a report (in classified form) setting forth a plan, for each of the six-month, one-year, and three-year periods beginning on the date of such report, for Freedom of Navigation Assertions, Shows of Force, bilateral and multilateral military exercises, Port Calls, Training, and assistance intended to enhance the maritime capabilities, respond to emerging threats, and maintain freedom of operations in international waters and airspace in the Asia-Pacific maritime domains.

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

(1) the Committee of Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee of Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SEC. 1293. SOUTH CHINA SEA INITIATIVE.

Notwithstanding any provision of section 1261, any assistance provided pursuant to subparagraph (A) of subsection (a)(1) of that section, or training provided pursuant to subparagraph (B) of that subsection, shall be provided in manner consistent with current law.

SA 2057. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 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 A of title X, add the following:

SEC. 1005. INDEPENDENT ASSESSMENT OF DEPARTMENT OF DEFENSE AUDIT AND FINANCIAL MANAGEMENT PROCESSES.

(a) INDEPENDENT ASSESSMENT.—

(1) ASSESSMENT REQUIRED.—The Secretary of Defense shall obtain from an entity independent of the Department of Defense selected by the Secretary for purposes of this section an assessment of the audit and financial management processes of the Department.

(2) COMPOSITION OF ASSESSMENT TEAM.—The assessment team used by the entity selected by the Secretary pursuant to paragraph (1) to conduct the assessment required pursuant to that paragraph shall be composed of individuals with extensive experience in audit and financial management of private sector and Federal agencies who are not currently participating in Financial Improvement and Audit Readiness (FIAR) activities for the Department or affiliated with organizations who are supporting such activities.

(3) ELEMENTS.—The assessment required pursuant to paragraph (1) shall include the following:

(A) A comparison of the audit and financial management processes of the Department with the audit and financial management processes of other appropriate Federal agencies, and appropriate private sector entities, including the qualifications of officials responsible for audit oversight and compliance, for purposes of identifying best practices to be adopted by the Department for its audit and financial management processes.

(B) An analysis of the progress and investments made by the Department under its Financial Improvement and Audit Readiness Plan, and a comparison of such progress and investment with the progress and investments made by other Federal agencies and appropriate private sector entities in audit and financial management processes, for purposes of determining the extent to which Department progress on financial management and audit readiness is consistent with results achieved by other appropriate Federal agencies and appropriate private sector entities.

(C) An identification of recommendations on policies and management and other activities that could be undertaken by the Department to enhance its audit and financial management processes in order to obtain and maintain clean audit opinions of its financial statement as effectively and efficiently as possible.

(4) ACCESS TO INFORMATION.—The Secretary shall ensure that the entity conducting the assessment required by paragraph (1) has access to all the information, data, and resources necessary to conduct the assessment in a timely manner.

(5) REPORT.—The Secretary shall require the entity conducting the assessment required by paragraph (1) to submit to the Secretary and the congressional defense committees a report on the assessment by not later than one year after the date of the enactment of this Act.

(b) TRANSMITTAL.—Not later than 60 days after receiving the report described in subsection (a)(5), the Secretary shall transmit the report to Congress, together with the following:

(1) An analysis by the Secretary of the findings and recommendations of the report.

(2) A description of the response of the Department to such finding and recommendations.

(3) Such other matters with respect to the audit and financial management processes of the Department as the Secretary considers appropriate.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 16, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on June 16, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Achieving the Promise of Health Information Technology: What Can Providers and the U.S. Department of Health and Human Services Do To Improve the Electronic Health Record User Experience?''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 16, 2015, at 10 a.m., to conduct a hearing entitled ''Federal Real Property Reform: How Cutting Red Tape and Better Management Could Achieve Billions in Savings.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 16, 2015, at 2:45 p.m.

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

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cyber Security be authorized to meet during the session of the Senate on June 16, 2015, at 2:30 p.m., to conduct a hearing entitled ''Strategic Implications of Trade Promotion and Capacity-Building in the Asia-Pacific Region.''

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

PRIVILEGES OF THE FLOOR

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that MAJ Rick Trimble, an Army fellow in my office, be granted the privilege of the floor for the remainder of the year.

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

ORDERS FOR WEDNESDAY, JUNE 17, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein, and that the time be equally divided, with the Democrats controlling the first half and the majority controlling the final half; lastly, that all time during morning business and the adjournment of the Senate count postcloture on the substitute amendment No. 1463.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator DURBIN.

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

The Senator from Illinois.

KING V. BURWELL DECISION

Mr. DURBIN. Mr. President, there is a case pending before the U.S. Supreme Court that is being followed very closely. It is the case of King v. Burwell. It is a case that really is challenging one of the fundamental premises of the Affordable Care Act.

The Affordable Care Act was passed 4 or 5 years ago here in the Senate and in the House and signed by President Obama. Because of it, over 11 million

Americans have chosen or reenrolled in a health insurance plan, most with a tax subsidy that makes their coverage affordable. The subsidy is based on their income. In the private market, millions more now have access to expanded coverage for preventive health services, such as mammograms or flu shots, without any cost sharing.

Because of the Affordable Care Act, a person no longer needs to stay in a job simply to carry health insurance or be denied coverage because of a preexisting condition. Because of this law, prescription drugs for seniors cost a lot less. There was a time not that long ago that if a member of your family—for instance, one of your children—had a history of diabetes or mental illness, they might find themselves in a position where the family couldn't afford to buy health insurance. But the new Affordable Care Act said: You cannot discriminate against a person or family because there is a preexisting health condition.

The reason that works, the reason why insurance companies can still get by covering people who are sick is that there is also a requirement that people carry health insurance. That means healthy people need to buy health insurance as well as those who are sick and worried about coverage in the future. That enlarges the pool and diminishes the cost to the applicant for health insurance who is suffering from a preexisting condition.

This month, the Supreme Court will make a decision in the case of King v. Burwell. The plaintiffs in this case have made an unusual argument. They claim that Congress intended to provide tax credits to help people buy health insurance only in insurance marketplaces established by each State but not in the Federal marketplace.

I was here during the debate. I was here when we passed the Affordable Care Act. I can tell you that absolutely no one made that argument that I heard on the floor of the Senate. Overwhelmingly, those who were in exchanges—in either State or Federal exchanges—were treated the same way when we calculated the cost and savings of the Affordable Care Act.

If Republicans get their way—and some of them are rooting for the Supreme Court to eliminate the subsidy—6.5 million people will lose their Federal tax subsidy for health insurance. According to the Urban Institute, premiums for people able to purchase insurance would increase by 35 percent. Now, $12 billion in uncompensated care would be shifted to hospitals and Americans with employer-based insurance, making a ruling in favor of King in the Supreme Court a tax increase on everyone.

Here is how it works: If you have people—millions across the country—who have health insurance because of the Affordable Care Act and they lose their health insurance, they are still going to get sick. When they get sick, they will show up at a hospital. Nine times out of ten—maybe more—the hospital will treat them even if they can't pay. Their expenses and costs will be passed on to someone else who comes to that hospital, someone with health insurance.

Ultimately, everyone who has health insurance is going to subsidize those who don't. I don't think that is a very fair or wise system. If the King v. Burwell decision goes the wrong way, it may move us toward that.

There are some in the other party who say they have an alternative plan to the Affordable Care Act. The House and the Senate Republicans have already voted to repeal subsidies for working families by voting to repeal the law. I lost track in the House; I think it is 57 times, 58 times they have voted to repeal the Affordable Care Act. They have come out with a plan that they say would restore the subsidies, but it eliminates the requirement that people carry insurance. It eliminates what is known as the individual mandate.

There were some who argued—and I am one of them—that the individual mandate is a question of personal responsibility. If you want to drive a car in my State of Illinois, you need automobile insurance. It isn't a question of you making a decision. The State requires it because if you are going to be in that automobile and if you get in an accident, the victim in the other car shouldn't have to bear the expense of damage to their car or personal injury, the person responsible for the accident should, and the only way that works is if everybody carries automobile insurance.

If you want to buy a home in my State and I think in almost every State, the mortgage company requires fire insurance. If a fire destroys that home, the mortgage company will get paid the proceeds and will not end up with an empty bag.

Similarly, when it comes to health insurance, the individual mandate says: We think everyone should buy health insurance. We will help those in low-income categories with subsidies because we think everyone should have health insurance. That is what is behind the individual mandate.

If you eliminate the individual mandate, you will be back in the situation where people seeking health insurance will be those who are the most vulnerable and sick, those with preexisting conditions. That makes it tough to create an insurance pool that makes sense when it comes to risk.

According to the American Academy of Actuaries, putting out a plan that eliminates the individual mandate will really be of no help. That bill would only delay the onset of higher insurance premiums and loss of coverage for millions of Americans. The Affordable Care Act puts families in charge of their care instead of insurance companies. It expands health care coverage, lowers health care cost, makes Medicare stronger, and lowers the deficit. I don't know why there is opposition to any of those elements.

Before the enactment of the Affordable Care Act, 50 million Americans didn't have health insurance, while health care costs for working families and small businesses were increasing out of sight. The Affordable Care Act changed that, and 11 million people of the 50 million now have private health insurance. Millions more are now covered by Medicaid. And for the first time ever, insurance companies have to live up to their promise of being there when you really need them.

Many in the other party have argued that this is not the way to do it and that there should be a viable alternative. I would like them to meet a couple of people from my home State.

The Supreme Court could put in jeopardy health insurance coverage for Ariana Jimenez. Ariana lives in Chicago and works part time as a nursing assistant at a community health center. Ariana pays $52 a month for her basic health insurance premium—$52 a month. When asked what would happen to her coverage if the Supreme Court took away her tax credit, Ariana simply said: I wouldn't be able to afford it.

In Illinois, over 800,000 people—in my State of about 12.5 million, 13.5 million—800,000 people in Illinois now have health insurance through the marketplace created by the Affordable Care Act or through Medicaid, and 240,000 people purchased a plan through the Illinois marketplace with a subsidy. I might say that the only marketplace is a Federal marketplace. If the Supreme Court decides in favor of the plaintiffs, a quarter-million people in my home State will not be able to afford their health insurance.

What happens to everyone else? If the Court rules for King, the plaintiff in this lawsuit, consumers in the individual market in States such as Illinois who use the Federal marketplace would face premium increases of 47 percent—$1,600 a year more that people would have to pay for health insurance.

A few years ago, Domingo Carino found out he had a health condition that required medication and he could not afford it. Thanks to the Affordable Care Act and help from the staff at the Asian Human Services Family Health Center in Chicago, Domingo found good health insurance. He pays $11 a month. Domingo's plan not only allows him to afford his medication, but it also keeps him in a position where he has access to a primary care physician. According to Domingo, he can now live without worrying about how to afford his medication.

For Domingo and millions like him, tax credits provided by the Affordable Care Act are literally a lifesaver.

Over 54 million people benefit from Medicaid. Before the Affordable Care Act, two out of three people on Medicaid were pregnant women and children. That is 36 million of our most vulnerable Americans. Medicaid also

provides for people with disabilities. Before the Affordable Care Act, almost 3 million people were covered by Medicaid in Illinois, and more than half of the children born in our State were covered by Medicaid. Since the Affordable Care Act, another 530,000 people have signed up for Medicaid. That means that finally these people can get better from a condition they couldn't afford to treat. I call that a success.

It is interesting, too, that now that people on Medicaid can shop at different hospitals, traditional hospitals that serve the poor—there is one, Stroger Hospital, which used to be Cook County Hospital, in Chicago—have to change the way they do business. They are competitive now. They realize that Medicaid patients can go shopping at another hospital. The administrator at Stroger Hospital told the doctors and staff: Be on your toes. Provide better care. We are competing for business now. These Medicaid recipients can go to every hospital.

According to a recent Gallup poll, the uninsured rate has dropped 3½ percentage points from 2013 to 2014. In Illinois, the uninsured rate dropped 4½ percent during that same period.

The Affordable Care Act includes several changes meant to help slow the growth in health care costs. The CBO this week forecast lower private health insurance premiums. Health care spending per enrollee has slowed in the private insurance market and also in Medicare and Medicaid.

Instead of paying hospitals for the services they provide, because of the ACA, hospitals are paid to make people well. If their patients have to go back to the hospital, many of the hospitals are penalized for that. Despite climbing readmission rates since 2007, those rates started to fall with the Affordable Care Act. Hospitals are responding to the incentives in the Affordable Care Act and more of their patients are getting better and staying better.

The solvency of the Medicare Part A trust fund is now 13 years longer than it was prior to the passage of the Affordable Care Act—which means it will be solvent for 13 more years—which the trustees in 2010 said had ''substantially improved'' the financial status of the trust fund.

The law also helps seniors with the cost of prescription drugs by closing the doughnut hole. There was that moment in time when seniors weren't covered by Medicare Part D and had to reach into their savings account. Since the passage of the Affordable Care Act, people with Medicare in Illinois have saved over $554 million on prescription drugs. We closed the doughnut hole with the Affordable Care Act. That is an average savings for each senior in Illinois of $925. Those who want to abolish the Affordable Care Act have some explaining to do to seniors who are pretty happy that they have a helping hand when it comes to paying for drugs.

It is my hope that the Supreme Court does the right thing and realizes Congress never intended to have tax subsidies go to only some Americans and not others. I have always said the Affordable Care Act is not a perfect law. As I have said several times on the floor of the Senate, the only perfect law was carried down a mountain by Senator Moses on clay tablets. Ever since, we have tried our best to put a law together that serves the purposes of our Nation. We do our best, but we can always improve it. The same thing is true for the Affordable Care Act.

I hope the time comes—and I hope the Supreme Court doesn't force this sooner rather than later—when we can have a constructive, bipartisan conversation about the Affordable Care Act. It is not a perfect law. It can be improved. There are parts of it on which I would gladly work with Republicans to change.

I have told my friends in the restaurant business that I know they are concerned about the number of hours employees have to work to be covered and how many employees work at the restaurant and so forth. All of those things can be and should be addressed. If they are addressed in a positive and constructive way, we can improve this law and make it serve the American people better. I think that is why we were elected.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:15 p.m., adjourned until Wednesday, June 17, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

AFRICAN DEVELOPMENT FOUNDATION

LINDA THOMAS–GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 2015, VICE JOHNNIE CARSON.

LINDA THOMAS–GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2021. (REAPPOINTMENT)

OVERSEAS PRIVATE INVESTMENT CORPORATION

JOHN MORTON, OF MASSACHUSETTS, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE MIMI E. ALEMAYEHOU.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ENRIQUE J. GWIN