

SA 1862. Mr. RUBIO 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 1863. Mr. RUBIO 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 1864. Mr. RUBIO 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 1865. Mr. RUBIO 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 1866. Mr. RUBIO 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 1867. Mr. CASSIDY 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 1868. Mr. WARNER 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 1869. Mrs. MURRAY 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 1795. Mr. SCHUMER 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. ____ . PROHIBITION ON POWDERED ALCOHOL.

Title I of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) is amended by adding at the end the following:

“SEC. 118. POWDERED ALCOHOL.

“(a) DESIGNATION OF CERTAIN CHEMICALS.—The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, in consultation with the Secretary of the Treasury, shall by rule designate any chemical that may be used to convert alcohol in liquid form to alcohol in powder form.

“(b) PROHIBITED ACTIVITY.—

“(1) DEFINITION.—In this section, the term ‘powdered alcohol’ means any alcohol combined with a chemical designated under subsection (a).

“(2) OFFENSE.—It shall be unlawful to make, sell, distribute, or possess powdered alcohol.

“(3) PENALTY.—Any person who violates paragraph (2) shall be fined not more than \$5,000, imprisoned for not more than 1 year, or both.”.

SA 1796. Mr. CARDIN 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. SENSE OF SENATE ON FINDING EFFICIENCIES WITHIN THE WORKING CAPITAL FUND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that the Secretary of Defense should, through the military departments, continue to find efficiencies within the working capital fund activities of the Department of Defense with specific emphasis on optimizing the existing workload plans of such activities to ensure a strong organic industrial base workforce.

SA 1797. Ms. HIRONO (for herself and Mr. WYDEN) 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 B of title III, add the following:

SEC. 314. PLAN TO ENHANCE MISSION READINESS THROUGH GREATER ENERGY SECURITY AT CRITICAL MILITARY INSTALLATIONS.

(a) REPORT.—Not later than September 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report with a plan for integrating energy storage, micro-grid technologies, and on-site power generation systems at military installations at risk of interruptions of power due to geographic location, dependence on connections to the electric grid, or other factors determined by the Secretary.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex as necessary.

SA 1798. Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. MURPHY, Mr. BLUMENTHAL, Ms. BALDWIN, and Mrs. MURRAY) 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 VI, add the following:

SEC. 608. TREATMENT OF RECEIPT OF BASIC ALLOWANCE FOR HOUSING UNDER NUTRITION PROGRAMS.

Section 403(k) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(4) In determining the eligibility to participate in the supplemental nutrition assistance program, the Family Subsistence Supplemental Allowance (FSSA) program, and other Federal nutrition programs, the value of a housing allowance under this section shall be excluded from any calculation of income, assets, or resources.”.

SA 1799. Mrs. BOXER (for herself, Mr. GRASSLEY, Mr. WYDEN, Mr. MARKEY, and Mrs. GILLIBRAND) 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 division A, add the following:

TITLE XVII—WHISTLEBLOWER PROTECTIONS FOR MEMBERS OF THE ARMED FORCES

SEC. 1701. SHORT TITLE.

This title may be cited as the “Legal Justice for Servicemembers Act of 2015”.

SEC. 1702. IMPROVEMENTS TO WHISTLEBLOWER PROTECTION PROCEDURES.

(a) ACTIONS TREATABLE AS PROHIBITED PERSONNEL ACTIONS.—Paragraph (2) of subsection (b) of section 1034 of title 10, United States Code, is amended to read as follows:

“(2)(A) The actions considered for purposes of this section to be a personnel action prohibited by this subsection shall include any action prohibited by paragraph (1), including the threat to take any unfavorable action, the withholding or threat to withhold any favorable action, making or threatening to make a significant change in the duties or responsibilities of a member of the armed forces not commensurate with the member’s grade, a retaliatory investigation, and the failure of a superior to respond to retaliatory action or harassment by one or more subordinates taken against a member of which the superior knew or should have known.

“(B) In this paragraph, the term ‘retaliatory investigation’ means an investigation requested, directed, initiated, or conducted for the primary purpose of punishing, harassing, or ostracizing a member for making a protected communication.

“(C) Nothing in this paragraph shall be construed to limit the ability of a commander to consult with a superior in the chain of command, an inspector general, or a judge advocate general on the disposition of a complaint against a member of the armed forces for an allegation of collateral misconduct or for a matter unrelated to a protected communication. Such consultation shall provide an affirmative defense against an allegation that a member requested, directed, initiated, or conducted a retaliatory investigation under this section.”.

(b) TEMPORARY STAY OF PERSONNEL ACTIONS.—Subsection (c)(4) of such section is further amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

“(E)(i) If the Inspector General makes a preliminary determination in an investigation under subparagraph (D) that there are reasonable grounds to believe that a personnel action prohibited by subsection (b) has occurred and the personnel action will

result in an immediate hardship to the member alleging the personnel action, the Inspector General may impose a stay of the personnel action of not more than 90 days in order to prevent undue hardship to the member.

“(ii) If the Inspector General has not completed the investigation described in clause (i) upon the expiration of the stay of the personnel action with respect to a member imposed by the Inspector General under that clause, the Secretary of the military department concerned or the Secretary of Homeland Security, as applicable, may continue the stay of the personnel action with respect to the member for such additional time as is required for the completion of the investigation by the Inspector General.”.

(c) PERIODIC NOTICE TO MEMBERS ON PROGRESS OF INSPECTOR GENERAL INVESTIGATIONS.—Paragraph (3) of subsection (e) of such section is amended to read as follows:

“(3)(A) Not later than 180 days after the commencement of an investigation of an allegation under subsection (c)(4), and every 180 days thereafter until the transmission of the report on the investigation under paragraph (1) to the member concerned, the Inspector General conducting the investigation shall submit a notice on the investigation described in subparagraph (B) to the following:

“(i) The member.

“(ii) The Secretary of Defense.

“(iii) The Secretary of the military department concerned, or the Secretary of Homeland Security in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.

“(B) Each notice on an investigation under subparagraph (A) shall include the following:

“(i) A description of the current progress of the investigation.

“(ii) An estimate of the time remaining until the completion of the investigation and the transmittal of the report required by paragraph (1) to the member concerned.”.

(d) ACTIONS IN CASE OF VIOLATIONS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) order such action as is necessary to correct the record of a personnel action prohibited by subsection (b), including referring the report to the appropriate board for the correction of military records;”;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding after subparagraph (B) the following new subparagraph:

“(C) submit to the Inspector General a report on the actions taken by the Secretary pursuant to this paragraph, and include a summary of the report under this subparagraph (with any personally identifiable information redacted) in the semiannual report to Congress of the Inspector General of the Department of Defense or the Inspector General of the Department of Homeland Security, as applicable, under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.).”.

(e) CORRECTION OF RECORDS.—Subsection (g) of such section is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(2) by striking paragraph (2) and inserting the following:

“(2) In resolving an application described in paragraph (1) for which there is a report of the Inspector General under subsection (e)(1), a correction board—

“(A) shall review the report of the Inspector General;

“(B) may request the Inspector General to gather further evidence;

“(C) may receive oral argument, examine and cross-examine witnesses, and take depositions; and

“(D) shall consider a request by a member or former member in determining whether to hold an evidentiary hearing.”.

(f) UNIFORM STANDARDS FOR INSPECTOR GENERAL INVESTIGATIONS OF PROHIBITED PERSONNEL ACTIONS AND OTHER MATTERS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense shall prescribe uniform standards for the following:

(A) The investigation of allegations of prohibited personnel actions under section 1034 of title 10, United States Code (as amended by this section), by the Inspector General and the Inspectors General of the military departments.

(B) The training of the staffs of the Inspectors General referred to in subparagraph (A) on the conduct of investigations described in that subparagraph.

(2) USE.—Commencing 180 days after prescription of the standards required by paragraph (1), the Inspectors General referred to in that paragraph shall comply with such standards in the conduct of investigations described in that paragraph and in the training of the staffs of such Inspectors General in the conduct of such investigations.

SEC. 1703. IMPROVEMENTS TO AUTHORITIES AND PROCEDURES FOR THE CORRECTION OF MILITARY RECORDS.

(a) PROCEDURES OF BOARDS.—Paragraph (3) of section 1552(a) of title 10, United States Code, is amended—

(1) by inserting “(A)” after “(3)”; and

(2) by adding at the end the following new subparagraphs:

“(B) If a board makes a preliminary determination that a claim under this section lacks sufficient information or documents to support the claim, the board shall notify the claimant, in writing, indicating the specific information or documents necessary to make the claim complete and reviewable by the board.

“(C) If a claimant is unable to provide military personnel or medical records applicable to a claim under this section, the board shall make reasonable efforts to obtain the records. A claimant shall provide the board with documentary evidence of the efforts of the claimant to obtain such records. The board shall inform the claimant of the results of the board’s efforts, and shall provide the claimant copies of any records so obtained upon request of the claimant.

“(D) Any request for reconsideration of a determination of a board under this section, no matter when filed, shall be reconsidered by a board under this section if supported by materials not previously presented to or considered by the board in making such determination.”.

(b) JUDICIAL REVIEW OF DETERMINATIONS OF BOARDS.—Paragraph (4) of such section is amended—

(1) by inserting “(A)” after “(4)”;;

(2) in subparagraph (A), as so designated, by inserting “or subject to review or appeal as described in subparagraph (B)” after “Except when procured by fraud”; and

(3) by adding at the end the following new subparagraph:

“(B) A claimant may seek judicial review of a determination of a board under this section in an appropriate court of the United States. The scope of judicial review under this subparagraph shall be as specified in section 706 of title 5.”.

(c) PUBLICATION OF FINAL DECISIONS OF BOARDS.—Such section is further amended by adding at the end the following new paragraph:

“(5) Each final decision of a board under this subsection shall be made available to

the public in electronic form on a centralized Internet website. In any decision so made available to the public there shall be redacted all personally identifiable information.”.

(d) TRAINING OF MEMBERS OF BOARDS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall develop and implement a comprehensive training curriculum for members of boards for the correction of military records under the jurisdiction of such Secretary in the duties of such boards under section 1552 of title 10, United States Code. The curriculum shall address all areas of administrative law applicable to the duties of such boards.

(2) UNIFORM CURRICULA.—The Secretary of Defense and the Secretary of Homeland Security shall jointly ensure that the curricula developed and implemented pursuant to this subsection are, to the extent practicable, uniform.

(3) TRAINING.—

(A) IN GENERAL.—Each member of a board for the correction of military records shall undergo retraining (consistent with the curriculum developed and implemented pursuant to this subsection) regarding the duties of boards for the correction of military records under section 1552 of title 10, United States Code, at least once every five years during the member’s tenure on the board.

(B) CURRENT MEMBERS.—Each member of a board for the correction of military records as of the date of the implementation of the curriculum required by paragraph (1) (in this paragraph referred to as the “curriculum implementation date”) shall undergo training described in subparagraph (A) not later than 90 days after the curriculum implementation date.

(C) NEW MEMBERS.—Each individual who becomes a member of a board for the correction of military records after the curriculum implementation date shall undergo training described in subparagraph (A) by not later than 90 days after the date on which such individual becomes a member of the board.

(4) REPORTS.—Not later than 18 months after the date of the enactment of this Act, each Secretary concerned shall submit to Congress a report setting forth the following:

(A) A description and assessment of the progress made by such Secretary in implementing training requirements for members of boards for the correction of military records under the jurisdiction of such Secretary.

(B) A detailed description of the training curriculum required of such Secretary by paragraph (1).

(C) A description and assessment of any impediments to the implementation of training requirements for members of boards for the correction of military records under the jurisdiction of such Secretary.

(5) SECRETARY CONCERNED DEFINED.—In this subsection, the term “Secretary concerned” means a “Secretary concerned” as that term is used in section 1552 of title 10, United States Code.

SEC. 1704. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF INTEGRITY OF DEPARTMENT OF DEFENSE WHISTLEBLOWER PROGRAM.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a review of the integrity of the Department of Defense whistleblower program.

(b) ELEMENTS.—The review for purposes of the report required by subsection (a) shall include the following elements:

(1) An assessment of the extent to which the Department of Defense whistleblower program meets Executive branch policies and goals for whistleblower protections.

(2) A determination and assessment of the causes and impacts of the situation in which some employees in the Office of the Inspector General of the Department of Defense believed they could not disclose a suspected violation of law, rule, or regulation without fear of reprisal, as determined in a recent review of the Comptroller General.

(3) An assessment of the extent to which there have been violations of standards used in regard to the protection of confidentiality provided to whistleblowers by the Inspector General of the Department of Defense.

(4) An assessment of the extent to which there have been incidents of retaliatory investigations against whistleblowers within the Office of the Inspector General.

(5) An assessment of the extent to which the Inspector General of the Department of Defense has thoroughly investigated and substantiated allegations within the past 10 years against civilian officials of the Department of Defense appointed to their positions by and with the advice and consent of the Senate, and whether Congress has been notified of the results of such investigations.

SA 1800. Mr. REID 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:

On page 132, strike lines 21 through 26.

SA 1801. 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 THE SENATE REGARDING COMPLIANCE WITH THE FEDERAL VACANCIES REFORM ACT OF 1998 WITH RESPECT TO INSPECTORS GENERAL.

(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) Sections 3345 through 3349d of title 5, United States Code, (in this section referred to as the “Federal Vacancies Reform Act of 1998”) prohibit an acting officer from serving in that position for longer than 210 days.

(3) Under the Federal Vacancies Reform Act of 1998, the actions of an acting officer serving beyond the 210-day period “shall have no force or effect”, but this does not apply to an acting Inspector General.

(4) The Federal Vacancies Reform Act of 1998 provides an exception to the enforcement clause for acting Inspectors General to

ensure a President cannot leave a watchdog in place who has no power or authority and therefore provides no mechanism to enforce the 210-day limit for acting Inspectors General.

(5) For 6 of the 7 Presidentially-appointed Inspector General vacancies, the individual serving in the office in an acting capacity has been serving for more than 210 days, in violation of the Federal Vacancies Reform Act of 1998.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President should comply with the Federal Vacancies Reform Act of 1998 and fill vacancies of Presidentially-appointed positions, including Inspectors General, within 210 days of the position becoming vacant; and

(2) the President cannot avoid this requirement merely by changing the title of an acting officer if that officer still retains the same or substantially similar duties as an acting officer in that office.

SA 1802. 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.

(5) The acting Inspector General of the Department of Veterans Affairs, who has served in the position since December 31, 2013, is not properly independent from the Department of Veterans Affairs, is unresponsive to Congress, lacks transparency to the public, and has lost the trust of whistleblowers at the Department of Veterans Affairs.

(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 1803. 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. SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.

The application of the provisions of section 8L of the Inspector General Act of 1978 (5 U.S.C. App.) pursuant to the commencement of Operation Freedom’s Sentinel shall not be construed to remove or impede the authority of the Office of the Special Inspector General for Afghanistan Reconstruction (commonly known as “SIGAR”) under the Inspector General Act of 1978 (5 U.S.C. App.) or as established under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-81; 122 Stat. 378).

SA 1804. Mr. CASSIDY 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:

On page 622, between lines 20 and 21, insert the following:

(3) An unclassified assessment, with a classified annex as necessary, of the facilitation of terrorist activities and operations of foreign fighters through use of social media platforms by the organizations referred to in paragraph (1).

SA 1805. Mr. SESSIONS 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:

After subsection (a) of section 1227, insert the following:

(b) DEPARTMENT OF DEFENSE CONCURRENCE.—Section 602(b)(2)(D) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1001 note) is amended by adding at the end the following:

“(iii) WRITTEN CONCURRENCE BY THE DEPARTMENT OF DEFENSE.—After obtaining the approval from the Chief of Mission under clause (i), but prior to the alien’s admission to the United States, the alien shall obtain the written concurrence of the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia, or the written concurrence of the Commander of United States Forces-Afghanistan. Such written

concurrence shall include an attestation that the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia, or the Commander of United States Forces-Afghanistan, has personally and independently reviewed the alien's application, and has no concerns regarding the admission of the alien or the dependents of the alien to the United States, or regarding the future danger the alien or the dependents of the alien may pose to the United States after admission."

SA 1806. Mr. CASSIDY 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:

On page 441, between lines 15 and 16, insert the following:

(3) **REQUIRED TIMELINES.**—The business case analysis required under paragraph (1) shall include suggested timelines for acquiring and implementing information technology services pursuant to clauses (i) and (ii) of paragraph (2)(A).

SA 1807. Mr. CASSIDY 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:

On page 622, between lines 20 and 21, insert the following:

(3) An unclassified assessment of the facilitation of terrorist activities and operations of foreign fighters through use of social media platforms by the organizations referred to in paragraph (1).

SA 1808. Ms. AYOTTE 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 part II of subtitle D of title VI, add the following:

SEC. 643. BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO LOSE THEIR RIGHT TO RETIRED PAY FOR REASONS OTHER THAN DEPENDENT ABUSE.

(a) **SHORT TITLE.**—This section may be cited as the "Families Serve, Too, Military Justice Reform Act of 2015".

(b) **IN GENERAL.**—Section 1408 of title 10, United States Code, is amended—

(1) by redesignating subsections (i), (j), and (k) as subsections (j), (k), and (l), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

"(i) **BENEFITS FOR DEPENDENTS OF MEMBERS LOSING RIGHT TO RETIRED PAY FOR MISCONDUCT OTHER THAN DEPENDENT ABUSE.**—(1)(A) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides (in the manner applicable to a division of property) for the payment of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible spouse or former spouse of that member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such spouse or former spouse.

"(B) If, in the case of a member or former member of the armed forces referred to in paragraph (2)(A), a court order provides for the payment as child support of an amount from the disposable retired pay of that member or former member (as certified under paragraph (4)) to an eligible dependent child of the member or former member, the Secretary concerned, beginning upon effective service of such court order, shall pay that amount in accordance with this subsection to such dependent child.

"(2) A spouse or former spouse, or a dependent child, of a member or former member of the armed forces is eligible to receive payment under this subsection if—

"(A) the member or former member, while a member of the armed forces and after becoming eligible to be retired from the armed forces on the basis of years of service, has eligibility to receive retired pay terminated as a result of misconduct while a member (other than misconduct described in subsection (h)(2)(A));

"(B) in the case of eligibility of a spouse or former spouse under paragraph (1)(A), the spouse or former spouse—

"(i) either—

"(I) was married to the member or former member at the time of the misconduct that resulted in the termination of retired pay; or

"(II) was in receipt of marital support, alimony, or child support from the member or former member as of the time of the misconduct pursuant to a court order; and

"(ii) was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

"(I) the military judge of the court-martial that resulted in the termination of retired pay; or

"(II) the staff judge advocate of the convening authority; and

"(C) in the case of eligibility of a dependent child under paragraph (1)(B), the dependent child—

"(i) had not reached the age of 16 years at the time of the misconduct that resulted in the termination of retired pay; or

"(ii) had reached the age of 16 years at the time of the misconduct and was not, based on the evidence adduced at trial, an aider, abettor, accomplice, or co-conspirator in the misconduct that resulted in the termination of retired pay, as certified in writing to the convening authority by—

"(I) the military judge of the court-martial that resulted in the termination of retired pay; or

"(II) the staff judge advocate of the convening authority.

"(3) The amount certified by the Secretary concerned under paragraph (4) with respect to a member or former member of the armed forces referred to in paragraph (2)(A) shall be deemed to be the disposable retired pay of that member or former member for the purposes of this subsection.

"(4) Upon the request of a court or an eligible spouse or former spouse, or an eligible dependent child, of a member or former member of the armed forces referred to in paragraph (2)(A) in connection with a civil action for the issuance of a court order in the case of that member or former member, the Secretary concerned shall determine and certify the amount of the monthly retired pay that the member or former member would have been entitled to receive as of the date of the certification—

"(A) if the member or former member's eligibility for retired pay had not been terminated as described in paragraph (2)(A); and

"(B) if, in the case of a member or former member not in receipt of retired pay immediately before that termination of eligibility for retired pay, the member or former member had retired on the effective date of that termination of eligibility.

"(5)(A) Paragraphs (5) through (8) and (10) of subsection (h) shall apply to eligibility of former spouses to payments under this subsection, court orders for the payment of disposable retired pay under this subsection, amounts payable under this subsection, and payments under this subsection in the same manner as such paragraphs apply to such matters under subsection (h).

"(B) If a spouse or former spouse or a dependent child eligible or entitled to receive payments under this subsection is eligible or entitled to receive benefits under subsection (h), the eligibility or entitlement of that spouse or former spouse or dependent child to such benefits shall be determined under subsection (h) instead of this subsection.

"(6)(A) A spouse or former spouse of a member or former member of the armed forces referred to in paragraph (2)(A), while receiving payments in accordance with this subsection, shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to receive any other benefit that a spouse or a former spouse of a retired member of the armed forces is entitled to receive on the basis of being a spouse or former spouse, as the case may be, of a retired member of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

"(B) A dependent child of a member or former member referred to in paragraph (2)(A) who was a member of the household of the member or former member at the time of the misconduct described in paragraph (2)(A) shall be entitled to receive medical and dental care, to use commissary and exchange stores, and to have other benefits provided to dependents of retired members of the armed forces in the same manner as if the member or former member referred to in paragraph (2)(A) was entitled to retired pay.

"(C) If a spouse or former spouse or a dependent child eligible or entitled to receive a particular benefit under this paragraph is eligible or entitled to receive that benefit under another provision of law, the eligibility or entitlement of that spouse or former spouse or dependent child to such benefit shall be determined under such other provision of law instead of this paragraph.

"(7) In this subsection, the term 'dependent child', with respect to a member or former member of the armed forces referred to in paragraph (2)(A), has the meaning given that term in subsection (h)(11)."

(c) **CONFORMING AMENDMENTS.**—Subsection (f) of such section is amended by striking "subsection (i)" each place it appears and inserting "subsection (j)".

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to a spouse or former spouse, or a dependent child of a member or former member

of the Armed Forces whose eligibility to receive retired pay is terminated on or after that date as a result of misconduct while a member.

(e) OFFSET.—\$57,000,000 of the National Defense Function (050) of unobligated balances from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs of the Federal Bureau of Investigation is hereby permanently cancelled and shall be transferred to the General Fund of the Treasury.

SA 1809. Mr. DAINES 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 E of title X, add the following:

SEC. 10 . . . CORPS OF ENGINEERS PROJECT REVIEW PROCESS.

The Corps of Engineers shall not make any determination regarding usual and accustomed fishing places in connection with the Gateway Pacific Terminal project until after the Corps issues a final environmental impact statement required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that analyzes the potential impacts from the construction and operation of the proposed project required by the "Memorandum For the Record, U.S. Army Corps of Engineers Scope of Analysis and Extent of Impact Evaluation for National Environmental Policy Act Environmental Impact Statement" (dated July 3, 2013).

SA 1810. Mr. HATCH 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. . . . 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 (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.

(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.

SA 1811. Mr. HATCH (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:

On page 375, line 4, insert ", which includes a sustainment strategy," after "strategy".

On page 377, line 13, strike "(d) In this section" and insert the following:

"(9) A sustainment strategy which includes all aspects of the total life cycle management of the weapon system, including product support, logistics, product support engineering, supply chain integration, maintenance, acquisition logistics, and all aspects of software sustainment.

"(d) INDEPENDENT COST ESTIMATE.—The Director of Cost Analysis and Program Evaluation shall perform an evaluation of the sustainment portion of the acquisition strategy required by subsection (c)(9) prior to the Milestone B decision.

"(e) In this section

On page 410, after line 21, add the following:

SEC. 852. SUSTAINMENT ENHANCEMENT.

(a) ASSESSMENT EXPANSION OF FUNCTIONS OF ASSISTANT SECRETARY OF DEFENSE FOR LOGISTICS AND MATERIEL READINESS TO INCLUDE SUSTAINMENT FUNCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the feasibility and advisability of—

(1) assigning to the Assistant Secretary of Defense for Logistics and Materiel Readiness—

(A) functions relating to the sustainment strategy required under section 2431a(c)(9) of Title 10, United States Code, as added by section 841 of this Act; and

(B) functions relating to manufacturing and industrial base policy currently being carried out within the Office of the Secretary of Defense; and

(2) redesignating such Assistant Secretary (with such functions so assigned and together with the current logistics and materiel readiness functions of such Assistant Secretary) as the Assistant Secretary of Defense for Sustainment.

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

(1) the Department of Defense does not place sufficient emphasis on sustainment of a weapon system during the entire acquisition process; and

(2) the Department of Defense should address this deficiency and ensure that all aspect of weapon system sustainment are carefully considered throughout the entire Integrated Defense Acquisition, Technology, and Logistics Life Cycle Management System.

SA 1812. Mr. BROWN (for himself and Mr. TILLIS) 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. PRIORITY ENROLLMENT FOR VETERANS IN CERTAIN COURSES OF EDUCATION.

(a) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by inserting after section 3680A the following new section:

"§3680B. Priority enrollment in certain courses

"(a) IN GENERAL.—With respect to an educational assistance program provided for in chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10, if an educational institution administers a priority enrollment system that allows certain students to enroll in courses earlier than other students, the Secretary or a State approving agency may not approve a program of education offered by such institution unless such institution allows a covered individual to enroll in courses at the earliest possible time pursuant to such priority enrollment system.

"(b) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means an individual using educational assistance under chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10, including—

"(1) a veteran;

"(2) a member of the Armed Forces serving on active duty or a member of a reserve component (including the National Guard);

"(3) a dependent to whom such assistance has been transferred pursuant to section 3319 of this title; and

"(4) any other individual using such assistance."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3680A the following new item:

"3680B. Priority enrollment in certain courses."

SA 1813. Mr. BROWN (for himself and Mr. TILLIS) 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. EXPANSION OF YELLOW RIBBON G.I. EDUCATION ENHANCEMENT PROGRAM.

(a) IN GENERAL.—Section 3317(a) of title 38, United States Code, is amended by striking “in paragraphs (1) and (2)” and inserting “in paragraphs (1), (2), and (9)”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to academic years beginning after the date of the enactment of this Act.

SA 1814. Mr. BROWN 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 C of title II, add the following:

SEC. 236. EXPANSION OF EDUCATION PARTNERSHIPS TO SUPPORT TECHNOLOGY TRANSFER AND TRANSITION.

Section 2194(a) of title 10, United States Code, is amended by inserting after “mathematics,” the following: “technology transfer or transition.”

SA 1815. Mr. BROWN 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 in division A, insert the following:

SEC. ____ . GUIDANCE ON PROCESSING OF REQUESTS FOR EARLY SEPARATION FROM THE ARMED FORCES FOR MEMBERS PARTICIPATING IN PROGRAMS OF PUBLIC AND COMMUNITY SERVICE AFTER SEPARATION.

(a) IN GENERAL.—The Secretary of Defense shall issue guidance, consistent with the goals specified under section 1143a of title 10, United States Code, to the Secretaries of the military departments regarding discharge or release from active duty in the Armed Forces by eligible members who have been accepted into a public and community service program.

(b) ELIGIBILITY FOR EARLY SEPARATION.—For purposes of this section, a member of the Armed Forces is eligible for an early separa-

tion from the Armed Forces to participate in a program of public and community service if the member—

(1) is not essential to the performance of the mission of the command to which assigned (as determined by the commander of that command);

(2) demonstrates that the date on which the member is expected to be discharged or released from active duty in the Armed Forces is within 90 days after the date of commencement of participation in such a program (including participation in training for such program);

(3) clearly establishes that the specific public and community service program for which the member seeks early separation meets the requirements of the definition specified in subsection (c);

(4) clearly establishes that a delay of program enrollment would cause undue hardship; and

(5) provides a statement from an appropriate program official indicating acceptance into the program and reflecting that the latest acceptable date for commencement of participation in the program (including participation in training for such program) falls within the 90-day period preceding the date described in paragraph (2).

(c) DEFINITIONS.—In this section:

(1) ACTIVE DUTY.—The term “active duty” has the meaning given the term in section 101 of title 38, United States Code.

(2) PUBLIC AND COMMUNITY SERVICE.—The term “public and community service” means such service, within the meaning of section 1143a of title 10, United States Code.

SA 1816. Mr. BROWN 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. ADDITIONAL REQUIREMENTS FOR APPROVAL OF EDUCATIONAL PROGRAMS FOR PURPOSES OF EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

(a) AUTOMATIC APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—Clause (i) of section 3672(b)(2)(A) of title 38, United States Code, is amended to read as follows:

“(i) A course that is described by section 3675(a) of this title.”

(b) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Section 3675 of such title is amended—

(A) by striking subsection (a); and

(B) by inserting before subsection (b), the following new subsection (a):

“(a) The Secretary or a State approving agency may only approve a course when such course is an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) offered by an institution of higher education (as defined in section 102 of such Act (20 U.S.C. 1002)) that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094).”

(2) CONFORMING AMENDMENTS.—Such title is amended—

(A) in section 3452(g), by striking “under the provisions of section 3675 of this title”;

(B) in section 3501(11), by striking “under the provisions of section 3675 of this title”; and

(C) in the heading for section 3675, by striking “**accredited courses**” and inserting “**courses approved by Secretary of Education**”.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3675 and inserting the following new item:

“3675. Approval of courses approved by Secretary of Education.”

(c) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS NOT APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Subsection (a) of section 3676 of such title is amended to read as follows:

“(a) No course of education which has not been approved by the Secretary or a State approving agency under section 3675 of this title shall be approved for the purposes of this chapter unless—

“(1) the course—

“(A) does not lead to an associate or higher degree;

“(B) was not an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) at any time during the most recent two-year period; and

“(C) is a course that the Secretary or State approving agency determines, in accordance with this section and such regulations as the Secretary shall prescribe and on a case-by-case basis, that approval of which would further the purposes of this chapter or any of chapters 30 through 35 of this title; and

“(2) the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.”

(2) CONFORMING AMENDMENTS.—Section 3676 of such title is amended—

(A) in the heading for such section, by striking “**nonaccredited courses**” and inserting “**courses not approved by Secretary of Education**”; and

(B) in subsection (c), in the matter before paragraph (1), by striking “non-accredited”.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3676 and inserting the following new item:

“3676. Approval of courses not approved by Secretary of Education.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SA 1817. Mr. BROWN (for himself and Mr. DURBIN) 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. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) **IN GENERAL.**—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education, or other postsecondary educational institution, may not use revenues derived from Department of Defense educational assistance funds for recruiting or marketing activities described in subsection (b).

(b) **COVERED ACTIVITIES.**—Except as provided in subsection (c), the recruiting and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) **EXCEPTIONS.**—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

(d) **DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE FUNDS.**—In this section, the term “Department of Defense educational assistance funds” means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(1) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

(2) Section 1784a, 2005, or 2007 of such title 10.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds.

(f) **REPORTS.**—As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education, or other postsecondary educational institution, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense and to Congress each year a report that includes the following:

(1) The institution's expenditures on advertising, marketing, and recruiting.

(2) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

(3) A certification from the institution that the institution is in compliance with the requirements of this subsection.

SA 1818. Mr. BROWN (for himself and Mr. DURBIN) 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. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS OR SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) The Secretary shall not approve under this chapter any course offered by an educational institution if the educational institution uses for recruiting or marketing activities described in paragraph (2) any revenue derived from educational assistance furnished under any of the following provisions of law:

“(A) Chapter 30, 31, 32, 33, 34, or 35 of this title.

“(B) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10.

“(C) Section 1784a, 2005, or 2007 of title 10.

“(2) Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

“(A) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

“(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

“(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

“(ii) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

“(C) Such other activities as the Secretary may prescribe, including paying for promotion or sponsorship of education or military-related associations.

“(3) Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically au-

thorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

“(4) Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than educational assistance furnished under the provisions of law listed in paragraph (1).

“(5) The Secretary shall not approve under this chapter any course offered by an educational institution that derives revenue from educational assistance furnished under the provisions of law listed in paragraph (1) unless the educational institution submits to the Secretary and to Congress each year a report that includes the following:

“(A) The institution's expenditures on advertising, marketing, and recruiting.

“(B) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

“(C) A certification from the institution that the institution is in compliance with the requirements of this subsection.”.

SA 1819. Mr. BROWN (for himself and Mr. DURBIN) 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. 1085. RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.

Section 119 of the Higher Education Opportunity Act (20 U.S.C. 1011m) is amended—

(1) in the section heading, by inserting “AND RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES” after “FUNDS”;

(2) in subsection (d), by striking “subsections (a) through (c)” and inserting “subsections (a), (b), (c), and (e)”;

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

“(e) **RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.**—

“(1) **IN GENERAL.**—An institution of higher education, or other postsecondary educational institution, may not use revenues derived from Federal educational assistance funds for recruiting or marketing activities described in paragraph (2).

“(2) **COVERED ACTIVITIES.**—Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

“(A) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

“(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20

U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

“(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

“(ii) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

“(C) Such other activities as the Secretary of Education may prescribe, including paying for promotion or sponsorship of education or military-related associations.

“(3) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

“(4) FEDERAL EDUCATIONAL ASSISTANCE FUNDS.—In this subsection, the term ‘Federal educational assistance funds’ means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

“(A) Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

“(B) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

“(C) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

“(D) Section 1784a, 2005, or 2007 of title 10, United States Code.

“(E) Title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.).

“(F) The Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

“(5) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Federal educational assistance funds.

“(6) REPORTS.—Each institution of higher education, or other postsecondary educational institution, that derives 65 percent or more of revenues from Federal educational assistance funds shall report annually to the Secretary and to Congress and shall include in such report—

“(A) the institution’s expenditures on advertising, marketing, and recruiting;

“(B) a verification from an independent auditor that the institution is in compliance with the requirements of this subsection; and

“(C) a certification from the institution that the institution is in compliance with the requirements of this subsection.”.

SA 1820. Mr. BLUMENTHAL (for himself and Mr. MURPHY) 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 I, add the following:

SEC. 102. OFFSET FOR FUNDING TO PURCHASE ADDITIONAL BLACK HAWK UH-60M HELICOPTERS FOR PURPOSES OF ARMY NATIONAL GUARD MODERNIZATION.

The aggregate amount authorized to be appropriated for fiscal year 2016 by division A is hereby reduced by \$247,500,000, with the amount of the reduction to be achieved through anticipated foreign currency gains in addition to any other anticipated foreign currency gains specified in the funding tables in division D.

In the funding table in section 4101, in the item relating to “UH-60 BLACKHAWK M MODEL (MYP)”, strike the amount in the Senate authorized column and insert “1,683,445”.

In the funding table in section 4101, insert below the item relating to “UH-60 BLACKHAWK M MODEL (MYP)”, as part of line item no. 11, an item relating to “ARNG Modernization—15 additional UH-60M aircraft”, with an amount of “[247,500]” in the Senate authorized column.

In the funding table in section 4101, in the item relating to Total Aircraft Procurement, Army, strike the amount in the Senate authorized column and insert “5,962,857”.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate authorized column and insert “112,095,077”.

SA 1821. Mr. SCHATZ 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 part II of subtitle D of title V, add the following:

SEC. 540. RECEIPT BY MEMBERS OF THE ARMED FORCES WITH PRIMARY MARINER DUTIES OF TRAINING THAT COMPLIES WITH NATIONAL STANDARDS AND REQUIREMENTS.

(a) IN GENERAL.—Section 2015 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) MEMBERS WITH PRIMARY MARINER DUTIES.—(1) For purposes of the program under this section, the Secretary of Defense and the Secretary of Homeland Security shall each ensure that members of the armed forces with primary mariner duties receive training that complies with national standards and requirements under the International Convention on Standards of Training, Certification, and Watchkeeping (STCW).

“(2) The following shall comply with basic training standards under national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping:

“(A) The recruit training provided to each member of the armed forces.

“(B) The training provided to each member of the armed forces who is assigned to a vessel.

“(3) Under the program, each member of the armed forces who is assigned to a vessel of at least 100 gross tons (GRT) in a deck or engineering career field shall be provided the following:

“(A) A designated path to applicable credentials under the national requirements

and the International Convention on Standards of Training, Certification, and Watchkeeping consistent with the responsibilities of the position to which assigned.

“(B) The opportunity, at Government expense, to attend credentialing programs that provide merchant mariner training not offered by the armed forces.

“(4)(A) For purposes of the program, the material specified in subparagraph (B) shall be submitted to the National Maritime Center of the Coast Guard for assessment of the compliance of such material with national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping.

“(B) The material specified in this subparagraph is as follows:

“(i) The course material of each unclassified course for members of the armed forces in marine navigation, leadership, and operation and maintenance.

“(ii) The unclassified qualifications for assignment for deck or engineering positions on waterborne vessels.

“(C) The National Maritime Center shall conduct assessments of material for purposes of this paragraph. Such assessments shall evaluate the suitability of material for the service at sea addressed by such material and without regard to the military pay grade of the intended beneficiaries of such material.

“(D) If material submitted to the National Maritime Center pursuant to this paragraphs is determined not to comply as described in subparagraph (A), the Secretary offering such material to members of the armed forces shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the actions to be taken by such Secretary to bring such material into compliance.”.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Each Secretary concerned shall establish, for members of the Armed Forces under the jurisdiction of such Secretary, procedures as follows:

(A) Procedures by which members identify qualification gaps in training and proficiency assessments and complete training or assessments approved by the Coast Guard in addressing such gaps.

(B) Procedures by which members obtain service records of any service at sea.

(C) Procedures by which members may submit service records of service at sea and other military qualifications to the National Maritime Center for evaluation and issuance of a Merchant Marine Credential.

(D) Procedures by which members may obtain a medical certificate for use in applications for Merchant Marine Credentials.

(2) USE OF MILITARY DRUG TEST RESULTS IN MERCHANT MARINE CREDENTIAL APPLICATIONS.—The Secretaries of the military departments and the Secretary of Homeland Security shall jointly establish procedures by which the results of appropriate drug tests administered to members of the Armed Forces by the military departments may be used for purposes of applications for Merchant Marine Credentials.

(3) SECRETARY CONCERNED DEFINED.—In this subsection, the term “Secretary concerned” has the meaning given that term in section 101(a) of title 10, United States Code.

SA 1822. Mr. SCHATZ 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 C of title VI, add the following:

SEC. 622. POLICIES OF THE DEPARTMENT OF DEFENSE ON TRAVEL OF NEXT OF KIN TO PARTICIPATE IN THE DIGNIFIED TRANSFER OF REMAINS OF MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO DIE OVERSEAS.

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

(1) When deployed in combat and non-combat areas, members of the Armed Forces and civilian employees of the Department of Defense are at risk of illness, injury, and death.

(2) Invitational Travel Authorizations, more commonly known as Invitational Travel Orders, for family members are important to ensure that next of kin may travel to be at the bedside of an ill or injured member of the Armed Forces returning to the United States.

(3) When a casualty occurs overseas, Invitational Travel Authorizations ensure that next of kin are able to witness the dignified transfer of remains at Dover Port Mortuary, Delaware.

(4) Department of Defense Instruction 1300.18 and the Joint Federal Travel Regulations provide for Government funded travel for next of kin to witness the dignified transfer of remains at Dover Port Mortuary only when the casualty occurs in a combat area, excluding deaths associated with other operations or training, including humanitarian assistance and disaster relief operations.

(5) The Department of Defense Instruction and the Joint Federal Travel Regulations do not reflect the realities and risks of modern day deployment and contingency operations, and do not provide relief for the families of members of the Armed Forces and civilian employees of the Department involved in so-called “phase zero operations”.

(b) REVIEW OF POLICIES.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a review of the current policies of the Department of Defense on the travel for next of kin to participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department who die overseas.

(2) ELEMENTS.—The review required by this subsection shall include the following:

(A) An assessment of the changes to Department instructions and Federal regulations necessary to provide Government funded travel to the next of kin to participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department who die overseas, regardless whether the death occurred in a combat area or a non-combat area.

(B) An action plan and timeline for making the changes described in subparagraph (A).

(c) MODIFICATION OF POLICIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than February 1, 2016, the Secretary of Defense shall take appropriate actions to modify the policies of the Department in order to provide Government funded travel for the next of kin to participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department of Defense who die overseas, regardless whether the death occurs in a combat area or a non-combat area.

(2) EXCEPTION.—The Secretary is not required to modify the policies of the Department as described in paragraph (1) if, by not later than March 1, 2016, the Secretary certifies, in writing, to the congressional de-

fense committees that such action is not in the best interest of the United States. The certification shall include the following:

(A) An assessment and reevaluation by the Secretary of the rational for excluding the next of kin from Government funded travel if the death of a member of the Armed Forces or civilian employee of the Department overseas occurs in a non-combat area.

(B) Recommendations for alternative plans to ensure that the next of kin of members of the Armed Forces and civilian employees of the Department who die overseas in a non-combat area may participate in the dignified transfer of the remains of the deceased at Dover Port Mortuary, including through the actions of appropriate non-governmental organizations.

SA 1823. 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:

On page 222, strike line 17 and all that follows through page 223, line 18, and insert the following:

“(3) AUTOMATIC AND MATCHING CONTRIBUTIONS.—

“(A) AUTOMATIC CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(1) under this subsection for the benefit of a member described in paragraph (1) for the first pay period beginning on or after the date on which the member becomes a member described in paragraph (1) (without regard to whether the member has elected to make contributions to the Thrift Savings Fund during such pay period) and each pay period thereafter during which the member serves as a member of the uniformed services.

“(B) MATCHING CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(2) under this subsection for the benefit of a member described in paragraph (1) for any pay period—

“(i) that begins on or after the date on which the member becomes a member described in paragraph (1); and

“(ii) during which the member described in paragraph (1) makes a contribution to the Thrift Savings Fund.

On page 228, line 21, strike “for” and all that follows through “service” on line 24.

On page 231, line 25, strike “for” and all that follows through “service” on page 232, line 3.

SA 1824. 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 G of title X, add the following:

SEC. 1085. OFFSET OF OCO FUNDING.

(a) IN GENERAL.—Section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit

Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)) is amended by inserting “, as part of the Act containing such a designation, includes 1 or more provisions that increase revenue relative to the baseline for each fiscal year to which the designation relates in a total amount that is not less than the amount so designated under the Act for that fiscal year,” after “account basis”.

(b) PREVENTING USE FOR OTHER OFFSETS.—

(1) IN GENERAL.—Section 4(d) of the Statutory Pay-As-You-Go-Act of 2010 (2 U.S.C. 933(d)) is amended by adding at the end the following:

“(7) AMOUNTS USED TO OFFSET OCO FUNDING.—Neither scorecard maintained by OMB pursuant to this subsection shall include new revenue under a provision in an Act designating amounts as for Overseas Contingency Operations/Global War on Terrorism for purposes of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), except to the extent the amount of the new revenue for a fiscal year is more than the amount so designated for that fiscal year.”.

(2) SENATE PAYGO SCORECARD.—The budgetary effects of new revenue under a provision in an Act designating amounts as for Overseas Contingency Operations/Global War on Terrorism for purposes of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress), except to the extent the amount of the new revenue for a fiscal year is more than the amount so designated for that fiscal year.

SA 1825. Mrs. FISCHER (for herself and Mr. BOOKER) submitted an amendment intended to be proposed by her 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:

TITLE XXXV—MARITIME ADMINISTRATION
SEC. 3501. CADET COMMITMENT AGREEMENTS.

Section 51306(a) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “must” and inserting “shall”;

(2) by amending paragraph (2) to read as follows:

“(2) obtain a merchant mariner license, unlimited as to horsepower or tonnage, issued by the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation, before graduation from the Academy;”;

(3) by amending paragraph (3) to read as follows:

“(3) for at least 6 years after graduation from the Academy, maintain—

“(A) a valid merchant mariner license, unlimited as to horsepower or tonnage, issued by the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation;

“(B) a valid transportation worker identification credential; and

“(C) a United States Coast Guard medical certificate;” and

(4) by amending paragraph (4) to read as follows:

“(4) apply for, and accept if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Strategic Sealift Officer Program, Navy Reserve), the Coast Guard Reserve, or any other reserve component of an armed force of the United States, and, if tendered the appointment, to serve, meet the participation requirements, and maintain active status in good standing, as determined by the program manager of the appropriate military service, for at least 8 years after the date of commissioning;”.

SEC. 3502. STUDENT INCENTIVE PAYMENT AGREEMENTS.

Section 51509 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) by inserting “(3) AUTHORIZED USES.—” before the last sentence and indenting accordingly;

(B) in the matter preceding paragraph (3), by striking “Payments” and inserting “(1) IN GENERAL.—Except as provided in paragraph (2), payments” and indenting accordingly; and

(C) by inserting after paragraph (1), the following:

“(2) EXCEPTION.—The Secretary may modify the payments made to an individual under paragraph (1), but the total amount of payments to that individual may not exceed \$32,000.”;

(2) in subsection (c), by striking “Merchant Marine Reserve” and inserting “Strategic Sealift Officer Program”;

(3) in subsection (d)—

(A) by amending paragraph (2) to read as follows:

“(2) obtain a merchant mariner license, without limitation as to tonnage or horsepower, from the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certification required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation, within three months of completion of the course of instruction at the academy the individual is attending;”;

(B) by amending paragraph (3) to read as follows:

“(3) for at least 6 years after graduation from the academy, maintain—

“(A) a valid merchant mariner license, unlimited as to horsepower or tonnage, issued by the United States Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation;

“(B) a valid transportation worker identification credential; and

“(C) a United States Coast Guard medical certificate;” and

(C) by amending paragraph (4) to read as follows:

“(4) apply for, and accept, if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Strategic Sealift Officer Program, Navy Reserve), the Coast Guard Reserve, or any other reserve component of an armed force of the United States, and, if tendered the appointment, to serve and meet the participation requirements and to maintain active status in good standing, as determined by the program manager of the appropriate military service, for at least 8 years after the date of commissioning;”;

(4) by amending subsection (e)(1) to read as follows:

“(1) ACTIVE DUTY.—

“(A) IN GENERAL.—The Secretary of Defense may order an individual to serve on active duty in the armed forces of the United States for a period of not more than 2 years if—

“(i) the individual has attended an academy under this section for more than 2 academic years, but less than 3 academic years;

“(ii) the individual has accepted the payments described in subsection (b) in an amount totaling at least \$8,000; and

“(iii) the Secretary of Transportation has determined that the individual has failed to fulfill the part of the agreement described in subsection (d)(1).

“(B) 3 OR MORE YEARS.—The Secretary of Defense may order an individual to serve on active duty in the armed forces of the United States for a period of not more than 3 years if—

“(i) the individual has attended an academy under this section for 3 or more academic years;

“(ii) the individual has accepted the payments described in subsection (b) in an amount totaling at least \$16,000; and

“(iii) the Secretary of Transportation has determined that the individual has failed to fulfill the part of the agreement described in subsection (d)(1).

“(C) HARDSHIP WAIVER.—In cases of hardship as determined by the Secretary of Transportation, the Secretary of Transportation may waive this paragraph in whole or in part.”; and

(5) by adding at the end the following:

“(h) ALTERNATIVE SERVICE.—

“(1) SERVICE AS COMMISSIONED OFFICER.—An individual who, for the 5-year period following graduation from an academy, serves as a commissioned officer on active duty in an armed force of the United States or as a commissioned officer of the National Oceanic and Atmospheric Administration or the Public Health Service shall be excused from the requirements of paragraphs (3) through (5) of subsection (d).

“(2) MODIFICATION OR WAIVER.—The Secretary may modify or waive any of the terms and conditions set forth in subsection (d) through the imposition of alternative service requirements.”.

SEC. 3503. FEDERAL UNEMPLOYMENT TAX ACT.

Section 3305 of the Internal Revenue Code of 1986 (26 U.S.C. 3305) is amended by striking “Secretary of Commerce” each place it appears and inserting “Secretary of Transportation”.

SEC. 3504. SHORT SEA TRANSPORTATION DEFINED.

Paragraph (1) of section 55605 of title 46, United States Code, is amended—

(1) in subparagraph (A), by striking “or”;

(2) in subparagraph (B), by striking “and”; and

(3) by adding at the end the following:

“(C) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation; or

“(D) freight vehicles carried aboard commuter ferry boats; and”.

SEC. 3505. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEARS 2016 AND 2017.

(a) FISCAL YEAR 2016.—Funds are hereby authorized to be appropriated for fiscal year 2016, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$96,028,000, of which—

(A) \$71,306,000 shall remain available until expended for Academy operations;

(B) \$24,722,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$34,550,000, of which—

(A) \$2,400,000 shall remain available until expended for student incentive payments;

(B) \$3,000,000 shall remain available until expended for direct payments to such academies;

(C) \$1,800,000 shall remain available until expended for training ship fuel assistance payments;

(D) \$22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(E) \$5,000,000 shall remain available until expended for a National Security Multi-Mission Vessel Design Program; and

(F) \$350,000 shall remain available until expended for improving the monitoring of graduates' service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, \$54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$8,000,000 to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$3,135,000, of which \$3,135,000 shall remain available until expended for administrative expenses of the program.

(b) FISCAL YEAR 2017.—Funds are hereby authorized to be appropriated for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$96,028,000, of which—

(A) \$71,306,000 shall remain available until expended for Academy operations;

(B) \$24,722,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$34,550,000, of which—

(A) \$2,400,000 shall remain available until expended for student incentive payments;

(B) \$3,000,000 shall remain available until expended for direct payments to such academies;

(C) \$1,800,000 shall remain available until expended for training ship fuel assistance payments;

(D) \$22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(E) \$5,000,000 shall remain available until expended for a National Security Multi-Mission Vessel Design Program; and

(F) \$350,000 shall remain available until expended for improving the monitoring of graduates' service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, \$54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$8,000,000 to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$3,135,000, of which \$3,135,000 shall remain available until expended for administrative expenses of the program.

SA 1826. Mr. COTTON 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. BUSINESS CASE ANALYSIS ON DECISION TO MAINTAIN C-130J AIRCRAFT AT KEESLER AIR FORCE BASE, MISSISSIPPI.

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Air Force shall conduct a business case analysis of the decision to maintain 10 C-130J aircraft at Keesler Air Force Base, Mississippi. Such analysis shall include consideration of—

(1) any efficiencies or cost savings that would be achieved by transferring such aircraft to Little Rock Air Force Base, Arkansas;

(2) any effects of such decision on the operation of the Air Mobility Command; and

(3) the short-term and long-term costs of maintaining such aircraft at Keesler Air Force Base.

SA 1827. Mr. REED (for himself and Mr. MCCAIN) 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 XII, add the following:

SEC. 1283. SENSE OF CONGRESS ON THE DETERIORATING SITUATION IN THE MALDIVES.

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

(1) The Maldives, despite its small size, is strategically important given its location in the Indian Ocean.

(2) Increasing human rights violations in the Maldives fuel instability and therefore pose a threat to regional security issues.

(3) Since January 2015, President Abdulla Yameen has cracked down on dissent both within his own party and in the political opposition.

(4) The arrest of former President Mohamed Nasheed this year was widely condemned as politically-motivated and his conviction and sentence of 13 years in prison has been condemned by Amnesty International as a “travesty of justice”.

(5) United Nations High Commissioner for Human Rights Zeid Ra’ad described “flagrant irregularities” in the trial of President Nasheed, including conflicts of interests by the judges and the court’s refusal to allow him to present any defense witnesses.

(6) On May 1, 2015, tens of thousands of protesters took to the streets in Male, Maldives, and were met with violence, tear gas, and stun guns by security forces. More than 200 people were arrested.

(7) In his speech in Sri Lanka on May 2, 2015, Secretary of State John Kerry said “[W]e’ve seen even now how regrettably there are troubling signs that democracy is under threat in the Maldives where the former president Nasheed has been imprisoned without due process. And that is an injustice that must be addressed soon”.

(8) On June 2, 2015, the Government of the Maldives charged three more leaders of opposition parties with terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the Maldives should immediately release former President Nasheed and all political prisoners in the country, and guarantee human rights for all of the citizens of the Maldives.

SA 1828. Mr. SCHATZ 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 E of title III, add the following:

SEC. 344. FUNDING FOR THE COMMEMORATION OF THE 75TH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR, HAWAII.

Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance, Defense-wide, as specified in the funding table in section 4301, up to \$2,000,000 may be available for the Department of Defense for the commemoration of the 75th anniversary of the attack on Pearl Harbor, Hawaii.

SA 1829. Mr. WYDEN 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 E of title XVI, add the following:

SEC. 1664. FUNDING FOR INTELLIGENCE ACTIVITIES OF EACH ELEMENT OF THE GOVERNMENT.

Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

“(40)(A) the total dollar amount proposed in the budget for intelligence or intelligence related activities of each element of the Government engaged in such activities in the fiscal year for which the budget is submitted and the estimated appropriation required for each of the ensuing four fiscal years; and

“(B) as used in subparagraph (A), the term ‘element of the Government’ refers to each element of the intelligence community as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).”

SA 1830. Mr. CARDIN 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:

On page 820, between lines 19 and 20, insert the following:

(b) PROTECTION OF WHISTLEBLOWERS.—Section 4602(d) of the Atomic Energy Defense Act (50 U.S.C. 2702(d)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) In the case of a protected disclosure relating to the contract described in subsection (b) of section 4446 (relating the Hanford Waste Treatment and Immobilization Plant), the owner’s agent specified in subsection (a) of that section.”

SA 1831. Mr. WYDEN 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:

On page 818, line 25, strike “and the congressional defense committees” and insert “, the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Governors of the States of Oregon and Washington”.

SA 1832. Ms. BALDWIN 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. AVAILABILITY OF CERTAIN INSPECTOR GENERAL WORK PRODUCTS.

Section 312 of title 38, United States Code, is amended by adding at the end the following:

“(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—

“(A) submit the work product to—

“(i) the Secretary;

“(ii) the Committee on Veterans’ Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

“(iii) the Committee on Veterans’ Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

“(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

“(v) any member of Congress upon request;

“(B) submit all final work products to—

“(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

“(ii) any Member of Congress upon request; and

“(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

“(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.”.

SA 1833. Ms. BALDWIN 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 XII, add the following:

SEC. 1283. REPORT ON ACTIONS OF CERTAIN NORTH ATLANTIC TREATY ORGANIZATION AND PARTNERSHIP FOR PEACE COUNTRIES ON HOLOCAUST ERA ASSETS AND RELATED ISSUES.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to Congress an assessment of the compliance of each covered country with, and the progress of such country toward, the goals and objectives of the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues.

(b) **ELEMENTS.**—The assessment of a country under the report required by subsection (a) shall include the following:

(1) An assessment of national laws or enforceable policies supporting the goals and objectives of the Terezin Declaration, including—

(A) the return to the rightful owner of any property that was wrongfully confiscated or transferred to another individual by Nazi, Nazi collaborator, or Communist regimes;

(B) if return of such property is no longer possible, the provision of comparable substitute property or the payment of equitable compensation to the rightful owner in accordance with principles of justice and through an expeditious claims-driven admin-

istrative process that is just, transparent, and fair;

(C) the return to Jewish communities of any religious or communal property that was stolen as a result of the Holocaust or subsequently nationalized by Communist regimes;

(D) the use of the Washington Conference Principles on Nazi-Confiscated Art, agreed to December 3, 1998, in settling all claims involving publically and privately held movable property.

(2) An assessment of national administrative and legal processes successfully implementing such laws.

(3) An assessment of mechanism for and demonstrable progress on the resolution of claims of United States citizen Holocaust survivors and United States citizen family members of Holocaust victims.

(4) Recommendations for actions to be taken by the country, and the United States Government, to improve country compliance with, and progress toward, the goals and objectives of the Terezin Declaration.

(c) **COVERED COUNTRY DEFINED.**—In this section, the term “covered country” means any country that is a signatory or observer to the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues among the following:

(1) A country that is a signatory to the Partnership for Peace Framework Documents, but is not a member of the North Atlantic Treaty Organization (NATO).

(2) A country that became a member of the North Atlantic Treaty Organization after January 1, 1999.

SA 1834. Mr. BURR (for himself and Mrs. BOXER) 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 F of title V, add the following:

SEC. 565. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) **EMPLOYEES OF MILITARY CHILD CARE SYSTEM.**—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) **CRIMINAL BACKGROUND CHECK.**—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).”.

(b) **PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.**—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **CRIMINAL BACKGROUND CHECK.**—A provider of child care services or youth program

services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.”.

(c) **FUNDING.**—Amounts for activities required by reason of the amendments made by this section during fiscal year 2016 shall be derived from amounts otherwise authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for the Yellow Ribbon Reintegration Program as specified in the funding tables in section 4301.

SA 1835. Ms. AYOTTE 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 C of title I, add the following:

SEC. 141. HEI PGU-13/B ROUND 30MILLIMETER AMMUNITION.

(a) **ADDITIONAL AMOUNT FOR PROCUREMENT OF AMMUNITION, AIR FORCE.**—

(1) **IN GENERAL.**—The amount authorized to be appropriated for fiscal year 2016 by section 101 is hereby increased by \$1,096,000, with the amount of the increase to be available for procurement of ammunition, Air Force, for the purpose of the procurement of HEI PGU-13/B Round 30millimeter ammunition.

(2) **SUPPLEMENT NOT SUPPLANT.**—The amount available under paragraph (1) for the procurement of ammunition specified in that paragraph is in addition to any other amounts available in this Act for procurement of such ammunition.

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2016 by section 301 is hereby decreased by \$1,096,000, with the amount of the decrease to be applied against amounts available for operation and maintenance, Air Force, for Morale, Welfare, and Recreation for C.4.4. Golf.

SA 1836. Mr. MCCAIN 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 E of title XII, add the following:

SEC. 1264. SENSE OF SENATE ON THE CONTINUED EASING OF RESTRICTIONS ON THE SALE OF LETHAL MILITARY EQUIPMENT TO THE GOVERNMENT OF VIETNAM.

It is the sense of the Senate that—

(1) Vietnam is an important emerging partner with which the United States increasingly shares strategic and economic interests, including improving bilateral and multilateral capacity for humanitarian assistance and disaster relief, upholding the principles of freedom of the seas and peaceful

resolution of international disputes, strengthening an open regional trading order, and maintaining a favorable balance of power in the Asia-Pacific region;

(2) the Government of Vietnam has recently taken modest but encouraging steps to improve its human rights record, including signing the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly December 10, 1984, increasing registrations for places of worship, taking greater action to combat human trafficking, reviewing the Criminal Code, and continuing to conduct high-level engagement with the United States and international human rights nongovernmental organizations;

(3) in light of growing challenges in the Asia-Pacific region and some steps by the Government of Vietnam to improve its human rights record, in 2014 the Department of State, in close consultation with the United States Senate, took steps to ease the United States prohibition on the sale of lethal military equipment to Vietnam for maritime and coastal defense;

(4) further easing the prohibition on the sale of lethal military equipment to Vietnam at this time, including all platforms that facilitate the ability of the armed forces of Vietnam to operate more effectively on, above, and within its territorial waters, would further United States national security interests, but steps beyond this to ease further the prohibition would require the Government of Vietnam to take significant and sustained steps to protect human rights, including releases of prisoners of conscience and legal reforms;

(5) the United States Government should continue to support civil society in Vietnam, including advocates for religious freedom, press freedom, and labor rights who seek to use peaceful means to build a strong and prosperous Vietnam that respects human rights and the rule of law; and

(6) the United States Government should continue to engage the Government of Vietnam in a high-level dialogue and specify what steps on human rights would be necessary for the Government of Vietnam to take in order to continue strengthening the bilateral relationship.

SA 1837. Mr. CORNYN 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 E of title XVI, add the following:

SEC. 1664. SENSE OF CONGRESS ON ELECTROMAGNETIC PULSE ATTACKS.

It is the sense of Congress that—

(1) the President should ensure that all relevant Federal agencies have a full understanding of the electromagnetic pulse threat and are prepared for such a contingency; and

(2) the United States Government should formulate and maintain a strategy to prepare and protect United States infrastructure against electromagnetic pulse events.

SA 1838. Mr. REID submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to author-

ize 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 part II of subtitle D of title VI, add the following:

SEC. 643. STANDARDIZATION OF AMOUNTS RECEIVABLE BY DISABILITY RETIREES WITH LESS THAN 20 YEARS OF SERVICE UNDER COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS' DISABILITY COMPENSATION.

(a) STANDARDIZATION OF SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

“(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

“(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

“(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 1839. Mr. ISAKSON (for himself and Mr. PERDUE) 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:

Strike section 604.

SA 1840. Mr. ISAKSON (for himself and Mr. PERDUE) 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 part II of subtitle D of title V, add the following:

SEC. 540. MODIFICATION OF RESIDENCY REQUIREMENTS AND CONTENT DELIVERY METHODS FOR PHASE II JOINT PROFESSIONAL MILITARY EDUCATION.

(a) RESIDENCY REQUIREMENTS.—Title 10, United States Code, is amended as follows:

(1) In section 2154(a)(2), by striking “in residence at” and inserting “by”.

(2) In section 2156(a), by striking “at the Joint Forces Staff College may not be less than 10 weeks of resident instruction” and inserting “through the Joint Forces Staff College shall be set by the Chairman of the Joint Chiefs of Staff”.

(b) DELIVERY METHODS.—Section 2154 of such is further amended by adding the following new subsection:

“(c) DELIVERY METHODS.—The Secretary is authorized to certify nonresident courses for Phase II instruction, provided the joint acculturation objectives of subsections (b), (c), and (d) of section 2155 of this title are met.”.

SA 1841. Mr. PERDUE (for himself and Mr. COTTON) 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 XII, add the following:

SEC. 1209. USE OF ASSISTANCE PROVIDED TO THE VETTED SYRIAN OPPOSITION TO DEFEND THE SYRIAN PEOPLE AGAINST THE ASSAD REGIME.

Section 1209(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) Defending the Syrian people from attacks by the regime of President Bashir Assad.”.

SA 1842. Mr. PERDUE 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 C of title XII, add the following:

SEC. 1242. STRATEGY FOR THE MIDDLE EAST IN THE EVENT OF A COMPREHENSIVE NUCLEAR AGREEMENT WITH IRAN.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall, in coordination with the Secretary of State, other members of the National Security Council, and the heads of other appropriate departments and agencies of the United States Government, develop a strategy for the United States for the Middle East in the event of a comprehensive nuclear agreement with Iran.

(b) ELEMENTS.—The strategy shall include the following:

(1) Efforts to counter Iranian-sponsored terrorism in Middle East region.

(2) Efforts to reassure United States allies and partners in Middle East.

(3) Efforts to address the potential for a conventional or nuclear arms race in the Middle East.

(c) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date of the entry of Iran into the agreement described in subsection (a), the Secretary shall submit the strategy developed under that subsection to—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1843. Mrs. FEINSTEIN 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. 1091. REPORT ON COUNTER-DRUG EFFORTS IN AFGHANISTAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congressional Defense Committees a report that describes—

(1) the counter-narcotics goals of the Department of Defense in Afghanistan; and

(2) how the Secretary of Defense will coordinate the counter-drug efforts of the Department of Defense with other Federal agencies to ensure an integrated, effective counter-narcotics strategy is implemented in Afghanistan.

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

(1) a description of the metrics used to evaluate the effectiveness of counter-drug efforts of the Department of Defense in Afghanistan; and

(2) a description of the process by which the Secretary of Defense will determine whether to continue each of the counter-drug initiatives of the Department of Defense in Afghanistan.

SA 1844. Mr. BENNET 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 X, add the following:

Subtitle H—Federal Cybersecurity Workforce Assessment

SECTION 1091. SHORT TITLE.

This subtitle may be cited as the “Federal Cybersecurity Workforce Assessment Act”.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

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

(C) the Committee on Armed Services in the House of Representatives;

(D) the Committee on Homeland Security of the House of Representatives; and

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

(2) CYBERSECURITY WORK CATEGORY; DATA ELEMENT CODE; SPECIALTY AREA.—The terms “Cybersecurity Work Category”, “Data Element Code”, and “Specialty Area” have the meanings given such terms in the Office of Personnel Management’s Guide to Data Standards.

(3) DIRECTOR.—The term “Director” means the Director of the Office of Personnel Management.

(4) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

SEC. 1093. NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.

(a) IN GENERAL.—The head of each Federal agency shall—

(1) identify all positions within the agency that require the performance of information technology, cybersecurity, or other cyber-related functions;

(2) determine the primary Cybersecurity Work Category and Specialty Area of such positions; and

(3) assign the corresponding Data Element Code, which shall be added to the National Initiative for Cybersecurity Education’s National Cybersecurity Workforce Framework report, in accordance with subsection (b).

(b) EMPLOYMENT CODES.—

(1) PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the head of each Federal agency shall establish procedures—

(A) to identify open positions that include information technology, cybersecurity, or other cyber-related functions (as defined in the Office of Personnel Management’s Guide to Data Standards); and

(B) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(2) CODE ASSIGNMENTS.—Not later than 9 months after the date of the enactment of this Act, the head of each Federal agency shall assign the appropriate employment code to each employee within the agency who carries out information technology, cybersecurity, or other cyber-related functions.

(c) PROGRESS REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 1094. IDENTIFICATION OF CYBERSECURITY SPECIALTY AREAS OF CRITICAL NEED.

(a) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to section 1093(b)(2), and annually through 2021, the head of each Federal agency, in consultation with the Director and the Secretary, shall—

(1) identify information technology, cybersecurity, or other cyber-related Specialty Areas of critical need in the agency’s workforce; and

(2) submit a report to the Director that—

(A) describes the information technology, cybersecurity, or other cyber-related Specialty Areas identified under paragraph (1); and

(B) substantiates the critical need designations.

(b) GUIDANCE.—The Director shall provide Federal agencies with timely guidance for identifying information technology, cybersecurity, or other cyber-related Specialty Areas of critical need, including—

(1) current Cybersecurity Work Categories and Specialty Areas with acute skill shortages; and

(2) information technology, cybersecurity, or other cyber-related Specialty Areas with emerging skill shortages.

(c) INFORMATION TECHNOLOGY, CYBERSECURITY, OR OTHER CYBER-RELATED CRITICAL NEEDS REPORT.—Not later than 18 months after the date of the enactment of this Act, the Director, in consultation with the Secretary, shall—

(1) identify Specialty Areas of critical need for information technology, cybersecurity, or other cyber-related workforce across all Federal agencies; and

(2) submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 1095. GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.

The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of sections 1093 and 1094; and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

SA 1845. Mr. WARNER 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. 1096. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Congress must address the ongoing, escalating threat posed by cyber attacks from foreign countries and independent or sponsored nefarious actors;

(2) cyber attacks present one of the most critical national security threats facing the United States;

(3) vulnerabilities in the cybersecurity of the United States have been exploited to access sensitive and personal information, including data relating to security clearance investigations; and

(4) in order to protect the most important information systems of the United States, including those in our weapon systems, from cyber threats, Congress must invest in developing the most sophisticated and agile cyber capability in the world.

SA 1846. Mr. WARNER 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 XVI, add the following:

SEC. 1614. COMPREHENSIVE REVIEW OF POLICIES AND PRACTICES FOR PLANNING AND ACQUIRING SATELLITE SYSTEMS AND ARCHITECTURES.

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

(1) consistent with National Space Policy issued on June 28, 2010, the United States Government should make maximum use of mature commercial space capabilities and acquisition practices for national security systems for which the required performance can be met with commodity technology to reduce acquisition timelines and costs, promote competition, capitalize on the pace of commercial technology advances, and avoid unnecessary government-unique investments;

(2) investments by elements of the intelligence community and the Department of Defense in technology development utilizing a unique, dedicated industrial base should be reserved for cases in which commercial commodity technology does not exist or in which revolutionary technology is judged to be achievable and worth the risk, cost, and time to acquire;

(3) satellite systems and architectures should be designed in such a way that a number of elements common to multiple spacecraft could be standardized, to reduce costs, simplify execution, and preserve a competitive industrial base;

(4) the entire overhead satellite architecture of the United States, including programs funded by the Department of Defense or by an element of the intelligence community, commercial providers, and foreign partners, should be viewed and treated as an integrated whole, not simply as a series of independent and unrelated satellite systems;

(5) deficiencies in, and improvements to, the current state of the space systems architecture, and planning for the future architecture, should receive priority personal attention from the President, the senior national security and scientific advisors to the President, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff to ensure that architecture planning—

(A) meets the needs of the United States in peace time and in war time;

(B) responsibly stewards the taxpayers' dollars;

(C) accurately takes into account cost and performance tradeoffs;

(D) meets realistic requirements;

(E) produces and fosters excellence, innovation, and competition;

(F) aims to produce innovative satellite systems in less than 5 years that are able to leverage common, standardized design elements and commercially available technologies;

(G) takes advantage of rapid advances in commercial technology, innovation, and commercial-like acquisition practices; and

(H) fosters competition and a robust industrial base.

(b) STRATEGY ON THE UNITED STATES OVERHEAD SATELLITE ARCHITECTURE.—

(1) REQUIREMENT FOR STRATEGY.—The Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive review of policies and practices for planning and acquiring satellite systems and architectures, including under programs of the Department of Defense, programs of elements of the intelligence community, and programs carried out by the commercial satellite industry, and taking into account capabilities of foreign partners, to ensure that such systems and architectures comport with the prin-

ciples expressed under subsection (a) and in the National Space Policy.

(2) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall report to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives on the strategy required by paragraph (1).

SA 1847. 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. ____ . DISCLOSURE OF CERTAIN RETURN INFORMATION WITH RESPECT TO IDENTITY THEFT.

(a) IN GENERAL.—Subsection (1) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION IN CERTAIN CASES OF IDENTITY THEFT.—

“(A) IN GENERAL.—If the Secretary has reason to believe that there has been a fraudulent use of a social security account number on a statement described in section 6051—

“(i) the Secretary shall disclose to the individual who was validly assigned such social security account number—

“(I) that the Secretary has reason to believe that the social security account number assigned to such individual has been fraudulently used in the employment context,

“(II) that the Secretary has made the disclosure described in clause (ii) to the Director of the Federal Bureau of Investigation and the Attorney General with respect to such fraudulent use, and

“(III) such other information (other than return information) as the Secretary determines, in consultation with Federal Trade Commission, would be helpful and appropriate to provide to a victim of identity theft, and

“(ii) the Secretary shall disclose to the Director of the Federal Bureau of Investigation and the Attorney General—

“(I) such social security account number,

“(II) that the Secretary has reason to believe that such social security account number has been fraudulently used in the employment context, and

“(III) the taxpayer identity information of the individual who was assigned such social security account number, the individual believed to have fraudulently used such social security account number, and the employer who made the statement described in section 6051 which included such social security account number.

“(B) RESTRICTION ON DISCLOSURE TO LAW ENFORCEMENT.—

“(i) DISCLOSURE TO OTHER LAW ENFORCEMENT OFFICIALS.—The Director of the Federal Bureau of Investigation and the Attorney General may disclose information received under subparagraph (A)(ii) to appropriate Federal, State, and local law enforcement officials.

“(ii) RESTRICTION ON USE OF DISCLOSED INFORMATION.—Return information disclosed under subparagraph (A)(ii) may be used by Federal, State, and local law enforcement officials only for purposes of carrying out criminal investigations or prosecutions.

“(iii) MEMORANDUM OF UNDERSTANDING.—For purposes of this paragraph, any return information disclosed under subparagraph (A)(ii) may not be provided to any State or local law enforcement official until such official has entered into a memorandum of understanding with the Secretary that includes the following terms and conditions:

“(I) Confidentiality of returns and return information and prohibitions on disclosure described in subsection (a)(3).

“(II) Safeguards, restrictions on access, and recordkeeping requirements described in subsection (p)(4).

“(III) Application of penalties for unauthorized disclosure of returns and return information under section 7213(a)(2).

“(IV) Any additional terms and conditions deemed appropriate by the Secretary.”

(b) PREVENTION OF IDENTITY THEFT.—In the case of an employee for whom the Commissioner of the Social Security Administration has reason to believe that the social security number included on any statement described in section 6051(a) of the Internal Revenue Code of 1986 with respect to such employee is not the correct social security number for such employee, the Commissioner shall provide notification to the employer for such employee which includes—

(1) the name of the employee and the social security number included on such statements; and

(2) relevant information regarding the availability of the Social Security Number Verification Service for verification of social security numbers.

(c) CONFORMING AMENDMENTS RELATED TO DISCLOSURE.—

(1) CONFIDENTIALITY.—Paragraph (3) of section 6103(a) of such Code is amended by striking “or (21)” and inserting “(21), or (23)”.

(2) PROCEDURES AND RECORDKEEPING RELATED TO DISCLOSURES.—Paragraph (4) of section 6103(p) of such Code is amended by striking “or (20)” each place it appears and inserting “(20), or (23)”.

(3) UNAUTHORIZED DISCLOSURE OR INSPECTION.—Paragraph (2) of section 7213(a) of such Code is amended by striking “or (21)” and inserting “(21), or (23)”.

SEC. ____ . PENALTIES FOR TAX-RELATED IDENTITY THEFT.

(a) IN GENERAL.—Section 1028A(c) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (8) through (11) as paragraphs (10) through (13), respectively; and

(2) by inserting after paragraph (7) the following new paragraphs:

“(8) section 286 (relating to conspiracy to defraud the government with respect to claims), section 287 (relating to false, fictitious, or fraudulent claims), section 371 (relating to conspiracy to commit an offense or to defraud the United States), section 1001 (relating to statements or entries), section 1341 (relating to frauds and swindles), section 1342 (relating to a fictitious name or address), section 1343 (relating to fraud by wire, radio, or television), or section 1344 (relating to bank fraud), if the felony violation is a tax-related offense punishable under such section;

“(9) section 7206 of the Internal Revenue Code of 1986 (relating to fraud and false statements);”

(b) PENALTY FOR MISAPPROPRIATION OF TAX IDENTIFICATION NUMBERS.—

(1) IN GENERAL.—Part I of subchapter B of chapter 68 of the Internal Revenue Code of

1986 is amended by adding at the end the following new section:

“SEC. 6720D. MISAPPROPRIATION OF TAX IDENTIFICATION NUMBER.

“In addition to any penalty provided by law, any person who knowingly or willfully misappropriates another person’s tax identification number in connection with any list, return, account, statement, or other document submitted to the Secretary shall pay a penalty of \$5,000.”.

(2) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:

“Sec. 6720D. Misappropriation of tax identification number.”.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and information submitted after the date of the enactment of this Act.

SA 1848. Mr. WICKER (for himself and Ms. HIRONO) 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:

In the funding table in section 4201, in the item relating to the High Performance Computing Modernization Program, strike the amount in the Senate authorized column and insert “177,159”.

In the funding table in section 4301, in the item relating to Defense Media Activity, strike the amount in the Senate authorized column and insert “182,625”.

SA 1849. Mr. BURR (for himself and Mr. TILLIS) 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 D of title III, add the following:

SEC. 344. REPORT ON USE OF COMMERCIALY AVAILABLE EQUIPMENT FOR MAINTENANCE FOR WHEELED VEHICLE AND TRACKED VEHICLE FLEETS OF THE NATIONAL GUARD.

Not later than 180 days after the date of the enactment of this Act, the Chief of the National Guard Bureau shall submit to the congressional defense committees a report setting forth an assessment of the use of commercially available equipment to conduct organizational maintenance and combined support maintenance for the wheeled vehicle and tracked vehicle fleets of the National Guard. The report shall include the following:

(1) An assessment of the use of such equipment for such maintenance on the operational readiness rates of such fleets.

(2) A comparison of the cost of the use of such equipment for such maintenance with the current cost of such maintenance.

(3) An assessment of the extent to which the use of such equipment is viable at the

State level to reduce maintenance costs and duration to improve readiness of the fleets.

(4) Such other matters, and such recommendations, as the Chief of the National Guard Bureau considers appropriate.

SA 1850. Mr. PORTMAN 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:

Strike section 1251 and insert the following:

SEC. 1251. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Of the amounts authorized to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, \$300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, and logistics support, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the ceasefire agreements of September 4, 2014, and February 11, 2015.

(b) APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.—For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence, including by lease of such capabilities from United States commercial companies.

(2) Lethal assistance such as anti-armor weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars, including medium-range and long-range counter-artillery radars that can detect and locate long-range artillery.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Counter-electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, anti-armor tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battlefield first aid, and medical evacuation.

(10) Training for strategic and operational planning at and above the brigade level.

(c) FUNDING AVAILABILITY AND LIMITATION.—

(1) TRAINING.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) LIMITATION.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in paragraphs (1), (2), and (3) of subsection (b) for the Government of Ukraine.

(3) ALTERNATIVE USE OF FUNDS.—In the event funds otherwise available pursuant to subsection (a) are not used by reason of the limitation in paragraph (2), such funds may be used at the discretion of the Secretary of Defense, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, logistics support, supplies and services to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines may face an elevated risk of Russian aggression and that the Secretary determines is appropriate to defending their sovereignty and territorial integrity.

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) IN GENERAL.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantity as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) REPLACEMENT.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) may be derived from funds available for this section or from amounts authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State and other appropriate agencies, submit to Congress a report setting forth in detail the following:

(1) The current criteria governing the provision of security assistance and intelligence support to the Government of Ukraine.

(2) The plan, including timelines for delivery, types and quantities of security assistance, and costs, to ensure that such assistance and support are being provided in compliance with the authorized purposes specified in subsection (a).

(g) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SA 1851. Mrs. MCCASKILL 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:

On page 354, line 19, insert “, protecting the best interests of taxpayers,” after “process”.

SA 1852. Mr. UDALL 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:

On page 58, strike lines 14 through 17 and insert the following:

“(C) enhance capabilities by reducing the cost and improving the performance and efficiency of executing laboratory missions; and
“(D) expand commercial business ventures based on the core competencies of a Center, as determined by the director of the Center, to promote technology transitions.

SA 1853. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. CRUZ, and Ms. COLLINS) 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 D of title X, add the following:

SEC. 1040. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”;

(2) by redesignating subsection (b) as subsection (c); and

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

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any

other person who is apprehended in the United States.”.

SA 1854. Ms. WARREN 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 C of title VII, add the following:

SEC. 738. COMPTROLLER GENERAL STUDY ON GAMBLING AND PROBLEM GAMBLING BEHAVIOR AMONG MEMBERS OF THE ARMED FORCES.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study on gambling installations operated by the Department of Defense and problem gambling among members of the Armed Forces.

(b) **MATTERS INCLUDED.**—The study conducted under subsection (a) shall include the following:

(1) With respect to gambling installations (including bingo) operated by each branch of the Armed Forces—

(A) the number, type, and location of such gambling installations;

(B) the total amount of cash flow through such gambling installations;

(C) the amount of revenue generated by such gambling installations; and

(D) how such revenue is spent.

(2) An assessment of the prevalence of and particular risks for problem gambling among members of the Armed Forces, including recommendations for policies and programs to be carried out by the Department of Defense to address problem gambling.

(3) An assessment of the ability and capacity of military health care personnel to adequately diagnose and provide dedicated treatment for problem gambling, including—

(A) a comparison of treatment programs of the Department for alcohol abuse, illegal substance abuse, and tobacco addiction with treatment programs of the Department for problem gambling; and

(B) an assessment of whether additional training for military health care personnel on providing treatment for problem gambling would be beneficial.

(4) An assessment of the financial counseling and related services that are available to members of the Armed Forces and their dependents who are impacted by problem gambling.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

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

(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

SA 1855. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mr. KIRK) 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 F of title III, add the following:

SEC. 355. ELIGIBILITY OF GOVERNMENT-OWNED, GOVERNMENT-OPERATED ARSENALS FOR ARMAMENT RETOOLING AND MANUFACTURING SUPPORT (ARMS) INITIATIVE.

Section 4551(2) of title 10, United States Code, is amended—

(1) by striking “manufacturing facility, or” and inserting “manufacturing facility,”; and

(2) by inserting “, or a Government-owned, Government-operated arsenal” before the period at the end.

SA 1856. Mr. MENENDEZ 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 D of title XII, add the following:

SEC. 1257. SENSE OF CONGRESS ON SANCTIONING INDIVIDUALS CONNECTED TO THE DETAINMENT OF UKRAINIAN FIGHTER PILOT NADIYA SAVCHENKO.

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

(1) Ukrainian fighter pilot Nadiya Savchenko was captured on June 17, 2014, in a town in Ukraine north of Luhansk, by armed men loyal to the self-proclaimed Luhansk People’s Republic.

(2) Nadiya Savchenko was subsequently beaten, transported to Voronezh, a town due north of Luhansk in the Russian Federation, and held on falsified charges, including the charge of illegal crossing of the border into the Russian Federation even though she was brought to the Russian Federation forcefully, blindfolded and handcuffed.

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

(1) the detainment and continued detention of Nadiya Savchenko and the falsified charges that have been brought against her are serious violations of internationally recognized human rights and are offenses for which sanctions may be imposed under the law of the United States; and

(2) the United States should impose sanctions with respect to the individuals connected to the detainment and continued detention of Nadiya Savchenko.

SA 1857. Mr. MENENDEZ 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 D of title XII, add the following:

SEC. 1257. SENSE OF CONGRESS ON HARMONIZATION OF LISTS OF THE UNITED STATES AND THE EUROPEAN UNION OF PERSONS SANCTIONED IN RELATION TO THE AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE.

It is the sense of Congress that the United States should work with the European Union to harmonize the lists of the United States and the European Union of persons with respect to which sanctions are imposed in relation to the aggression of the Russian Federation against Ukraine.

SA 1858. Mr. MENENDEZ 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:

On page 616, between lines 2 and 3, insert the following:

(g) EXPANSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Subsection (d) of section 1227 of the National Defense Authorization Act for Fiscal Year 2013 is further amended in paragraph (1)(B)(i) by inserting “, Lashkar-e-Tayyiba, Jaish-e-Mohammed,” after “the Haqqani Network”.

SA 1859. Mr. MENENDEZ 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 F of title XII, add the following:

SEC. 1274. ASSESSMENT OF THE MILITARY CAPABILITY OF THE REPUBLIC OF CYPRUS.

(a) IN GENERAL.—Not later than 90 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 an assessment of the military capability of the Republic of Cyprus to defend against threats to its national security, including threats posed by hostile foreign governments and international terrorist groups.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following elements:

(1) An analysis of the effect on the national security of Cyprus 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.

(2) An analysis of the extent to which such United States policy is consistent with overall United States security and policy objectives in the region.

(3) 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 1860. Mr. DAINES 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 F of title X, add the following:

SEC. 1065. REPORT ON THE LOCATION OF C-130 MODULAR AIRBORNE FIREFIGHTING SYSTEM UNITS.

Not later than September 30, 2016, the Secretary of the Air Force shall submit to Congress a report setting forth an assessment of the locations of C-130 Modular Airborne Firefighting System (MAFFS) units. The report shall include the following:

(1) A list of the C-130 Modular Airborne Firefighting System units of the Air Force.

(2) The utilization rates of the units listed under paragraph (1).

(3) A future force allocation determination with respect to such units in order to achieve the most efficient use of such units

(4) An assessment of the advisability and feasibility of any changes to C-130 Modular Airborne Firefighting System program to enhance firefighting capabilities.

SA 1861. Mr. PERDUE (for himself and Mr. COTTON) 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 XII, add the following:

SEC. 1209. AUTHORITY FOR SUPPORT FOR THE VETTED SYRIAN OPPOSITION UPON THEIR RETURN TO SYRIA TO PROTECT THEM FROM HOSTILE ADVERSARIES.

Section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541) is amended by adding at the end the following new subsection:

“(1) SUPPORT FOR THE VETTED OPPOSITION UPON RETURN TO SYRIA.—In order to meet the purposes specified in subsection (a), the Secretary of Defense may provide assistance to appropriately vetted elements, groups, and individuals described in that subsection, upon their return to Syria to provide protection to such recipients from hostile adversaries, including the following types of support:

“(1) Intelligence.

“(2) Logistics.

“(3) Defensive supporting fire.

“(4) Medical assistance.

“(5) Any other support the Secretary of Defense considers appropriate.”.

SA 1862. Mr. RUBIO 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 B of title XXXI, add the following:

SEC. 3124. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF DEFENSE NUCLEAR NONPROLIFERATION ASSISTANCE TO RUSSIAN FEDERATION.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation activities, and none of the funds authorized to be appropriated for defense nuclear nonproliferation activities for any fiscal year before fiscal year 2016 that are available for obligation as of the date of the enactment of this Act, may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation until the President certifies to the appropriate congressional committees that the Russian Federation is in compliance with—

(1) the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the “Intermediate-Range Nuclear Forces Treaty” or “INF Treaty”);

(2) the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly referred to as the “New START Treaty”);

(3) its obligations under the Presidential Nuclear Initiatives agreed to by President George H.W. Bush and President Boris Yeltsin; and

(4) its obligations under the Comprehensive Nuclear Test Ban Treaty, adopted by the United Nations General Assembly on September 10, 1996.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Energy may waive the prohibition under subsection (a) if the Secretary—

(A) determines that such a waiver is in the national security interests of the United States; and

(B) not less than 15 days before the waiver takes effect, submits to the appropriate congressional committees a report, in classified form if necessary, providing the justification for the waiver.

(2) NONDELEGATION.—The Secretary may not delegate the waiver authority under paragraph (1).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1863. Mr. RUBIO 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:

On page 209, line 19, strike “1.3 percent” and insert “2.3 percent”.

SA 1864. Mr. RUBIO 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 C of title XVI, add the following:

SEC. 1637. PROHIBITION ON REDUCTION IN INTERCONTINENTAL BALLISTIC MISSILE ALERT STATUS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2016 may be obligated or expended for reducing, or preparing to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(b) EXCEPTIONS.—Paragraph (1) shall not apply to the following activities:

(1) Maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SA 1865. Mr. RUBIO 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:

On page 475, beginning on line 17, strike “2035; and” and all that follows through “(E) Implications” on line 18 and insert the following: “2035;

(D)

Viz:

(D) options to address ship classes that begin decommissioning prior to 2035, including Ticonderoga-class guided missile cruisers; and

(E) implications

SA 1866. Mr. RUBIO 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 construc-

tion, 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 XII, add the following:

SEC. 1264. LIMITATION ON USE OF FUNDS FOR THE PARTICIPATION OF THE PEOPLE'S REPUBLIC OF CHINA IN THE NEXT RIM OF THE PACIFIC NAVAL EXERCISES.

No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense funds may be obligated or expended for the participation of the People's Republic of China in the next Rim of the Pacific (RIMPAC) naval exercises until the Secretary of Defense certifies to the congressional defense committees that—

(1) the People's Republic of China has ceased its land reclamation activities on disputed islands located in the South China Sea as well its militarization of those islands, including the building or deployment of surface-to-air missile, coastal defenses, cruise missiles, naval guns, fortified aviation hangars, and artillery; and

(2) the Republic of China Navy has been invited to participate in the Rim of the Pacific naval exercises.

SA 1867. Mr. CASSIDY 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:

On page 622, between lines 20 and 21, insert the following:

(3) An assessment of the facilitation of terrorist activities and operations of foreign fighters through use of social media platforms by the organizations referred to in paragraph (1).

SA 1868. Mr. WARNER 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. UNMANNED AERIAL SYSTEMS RESEARCH PROGRAM.

(a) REQUIREMENT TO DEVELOP AND DEPLOY UAS TECHNOLOGIES.—The Secretary of Defense and the Director of National Intelligence shall work in conjunction with the Secretary of Homeland Security, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other Federal agencies, existing UAS test sites designated by the Federal Aviation Administration, the private sector, and academia on the research and development of technologies to safely

detect, identify, and classify potentially threatening UAS in the national air space and to develop mitigation technologies—

(1) to ensure that, as the commercial use of UAS technologies increases and such technologies are safely integrated into the national air space, the United States is taking full advantage of existing and developmental technologies to detect, identify, classify, track, and counteract potentially threatening UAS, including in and around restricted and controlled air space, such as airports, military training areas, National Special Security Events, and sensitive national security locations; and

(2) to contribute to the development of intelligence, reconnaissance, and surveillance capabilities for national security over widely dispersed and expansive territories.

(b) UAS DEFINED.—In this section, the term “UAS” means unmanned aerial systems.

SA 1869. Mrs. MURRAY 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:

Strike section 1103 and insert the following:

SEC. 1103. SENSE OF CONGRESS ON IMPLEMENTATION OF THE “NEW BEGINNINGS” PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVE SYSTEM OF THE DEPARTMENT OF DEFENSE.

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

(1) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) required the Department of Defense to institute a fair, credible, and transparent performance appraisal system, given the name “New Beginnings”, for employees which—

(A) links employee bonuses and other performance-based action to employee performance appraisals;

(B) ensured ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period, with timetables for review; and

(C) developed performance assistance plans to give employees formal training, on-the-job training, counseling, mentoring, and other assistance.

(2) The military components and Defense Agencies of the Department are currently reviewing the proposed “New Beginnings” performance management and workforce incentive system developed in response to section 1113 of the National Defense Authorization Act for Fiscal Year 2010.

(3) The Department anticipates it will begin implementation of the “New Beginnings” performance management and workforce incentive system in April 2016.

(4) The authority in section 1113 of the National Defense Authorization Act for Fiscal Year 2010 provided the Secretary, in coordination with the Director of the Office of Personnel Management, flexibilities in promulgating regulations to redesign the procedures which are applied by the Department in making appointments to positions within the competitive service in order to—

(A) better meet mission needs;

(B) respond to manager needs and the needs of applicants;

(C) produce high-quality applicants;
 (D) support timely decisions;
 (E) uphold appointments based on merit system principles; and
 (F) promote competitive job offers.

(5) In implementing the “New Beginnings” performance management and workforce incentive system, section 1113 of the National Defense Authorization Act for Fiscal Year 2010 requires the Secretary to comply with veterans’ preference requirements.

(6) Among the criteria for the “New Beginnings” performance management and workforce incentive system authorized by section 1113 of the National Defense Authorization Act for Fiscal Year 2010, the Secretary is required to—

(A) adhere to merit principles;

(B) include a means for ensuring employee involvement (for bargaining unit employees, through their exclusive representatives) in the design and implementation of the performance management and workforce incentive system;

(C) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management and workforce incentive system;

(D) develop a comprehensive management succession program to provide training to employees to develop managers for the Department and a program to provide training to supervisors on actions, options, and strategies a supervisor may use in administering the performance management and workforce incentive system;

(E) include effective transparency and accountability measures and safeguards to ensure that the management of the performance management and workforce incentive system is fair, credible, and equitable, including appropriate independent reasonableness reviews, internal assessments, and employee surveys;

(F) utilize the annual strategic workforce plan required by section 115b of title 10, United States Code; and

(G) ensure that adequate resources are allocated for the design, implementation, and administration of the performance management and workforce incentive system.

(7) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 also requires the Secretary to develop a program of training—to be completed by a supervisor every three years—on the actions, options, and strategies a supervisor may use in—

(A) developing and discussing relevant goals and objectives with employees, communicating and discussing progress relative to performance goals and objectives, and conducting performance appraisals;

(B) mentoring and motivating employees, and improving employee performance and productivity;

(C) fostering a work environment characterized by fairness, respect, equal opportunity, and attention to the quality of the work of employees;

(D) effectively managing employees with unacceptable performance;

(E) addressing reports of a hostile work environment, reprisal, or harassment of or by another supervisor or employee; and

(F) allowing experienced supervisors to mentor new supervisors by sharing knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, leadership, and professional development, and pointing out strengths and areas of development.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should proceed with the collaborative work with employee representatives on the “New Beginnings” performance management and

workforce incentive system and begin implementation of the new system at the earliest possible date.

PRIVILEGES OF THE FLOOR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that privileges of the floor be granted to Larry Babin, my military fellow, who is also a major in the Army, during the pendency of the National Defense Authorization Act.

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

ORDERS FOR TUESDAY, JUNE 9, 2015

Mr. MCCAIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, June 9; 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 for up to 10 minutes each, and that the time be equally divided, with the majority controlling the first half and the Democrats controlling the final half; further, that following morning business, the Senate resume consideration of H.R. 1735; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCAIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned, following the remarks of Senator BLUMENTHAL, who I am told will appear shortly.

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 senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. BLUMENTHAL. Mr. President, I appreciate the courtesy of the Presiding Officer in the Chamber in allowing me to speak this late in the day about issues that are vital to our national defense, which will be addressed tomorrow and during the course of the

week in votes on the National Defense Authorization Act.

The task before the Senate in the National Defense Authorization Act is nothing less than to craft a sustainable, long-term strategy to defend America. In fact, it is to sustain our global leadership in a time of shifting alliances, significant challenges, and emerging threats, while bringing a long-term balance and sustainability to our military.

This defense measure is a solid start, but it must be made stronger to better meet the needs of our military men and women and our Nation as we enter this supremely perilous time. The danger to America has never been greater. Our foes have never been more insidious and pernicious, and many of the States opposing us have never been more willing to take measures that fundamentally contravene not only our security but our sense of moral right and wrong.

I approach the National Defense Authorization Act with this principle in mind. Neither the United States nor our troops, nor anyone involved in our national defense should ever face a fair fight. Our men and women in uniform should never be challenged in the air, on the sea or on land with a fair fight. It should be one-sided and in our favor. That is the basic principle. We must be superior in our military Armed Forces.

I am grateful to the chairman of our committee, Senator MCCAIN of Arizona, an extraordinarily distinguished veteran and a partner in a number of amendments to this measure, and to the ranking member Senator JACK REED, also a public servant of extraordinary distinction and a veteran. I am grateful for their leadership in bringing us to this point on a bill that attracted bipartisan support—overwhelming support—on the Armed Services Committee, where I am privileged to serve.

The provisions in this bill will enable us to remain the strongest country militarily in the world. At the end of the day, our values, our way of life, and our democracy give us our real strength, but the military is necessary to defend those values and our quality and way of life. The military defends our values and traditions and our fundamental rights and liberties, which we worked hard last week to uphold in the USA FREEDOM Act.

I have filed a number of amendments that underscore the need for continuing improvement in this bill. They are forward-looking amendments. One of them would modernize the National Guard’s helicopter fleet by providing vital capabilities for the military as well as the sustainability and growth for Connecticut’s dedicated defense industry.

To protect our heroes in uniform, I have also proposed an amendment that would provide stronger legal tools against predatory lending and other abuses targeting our military men and women nearby the very bases they are stationed.