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Senate

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

PRAYER

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

Let us pray.

O God, who rules over humanity and nations, we ask You to support the Congress in its manifold tasks. Uphold our Senators, that their daily work may be performed with diligence and fidelity to our heritage under You.

Lord, raise up those who will unite in serving You with their whole heart and mind and strength. May our lawmakers fear only to be disloyal to the best they know, as You make them forgiving and forbearing. Teach them to value a conscience void of offense and the royalty of self-respect above all the pedestals, prizes, and preferments Earth can give.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

OBAMACARE

Mr. MCCONNELL. Mr. President, the President put forth a mighty ObamaCare spin effort yesterday. We have to give him credit for trying to salvage a law that only one—one—out of every nine Americans thinks is actually working. But I don't think condescending to ObamaCare's victims was the best approach for him to take.

Consider this cringe-inducing assertion: Americans who already had health insurance ''may not know that they've got a better deal now [under ObamaCare] . . . than they did, but they do.''

In other words, he knows what is best for you, so quit complaining.

It is the very mindset that led this partisan law being forced through over the objections of the American people in the first place. It is the very mindset that said it was OK to cut a few corners and tell a few white lies to sell the country a law it didn't want.

So what, the Obama crowd seems to think, if Americans couldn't keep the plan they had and liked—so what. So what, ObamaCare's defenders must reason, if Americans see costs rise after being told they would fall.

To our friends on the left, it is just the cost of doing business. These days they have all but given up the ghost of empathy. They just talk past the middle class instead.

Consider some of the statements we have heard from top Democrats. ''ObamaCare has been wonderful for America.'' ''None of the predictions about how [ObamaCare] wouldn't work have come to pass.'' The implementation of this is ''fabulous.''

We have heard all of that from Democratic leaders.

These are the kinds of statements that raise our blood pressure all across America. But quotes such as these betray more than just a certain incongruence from reality. This is also a signal of a party that has lost confidence in the force of its own arguments—one that seems more intent on reassuring itself than convincing others.

Why else would they be saying things they know aren't true?

Now, I have spoken broadly over the past week about how ObamaCare has failed Americans in terms of higher costs especially, but allow me just to touch on the assertion that ObamaCare's implementation has been ''fabulous'' too.

Fabulous? That is certainly one way to describe how ObamaCare has been plagued by failure since day one. Consider the disastrous rollout. Many Americans won't forget the crashing Web sites, the hours on hold, the instructions to ''fax in'' their applications while at the same time seeing reports of ObamaCare contractors sitting idle, waiting for work to come through the door.

The White House tried to spin it all away as nothing more than a glitch—just a glitch—on the Web site. But the American people knew it pointed to broader systemic challenges in an unworkable law.

Consider the many pro-ObamaCare States that launched exchanges with great enthusiasm. These true-blue administrations did everything they could to make ObamaCare work, but they often ended up exposing ObamaCare's tragic realities instead.

Take deep blue Vermont. Many on the left looked to Vermont's extra-ambitious ObamaCare experiment as the crown jewel in their ideological crown, but it turned out to be little more than ''an unending money pit,'' as one Vermonter put it.

In Oregon, officials spent over $300 million taxpayer dollars to launch an ObamaCare exchange and marketing campaign. That is a big investment. But ObamaCare has been an even bigger flop. Millions of dollars down the tubes and Oregon has little to show for it beyond a couple of bizarre marketing videos and a criminal investigation.

Hawaii just announced it will be the latest State to shutter—close, shutter up—its faltering exchange.

In Kentucky, a Democratic administration poured one-quarter of a billion dollars into an exchange that placed nearly 80 percent of the enrollees into an already broken Medicaid system. Many of the remaining 20 percent or so now find themselves stuck with unaffordable ObamaCare coverage, such as a constituent from Ashland,

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

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who wrote to let me know that his monthly premium increased by more than 30 percent.

So it is hard to disagree with the top Vermont health official who said: ''Good God, this just wasn't set up for success.'' That is from the top health official in Vermont. Given the spectacular flop in his State, he would certainly know, and he certainly seems to have a point. Of the 17 original ObamaCare exchanges, some have failed outright, and half of those that remain are struggling financially.

So the truth is this: ObamaCare never had a Web site problem; it had an ObamaCare problem.

No amount of wishful thinking or fast talk is going to change that reality. It is not going to change the failures I just mentioned, and it is not going to change the failures I haven't, such as the failed CLASS Act, the troubled co-ops, the debacle of giving people the wrong amount of subsidy or what we just learned yesterday—that the IRS may not even be able to verify that many of the people who received the tax credit for health insurance actually bought the health insurance.

I am asking ObamaCare's defenders in the White House and in Congress to redirect their efforts away from the spin and toward the reality instead. We all know that ObamaCare is a law filled with broken promises, higher costs, and failure. So let's work together to start over with real health care reform instead.

That is the kind of health care outcome that actually would be ''fabulous'' for our constituents. It is something that really would be ''wonderful for America.'' And it is what we can work together to achieve once Washington politicians move past the failure of ObamaCare.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, the massive cyber attack Americans just read about reminds us all of the need for action on this issue. Building America's public and private cyber defenses won't be easy. But the bipartisan cyber security measure that passed out of the Intelligence Committee with the support of every single Republican and every single Democrat but one, 14 to 1, will increase the ability of the public and private sector to share information and to make us safer. That is why we are going to take it up as part of the Defense authorization bill now before us.

I hope Senators of both parties will come together to support that bipartisan amendment when it comes to a vote, just as we saw the Senate come together to keep the Defense authorization bill intact and consistent with the budget resolution by standing against the Reed amendment yesterday. It keeps us on track to pass bipartisan legislation that will support the men and women who keep us safe every day.

There is something else worth noting about the vote, too. It means we have now taken twice as many amendment rollcall votes on this year's Defense authorization bill as we were allowed on the last two bills combined. Again, it means we have now taken twice as many amendment rollcall votes on this year's Defense authorization bill as were allowed in the last two bills combined. It is just the latest reminder of a new majority that is getting the Senate back on track and back to work.

Unfortunately, some leaders of the previous majority seem bound and determined to get us back into their gridlock comfort season. At a time of grave threats to our Nation, these Democratic leaders think it is a good idea to hold brave servicemen and brave servicewomen hostage to partisan demands for more waste at the IRS and bigger congressional office budgets for themselves. Let me repeat. At a moment of dangerous and gathering threats, here is the position of these Democratic leaders: They want to hold hostage the funding needed to make our troops combat ready so they can spend more on bureaucracies such as the IRS.

These Democratic leaders just can't seem to kick the gridlock habit, even on legislation with the exact same level of funding President Obama asked for in his own budget. They just can't shake their passion for partisanship, even on a bill that sailed out of committee on a hugely bipartisan vote of 22 to 4. That is how the Defense authorization bill came out of the committee: 22 to 4.

That doesn't mean the rest of their party has to go along with it. I am appealing to every commonsense Democrat—every Democrat uncomfortable with the thought of holding our troops and our families to ransom for unrelated partisan demands—to keep working across the aisle in good faith, instead, because many of our colleagues understand the true sacrifice and unparalleled value of the nearly 1.5 million Active-Duty men and women who proudly wear our country's uniform, the 1.1 million members of the Reserve and National Guard, and the more than 700,000 civilian officials who stand in support, not to mention the many veterans and families who enrich our country and our communities.

We certainly understand their value in Kentucky. We are proud to host several important military bases across the Commonwealth. I wish to tell my colleagues about just one of them today.

Fort Campbell is home to approximately 30,000 Army personnel, including vital Special Operations units and the famed 101st Airborne Division. Units from Fort Campbell have bravely served as the tip of the spear in executing the U.S. global war on terror, with the 101st Airborne deploying as the first conventional unit in its support.

It was soldiers from Fort Campbell who proudly answered the call to assist with the delicate Ebola mission in West Africa, and it is Fort Campbell's unrivaled aviation infrastructure that provides the Army with the critical ability to rapidly deploy servicemembers to volatile regions.

It is obvious that Fort Campbell means a lot to our country, and I can't tell my colleagues how much it means to Kentucky. It means a lot to its local community, too, especially considering the fact that it has an annual economic impact of $5 billion to the surrounding area.

This, of course, is hardly a unique story in America. From coast to coast, there is no end of examples of how our troops and our military enrich the fabric of our communities while at the same time keeping us safe. They are our neighbors. They are our friends. They are our daughters. They are our sons. They are not chess pieces for Democratic leaders to wield in some partisan game.

If Democratic leaders are really that worried about fattening up the IRS or adding a new coat of paint to their congressional offices, we can have that discussion, but let's leave our troops out of it and leave their families out of it.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, it is very difficult to respond to fiction, and that is what we just heard. We heard a speech based on fiction, a speech based on no facts, a speech based on made-up facts.

It is so hard to comprehend the different areas the majority leader spoke of with no basis in reality. On the subject of health care, it is as if he doesn't realize that 16.5 million people have health insurance.

He denigrates people who aren't insured. Because of Obamacare, they now have the ability to go to a doctor or a hospital when they are sick because of Medicaid. Is there anything wrong with that? In America everyone is not rich. In America not everyone is middle class. Some people are falling through the cracks, and the fact that in the State of Kentucky a lot of people there now have the ability to go to doctors when they are sick or hurt shouldn't be anything that people make fun of.

Health care has changed dramatically. I walked into a drugstore near my home here in Washington—CVS. As a result of ObamaCare and other reasons, you can go into that drugstore now and have a test for strep. If you need medicine, they can give it to you. That is progress in medicine in America.

My friend the Republican leader talks as if he would like to return to the time prior to ObamaCare, when insurance companies defined the people

who have preexisting disabilities. Let's go back to that system. Let's go back to the system where if you have a child who has diabetes, you can't get that kid insured. If you have been in an automobile accident and you broke your neck—even if you are doing fine now, but from the doctor's reports it shows that you broke your neck—you can't get insurance. People with debilitating diseases now can get help.

The overwhelming majority of Americans, statistically, who enrolled in health care plans under the new law are satisfied with the coverage. The majority leader continues to misstate the facts on the Affordable Care Act. The latest poll shows that the majority of Americans support the law, as they should. So I don't know why my friend has to come here and make up things.

ObamaCare has been an important program for American families in Nevada and all over America. So I am very disappointed with the state of nonreality of my friend from Kentucky, who has come here each day this week to talk about ObamaCare and what is wrong with it. Before this law came into being, patients and the American people were subject to premium increases without any notice, cancellations without notice, denials for preexisting conditions, which I have already mentioned, and arbitrary limits on how much care insurance companies would cover.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. REID. The majority leader also came here and talked about how Democrats don't care about people in the armed services in America—that we don't care. In Nevada, I would compare our military installations and their contributions to a stellar military. Nobody surpasses what we do in Nevada. We have the finest Air Force training center in the world for people who fly fighter aircraft. They are all there. We have 10,000 civilian employees, and about 10,000 troops are stationed there. It has been in existence since it was called the Gunnery School in World War II. We are very proud of that. It is an important part of our community, and we protect it.

If you go north 350 miles, there is the Fallon Naval Air Training Center, which is a great installation, where if you want to fly on an aircraft carrier in America, that is where you train, at Fallon. TOPGUN is there. It is a wonderful facility, and we are proud of that facility. It doesn't have as many civilian personnel as Nellis. It is not as big and does not have as many active military, but it is an outstanding operation. People come from all over the world to train at Nellis—from all over the world. We have such a vastness in Nevada, and people train there. They can't do it anyplace else in the world.

So I would put my support of the military—I would certainly compare it to my friend the Republican leader. I am sure he cares. I care also, and all 45 Members of the Democratic caucus care about the military. We care about it in a way that is not denigrating to the Internal Revenue Service that he keeps bashing.

One reason that the Internal Revenue Service has a tough time doing its job is because the Republicans keep cutting their budget. The head of the IRS came to see me a couple months ago, and said: We made it through the tax season. There were very few problems, but he said that if anyone wanted to call the IRS 2 months prior to the tax season ending, they couldn't answer the phones. They didn't have enough staff to do it.

The bill came out of the Armed Services Committee, and at that time, our leading member of that committee, JACK REED, a graduate of the U.S. Military Academy said that the bill was flawed. It was flawed because he hoped we could fix the funding mechanism that the Republicans put in this—another unbelievably fictitious way of taking care of our government.

The chairman of that committee is somebody with whom I came from the House of Representatives 33 years ago. We came to the Senate together. He has been someone who has stood on this floor and berated phony spending. Where is he now? How could this man be in favor of deficit spending? How can he be in favor of OCO? He has spoken out openly against it in the past, but suddenly he is in favor of it.

The President said the minute that bill was taken up in the committee: If you don't change that, I am going to veto the bill—as he should. What we have said is we are going to support that. We believe what is in this bill is as fictitious as his account of what ObamaCare is all about. But my friend the Republican leader keeps talking about the leftwing: The leftwing is trying to kill this bill. We are not trying to kill the bill. We are trying to make sure we have programs in America that support the middle class, that support medical research, that support funding the FBI, and our court system. My friend the Republican leader seems only to care about the military. We care about the military, but we care about other things that lead to the security of this Nation.

We are not a secure Nation when we don't fund the National Institutes of Health. We are not a secure Nation when we don't fund the FBI, the Drug Enforcement Administration, and the Department of Homeland Security. We are not a secure Nation when we don't fund the Immigration and Naturalization Service. But my friend the Republican leader is saying: Don't worry about them. Just take care of the military. All this other stuff will work out.

The military is not secure, our government is not secure, and our homeland is not secure, when we have all these other agencies that are being, in effect, cut back in funding.

Now, on cyber security, we know the Presiding Officer of this body led the Senate through some very important debates in recent days, and one of the things that was underlying everything done by the Presiding Officer was cyber security—maybe sometimes not directly, but that is in the background, always.

What does the Republican leader now come and say?

Look how much I am on cyber security. Look at me. I lifted weights this morning.

But what he has done is that now he is going to put cyber security on the bill the President said he is going to veto. We are stuck. We have 400 amendments filed, and we are not going through these amendments. He wants to be able to check off the box, saying: Well, we did cyber security.

He hasn't done cyber security. I have a quote here from him on cyber security, just a short time ago: ''Any issue of this importance deserves serious consideration and open debate.'' This is what the Republican leader said. He says: Oh, we have done double the amendments that were done in the last couple of bills.

It takes two sides of the Senate to have amendments heard. The Republicans would not let us have open debate on the armed services bill the last two Congresses. We never even had a debate here. What happened is the two chairs of the committee met in secret and came up with a bill that came up to the Senate floor, and we were able to get that done. But for people to come here and say this is the 53rd year we have done the bill is a little fictitious itself.

I hope that my friend, the senior Senator from Kentucky, will get in touch with reality on ObamaCare, on the Defense authorization bill before this body, and on cyber security and stop making things up, because that is it. It is fiction, and it is not appropriate.

I was so disappointed yesterday to see my Republican colleagues vote against the amendment proposed by the ranking member of the Armed Services Committee, the senior Senator from Rhode Island. His amendment would have done what no Republicans have even tried to do, which is to adequately address sequestration.

Sequestration was supposed to be so absurd and so foolish that it would force Congress to reduce the deficit in a sensible, balanced manner. On the floor now—I have said this before and I will say it again—I asked the senior Senator from Illinois who came to this House with me and with JOHN MCCAIN 33 years ago: Would you do me a favor? We have this committee that the President has set up, and I need somebody that represents maybe a little bit left of center on this committee. Would you do it? He had many other obligations, but he agreed to be on the Bowles-Simpson Commission, and he did a stunningly important good job. He supported the financing of that. Quite frankly, that surprised me because of all the people yelling for all these

budget cuts, and many of those voted against it in the committee. Now, no one in this body understands sequestration any better than my friend from Illinois.

Sequestration was supposed to be so absurd—I repeat—so foolish, that it would force Congress to balance in a sensible manner. Yet what the Republicans considered lunacy a few years ago is now the preferred form of legislating, the preferred form of budgeting. That tells you everything you need to know about today's Republican Party. They are beating their chests about how great sequestration is. Isn't it great that all of these Federal agencies are being cut.

The Reed amendment would have allowed the Democrats and Republicans to negotiate a balanced budget and would have rescinded sequestration, while ensuring adequate funding to the Department of Defense and nondefense programs. Instead, by rejecting Senator REED's legislation, the Republicans have effectively said spend first, budget later. Here is what they have come up with. They are saying: Ready, fire, aim. Or they are saying: Fire, ready, aim. We know they are not saying: Ready, aim, fire. They have it all backwards, like everything they have done here legislatively—like ostriches with their heads buried deep in the sand.

The majority leader and Republicans continue to deny the need for a bipartisan budget. They deny the need to fix sequestration, just as they deny the urgent need to authorize the Export-Import Bank, which employs 165,000 people in America, as we speak. It expires at the end of this month.

They deny the urgent need to fix our roads, rails, and bridges. That program is going to expire in 6 weeks, which creates millions of jobs—millions of jobs.

Regardless of what Republicans tell themselves, they cannot wish these important issues to just disappear. It is our job to address these matters that affect working Americans.

Here we are in June, months before funding for the government runs out. We have plenty of time to sit down and work out an agreement that both sides can work out. It appears to me what the Republicans are doing is that we are heading for another shutdown. They did it once; they are going to do it again. They want to do nothing now. They want to wait until the fiscal year ends and then lock it up—close up government. There is no reason for this to become yet another manufactured crisis, and that is what we have here.

We can, I repeat, months before the funding for government runs out, do something about it. Do they desire another closed government? I hope not. But it appears that is where we are headed. The Republicans are unwilling to do things that are real. So I urge my Republican colleagues to change course, instead of barreling ahead with bills they know are going to fail.

The Defense authorization bill, the President is going to veto. The veto will be upheld. We will do it over here. But the House already has enough votes to sustain the President's veto. It is just moving forward for reasons that I do not fully understand. I urge them to change course, work with us to forge an agreement that can get signed into law.

The majority leader's party can continue to ignore and procrastinate all they want, but eventually we will need to negotiate a budget free of sequestration, a budget that protects our military and also nondefense, our middle class. Eventually, we will need to reauthorize the Export-Import Bank, I repeat, which sustains hundreds of thousands of jobs and is responsible for billions of dollars in U.S. exports.

Now, eventually we need to find a lasting way to fund on a long-term basis our American highways. Fifty percent of our highways are deficient, 64,000 bridges—50 percent of those are structurally deficient. Not far from here, over the great Memorial Bridge, they are closing two lanes. Why? Because it has rotted away. Hundreds of thousands of people go over that every day—or they used to. So why wait? Instead of waiting for the President to veto their sham funding mechanism and then scramble to craft some last-minute, hastily wrought continuing resolution, the Republicans should work with us on a bipartisan solution now. We are ready to cooperate with Republicans to pass legislation that keeps America safe and protects the middle class. But to do that, my Republican colleagues will first have to pull their heads out of the sand.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. COTTON). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided, with the Democrats controlling the first half and the majority controlling the second half.

The assistant Democratic leader.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. DURBIN. Mr. President, we are considering this bill, and you can see by the size of it, it is a major undertaking. It comes up every year. It is the Department of Defense Authorization Act. It is an extraordinarily important bill. It literally authorizes programs for the defense of America.

We have two able leaders who brought the bill to the floor. One is the chairman of the Armed Services Committee, JOHN MCCAIN, a man with whom I entered the House many years ago and a man whose reputation and service to America is well known. He is someone who has served in the U.S. Navy, was a prisoner of war during the Vietnam war, and has been a leader in speaking out on behalf of the military throughout his life. It is built into his family. It is built into his soul.

On our side, we have Senator JACK REED from Rhode Island. Senator REED is a graduate of the West Point Military Academy. He served as well in the Active Army. He brings that service, that part of his life to his work on the Democratic side of the aisle. When it came to putting this bill together, I do not think we could have picked two more able leaders from the Senate, a Republican and a Democrat, to bring this bill to the floor.

They have their differences. But for the most part they agree on this bill. It was troubling this morning to hear the Republican majority leader suggest that the differences we have over this bill suggest a lack of commitment by Democrats to the military of the United States. That is not true. It is not fair. We are as committed on our side of the aisle as those on the other side of the aisle when it comes to the men and women in uniform—committed to making certain that they have what they need to be trained, to fight effectively, and to come home safely.

We are also committed to bringing them home to a welcoming America, preparing veterans programs for the rest of their lives, so they can have productive lives, happy lives after having risked their lives for America.

So to suggest that the Republicans are for the military and Democrats are against it, I regret that the majority leader made that suggestion. Both sides are committed—both the chairman and the ranking member are committed. But what is the issue that divides us when it comes to this bill? It is basically an issue of funding. Here is what it comes down to: We have a Budget Control Act, and if we do not hit the numbers in spending, in comes sequestration. What is sequestration? It is an across-the-board cut.

We do not want to see that happen. We have seen it. We know what it does. It was devastating to the Department of Defense when we went into sequestration. I know because I chaired the Appropriations Committee and I listened to the Secretary of Defense and the leaders from our branches and services tell us: It is impossible for us to budget an effective national security if we have to wonder whether we are going to face an across-the-board cut. I can understand that, not only in readiness, which is essential to the survival of our troops, but also in the procurement of substantial, expensive, important, and necessary technology.

So Senator MCCAIN on the Republican side brings to the floor this authorization bill and says: We will solve

the problem of sequestration by inserting about $38 to $40 billion in wartime emergency funding into the Department of Defense. Well, we don't believe that is the right way to go, neither does the Secretary of Defense, neither does the Chairman of the Joint Chiefs of Staff because it is a 1-year fix.

We need a fix that has some continuity and predictability to it. Therein lies the difference in approach between Democrats and Republicans. Is one side patriotic and the other side not patriotic because we disagree on a budget reform? Of course not. We happen to believe there is a better way to do this and so does the President.

But there is another element I want to make a reference to. The Republican majority leader came here and said: Well, the Democrats are fighting to put more money into the rest of government—nondefense. It is true, we are. He used his two examples: Well, they want to hire more people at the Internal Revenue Service and maybe they want to put another coat of paint on their offices. That is what the majority leader said.

Well, it could not be further from the truth. I will argue for adequate funding for the Internal Revenue Service. The overwhelming majority of Americans who pay their fair share of taxes and are honest people and try to follow the law should be respected. Those who don't, those who try to cheat our tax system should be held accountable. I do not think that is a radical idea. It takes employees at the Internal Revenue Service to make sure that is true. Right now we have cut back on their spending.

But let me go to another issue which I think really tells the story about why we think we not only need to make sure the Department of Defense is adequately funded, but we want to make sure other areas of government are adequately funded. Once every 67 seconds in America someone is diagnosed with Alzheimer's—once every 67 seconds. It is a disease which is now growing at a rapid pace because of the aging of our population. It is extraordinarily expensive. Under Medicare and Medicaid, $200 billion were spent last year in the care of those with Alzheimer's.

That number is projected to grow dramatically in the years to come. Well, it is a heartbreaking disease, as you see someone whom you dearly love, someone in your family, and their mind is not as responsive as it once was. It is extraordinarily devastating to these families, and it is extraordinarily expensive to taxpayers.

So what will we do about it? I hope we will be committed, on a bipartisan basis, to medical research. Medical research, through the National Institutes of Health, is part of the nondefense budget that we are trying to help by resolving this whole question of sequestration. It is not about putting a coat of paint on my office. That is not why I am fighting to make sure the nondefense part of the budget is not victimized by sequestration. I am fighting for the National Institutes of Health.

How important is it that they not face sequestration? They have done it. They faced it. Let me tell you just one example of what it meant. Dr. Frank LaFerla is at the University of California in Irvine. He is a medical researcher. He and his team have created mice that develop Alzheimer's disease in the same way humans do. Now, his research team can study that disease in these mice, but the mice need to age 18 months before research on potential Alzheimer's disease treatments can be done.

In 2013, when we faced sequestration, across-the-board cuts in the budget, Dr. LaFerla was faced with the prospect of having to sacrifice these laboratory animals and close his lab. If that had happened, months of research would have been wasted. That is what happens when you do something as mindless as sequestration in the Department of Defense and in the National Institutes of Health.

We even have an amendment, which I hope will not be offered but is pending—has now been filed, I should say, in the Senate, which would cut medical research in the Department of Defense. I wonder what my colleagues are thinking; that we in America should cut back on medical research as a way of balancing our budget. I am praying for the day that Dr. LaFerla or someone like him will find a way to delay the onset of Alzheimer's and, God willing, find a cure. If they do, the investment in the National Institutes of Health will be paid off over and over and over again, and human suffering will be avoided.

So when I hear the Republican majority leader dismiss the idea of funding outside the Department of Defense, when I hear him suggest that the Democrats are trying to work toward a budget solution that is fair to the Department of Defense and all other agencies so that we "have enough money to paint our offices"—that is what he said—I am troubled by that. There is much more at stake.

When it comes to medical research, I would hope the Senator from Kentucky feels, as all of us do, this is not partisan at all. The victims of Alzheimer's are of both political parties and people who never vote. They are just across the board. We ought to be committed to making certain that medical research makes a difference and that we believe in it. I hope this amendment that is being offered to cut Department of Defense medical research is not offered, because if it is, I plan to come to the floor and tell the story about what that medical research has meant over the last 20 years.

For example, the second largest investment in breast cancer research is in the U.S. Department of Defense. There are dramatic stories to be told about what they have discovered and what they have been able to do in the Department of Defense. The suggestion that we should eliminate this research to me is a very bad one. It does not reflect the reality of the fright and concern that come with a diagnosis of breast cancer.

I am prepared for that battle, not just on breast cancer but on all of the other areas of medical research in the Department of Defense, as well as medical research in the National Institutes of Health. If there is one issue that should unite us, Democrats and Republicans, it is medical research. I will tell you, the people I represent in Illinois, regardless of party affiliation, believe that we in both political parties should be making this commitment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COATS. Mr. President, I know we are in morning business time, and if I could speak on the Republican time, reserving the time remaining for the Democrats, I would be pleased to do that.

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

WASTEFUL SPENDING

Mr. COATS. Mr. President, I rise today, the 13th time, for the "Waste of the Week." So far, we have identified waste in many areas, ranging from the familiar, such as the duplication of government programs and outrageous spending and lack of control, to the bizarre, such as the government-funded massages for New Zealand rabbits. I have received more responses on that than I have for some of the major items I have listed. Every once in a while, I throw in a "Can you believe they do that?"

To date, we have estimated nearly $67 billion of fraud, abuse, and waste. This is taxpayer money. These are taxpayer dollars that are coming in for programs that the Congressional Budget Office, the Government Accountability Office, and other special investigators have looked at and said: Why are we spending this money in the first place? It is a total waste, it is fraud, and it has been abused.

So we are at the level of nearly two-thirds of our goal of $100 billion and moving forward.

And so today, I wish to talk about yet another fiscal situation we have come across that is costing the taxpayers the hard-earned dollars. They're sending them to Washington and they want accountability. Since we are doing debate on the Defense bill this week, I thought I would look at the defense issue. I will use contracting accountability as an example of the need for another effort to save the taxpayers' dollars because they are being wasted.

Now, it is not uncommon for every agency of the Federal Government to use contractors. The Department of Defense uses contractors. They do necessary work. They provide services for our troops overseas. We owe our troops, we owe them, given the sacrifices they are making to provide those needed services in an effective and efficient way, but we also owe the taxpayer clear oversight in terms of how their money is spent to make sure that these services that are provided, these tasks that are undertaken by defense contractors as well as all Federal contractors are done so in an accountable way.

The issue today arises out of a report by the Special Investigator General for Afghanistan Reconstruction. That report identified a total of $135 million of questionable costs spent by one specific contractor between October 2011 and March 2014. He said that in most cases the funds that were spent were not supported with adequate documentation or did not have prior approval. In another instance, this same contractor also overcharged the government by over $1 million. The government lost about $37,000 in interest payments. That is a little bit of change in a total of billions of dollars being spent, but nevertheless it is not all that small of an amount to a number of Americans who work awfully hard to pay their taxes, and they want those taxes to be used wisely.

Again, this same contractor in three other cases violated Federal procurement law in securing contracts totaling almost $5 million.

So here we have one contractor that has been singled out among many but put in place $135 million of questionable costs, and the American taxpayers have every right to know how and where their tax dollars are spent and particularly those tax dollars which are spent on providing our Armed Forces, men and women in uniform, with the necessary services they need.

This was compounded when in 2012 headlines showed that two former employees of this particular contractor, in a video, were drunk or under the influence of narcotics during parties that were allegedly thrown ''every other day'' at the contractor's operations center in Kabul. So to compound the problem, not only were the costs questioned, but also the character and behavior of the employees were something we certainly are not proud of.

All of this happened, as the video shows, while weapons were present. Bonfires were also lit, and employees would often throw live ammunition rounds and fire extinguishers into the flames.

Some might say: Well, OK, that is a one-off. That is an aberration. That surely doesn't happen all the time. There is a bad apple here, and there are a bunch of good apples in the barrel.

Yes, there are contractors that are providing services to our men and women who are doing it in a responsible and legal way, but the special inspector for Afghanistan has also found multiple examples of similar types of waste. In fact, since its creation, the special inspector for Afghanistan has undertaken 324 investigations—he is a busy man—and has accounted for over $571 million of misspent taxpayer dollars, and this is just in Afghanistan. As you know, we have operations around the world, and when we total everything, who knows what that final number will be.

I am pleased to report that while these numbers are disturbing, there is also progress being made. The special investigator for Afghanistan whom I have referred to has made over 200 recommendations for reforms and over 160 of those recommendations have been adopted by the Department of Defense in trying to help safeguard Federal dollars. So I don't want to leave the impression that something isn't being done about this. Nevertheless, it is important that we bring these things to light so that we can put procedures in place that will prevent them from happening again.

Also, I am pleased that title VIII of this bill we are now debating on this floor, the National Defense Authorization Act for Fiscal Year 2016, directly addresses defense acquisition policy and management and would make several reforms to the contracting process. So action is being taken. For instance, the bill that calls for the Department of Defense to establish a preference for fixed-price contracts when developing new programs is a needed reform that is part of this legislation we are debating now. Entering into fixed-price contracts helps eliminate the kinds of questionable costs and cost overruns seen in many previous contracts.

We need to make sure, Congress needs to make sure, all of us need to make sure that our service men and women have the support they need to defend our Nation. That is why it is so frustrating when we hear about these instances of contractors that are supposed to be supporting our troops but instead are wasting money, whether intentionally or through error or through simply misbehavior.

So what we have done today is add another $571 million to our taxpayer savings gauge. As you can see, we are pushing toward the goal of $100 billion. We hope to go past that. There is no end of issues that need to be addressed so that we can tell the American people that we are running an efficient and effective shop in Congress and that we are being careful with their taxpayer dollars.

I look forward to returning to the floor next week for my next installment of the ''Waste of the Week.''

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COATS. Mr. President, given the fact that no one has come to the floor, I wish to speak on another matter. I will do so, and when other Members come to the floor to speak, I will try to wrap up and save that time for them.

OBAMACARE

Mr. COATS. Mr. President, last week I chaired a hearing of the Joint Economic Committee entitled ''Examining the Employment Effects of the Affordable Care Act.'' The purpose of the hearing was to discuss how the Affordable Care Act has affected the ability of Americans to earn and do business, particularly for small businessmen.

The impact of the Affordable Care Act—better known as ObamaCare—is particularly important to discuss at this point this year now that the delayed employer provisions are in effect and employers are feeling the pinch. Frankly, ''pinch'' is the wrong word; they are feeling the hammer blow of the burdens imposed on them, both from regulatory and a tax standpoint that are directly affecting their ability to grow, to provide jobs, and to expand their business.

The Congressional Budget Office estimates that the law, ObamaCare, will reduce the total number of hours worked by as much as 2 percent from the years 2017 to 2024.

People said: Two percent—is that a big deal?

Yes, it is a big deal. It is equal to 2.5 million full-time-equivalent jobs—for workers who are looking for those jobs.

The CBO reasoned that this would result from new taxes embedded throughout the ObamaCare program—not talked about when this was passed. In fact, nothing was talked about that was passed in terms of the way people could understand it, as acknowledged by the former head of the House of Representatives.

With new taxes and measures that employers will face and the financial benefits that some will be imposed, the CBO estimates a 1-percent reduction in total pay over the same timeframe as a result of ObamaCare.

This was something that was sold to the American people without credibility. All the promises that were made, some so defiantly made by the President. He said: Take my word for it, period, not one penny of increase in your premium cost. Keep your doctor. If you like your doctor, keep your doctor. If you like your health care plan, keep your health care plan. What a misrepresentation of the bill this has been.

I have received many stories in my office, by email, by regular mail, by phone calls with descriptions of the impact this law has had and the broken promises that have imposed higher premiums, higher copays, higher deductibles, and higher costs for the American people. So we anxiously

await the decision of the Supreme Court, which will be coming in several weeks or less, to see where we go.

I want to take this opportunity to share just one story of one company and the head of that company and what that one small company—providing needed and good jobs for Hoosiers in my State—has had to endure under this particular law. I think this was expressed so well by the head of that company. His name is Dr. Joseph Sergio, president of the Sergio corporation.

He came before our committee, and we heard some of the most clear and defined discussion of the impact, the personal impact on families and workers of the ObamaCare act and what it has done to his small business, which I think is representative of millions of small businesses across the country.

Dr. Sergio is a first-generation American citizen whose family business was founded 36 years ago. His father was an Italian immigrant who came to America to realize the American dream, and he did. Dr. Sergio expanded his father's business, which includes First Response—a national award-winning disaster restoration company, involved in every major hurricane and storm disaster in recent history, with awards for their performance and how effectively and efficiently they brought response to people who needed it following these disasters—and Polar Clean—another company he has which is an environmentally friendly dry ice blast cleaning industrial service. We talk about going green. We talk about caring about our environment. This is a revolutionary way of cleaning any number of factories, businesses, energy companies, and so forth with a new environmentally friendly process.

Here is what Dr. Sergio said to me: ''As a small business, we have felt the profound imposition of the Affordable Care Act, or as it is known among many small business entrepreneurs, the Unaffordable Care Act.''

As a small business owner, Dr. Sergio said to be successful he needed to be able to accurately identify, forecast, and control expenses in order to create profits which would then be reinvested in his growing business. That means new jobs and new opportunity. That, he said, is where the frustration with ObamaCare begins.

Now, look, what Dr. Sergio outlined is economics 101. It is the first thing you learn in an economics class or the first thing your parents tell you: To be successful—and I wish this applied to the Federal Government—you have to control your costs, you have to identify and forecast what your expenses are going to be in the future and make sure you can cover those. And only when you make a profit—not just seeking neutrality here in the Federal Government—but only when you make a profit in the business can you grow that business and put more people back to work.

ObamaCare, Dr. Sergio said, has imposed a whole set of complications and regulations on small business owners that obscures their ability to do just that—to identify, forecast, and control expenses. This makes it difficult to determine profits that are needed to increase employee wages, expand research and development, and invest in new equipment. For a company working in disaster response, all of this is important. Of course, all of this is important for any company.

Dr. Sergio said his business has been forced to make major changes to meet the requirements imposed by ObamaCare. They had to drop their health care plan because it didn't meet the requirements of ObamaCare, even though it had been worked out between the employer and the employees and they were happy with their plan.

As a result, his employees and the company are paying more for an inferior policy. He said:

> Employees are now paying larger co-pays and larger deductibles. Some are opting to pay the penalty rather than absorb the high cost of ObamaCare.

This not only illustrates how ObamaCare affects businesses but how it directly affects families all across our Nation.

Small business owners are angry because ObamaCare promised to lower costs for the average family by $2,500. That was another broken promise from the White House. They said it would lower costs by an average of $2,500. Rather, ObamaCare now has increased the price of insurance and decreased the quality of affordable insurance.

In addition to the quality of insurance, the mandate has affected his company's growth, said Dr. Sergio. Small business owners have a limited amount of capital to spend on their labor pool—employees. The mandates of ObamaCare have pushed spending over to the benefits side. This limits the amount of day-to-day compensation increases a company can provide.

This is not only demoralizing to the employee but frustrating to the employer that is seeing capital going into an ObamaCare-compliant benefits plan that is not benefiting their employees as well as it used to. So all the touting of the magnificence of this ObamaCare helping people to have better insurance coverage without increasing their cost is a fraud. It has simply not turned out to be what it was promised to be, and it doesn't benefit his employees—small business employees—as well as the plans they had before, he said.

So this is Dr. Sergio's current dilemma. He has a history of providing a strong benefits package, paying up to 50 percent of insurance for employees and their dependents and now is unsure how he can keep it under the new law. He testified that surpassing 50 employees would now bring on more administrative costs and reporting requirements, causing him to purposely stay under the 50-employee threshold and utilize more part-time employees that work less than 30 hours per week.

We have heard story after story after story on this floor. I have an abundance of messages coming into my office simply saying I have no choice other than to put my full-time employees on a part-time basis. And I have no choice of adding new employees who take me over the 50-employee threshold because it puts me into all these regulations and impositions by ObamaCare. So it is having a dramatic negative effect on employment—on business growth—and that is where the jobs are. It is not the big companies as much as it is small companies in America, and they are being strangled over these regulations and taxes imposed and the regulations telling them what they have put together that their employees are happy with, that allow the employer to be profitable so they can continue to maintain these benefits and increase wages is simply out the window under ObamaCare.

Can we repair the damage of ObamaCare? Dr. Sergio closed his remarks with this request:

> Please work to undo the vast harms that ObamaCare has and is causing to the middle class and start addressing the essential issue of unleashing small businesses to create millions of new jobs which could raise most people from being at risk and into truly affordable plans.
>
> As a small business entrepreneur and job creator, I urge you to repeal ObamaCare, and allow for market innovation within the health industry, and allow for pooling across State lines, and allow small businesses freedom from oppressive requirements, new taxes and fees, and increased uncertainty.

I was moved by his testimony, and that is why I am standing here today, so I can put it in the RECORD. I was moved by his experience of how ObamaCare has impacted his business decisions in a negative way, how it has hurt his employees, the families of his employees, how it has restricted him from expanding his business, how it has caused him from going to a profitable business, where he could do more research, do more innovation, pay more, provide more benefits to his employees to a situation where he now has to reduce those benefits, where he has to sit down with his employees and say, I am sorry, under the requirements of this new act, this is where we are as a company. We can't continue to give you the benefits you once had. We can't raise your wages because we are not making the profits, and it is either go out of business or it is to try to struggle along under this new law, which is why he believes we need to change it.

I certainly agree with that, and I think this is backed by tens of millions of businesses all across America. We can all agree with the goal of ensuring access to quality care when it is needed. I don't think anyone on this floor has disputed that fact. Unfortunately, a one-size-fits-all government-run health care system is not the answer. We are looking for the best workable, real-world solution for Americans and their health care, and we have not hit that mark. This Congress has failed and this administration has failed to hit that mark.

We should pursue initiatives that truly make health care an option for all. Such initiatives should drive down costs by increasing competition and transparency, reforming medical malpractice, making health insurance portable, promoting pooling options for small businesses, and giving States greater flexibility in how they deliver their services.

Dr. Sergio should have better certainty for his business, and all small business people should have better certainty for their future. His employees should have a better health care system, as should all Americans. These are the goals we need to reach.

We should strive for a system that puts individuals squarely in charge of their health care and doesn't discourage Americans from working and improving their earnings. That is the American dream Dr. Sergio's father sought to achieve when he started his business 36 years ago. That is the dream we should pursue. Yet we are hampered in doing that by the onerous regulations, taxes, and stipulations imposed by the health care law passed by one party without any input from the opposing party, and famously labeled as something we would need to learn about after it was passed. That was probably the most telling statement by a Member of Congress—in this case the former majority leader and then-Speaker of the House of Representatives—about something that was shoved down America's throat without any bipartisan support whatsoever.

Now, yes, if it had been read before it was passed, we could have avoided all of this. It could have been debated and people could have looked for a bipartisan way of moving forward to provide health care for the uninsured and to ensure the health care plan they imposed would not have these negative effects. That is what should have happened. It didn't. We now have a chance to rectify that. We have a chance to remedy that. We are waiting for a Supreme Court decision before we go forward with an alternative to what has cost us in terms of jobs and all the costs to small businesses in terms of their ability to grow.

That is a part of the American dream. We have denied that under this health care program, and I am hoping my colleagues will join us as we look to address this very important issue—important not only for the health of the American public but important for the growth of our economy.

Mr. President, with that, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. COATS. The Senator will be happy to do just that.

The PRESIDING OFFICER. The Senator from Colorado.

PROMOTING UNITED STATES INTERESTS IN THE INDO-ASIA-PACIFIC REGION

Mr. GARDNER. Mr. President, I come to the floor this morning to talk about an amendment I have filed to the National Defense Authorization Act, amendment No. 1708.

This amendment would require the President to submit a comprehensive strategy within 120 days to promote U.S. interests in the Asia-Pacific region. This language or similar language was already placed in the House version of the fiscal year 2016 National Defense Authorization Act.

The amendment would assure that the U.S. Government is effectively marshaling resources and employing a whole-of-government approach to implement an effective, multifaceted engagement policy in the Indo-Asia-Pacific region.

This region will be vital to U.S. national interests for generations to come, and the administration's Asia pivot or rebalance policy was intended to reflect that. This is something the administration has talked about for years, this Asia rebalance or Asia pivot. But currently, the administration does not seem to have such a comprehensive strategy or approach that seamlessly incorporates U.S. military, diplomatic, and commercial activities to make the rebalance an effective policy.

In April of 2014, the Senate Foreign Relations Committee released a report stating that U.S. Government agencies ''have not substantially prioritized their resources to increase engagement in the Asia-Pacific region.'' In fact, if we look at U.S. foreign military assistance, I believe it ranks somewhere around 4 percent of spending. If we look at the Bureaus, this region we are addressing, hopefully through the Asia pivot and rebalance, receives about 1 percent or so of funding, depending on how we measure it. In fact, it is last among the Bureau funding.

Last month, at the Shangri-La Dialogue in Singapore, Secretary of Defense Ashton Carter announced a new initiative that envisions a boost in U.S. military assistance over the next 5 years to enhance maritime security efforts with Indonesia, Malaysia, the Philippines, Vietnam, and Thailand. This effort is a welcomed step forward but alone is not enough.

These initiatives cannot take place in a vacuum. Department of Defense efforts need to be more effectively wedded with other efforts of U.S. Government agencies into a coherent and comprehensive strategy of assistance and engagement in the region. In light of the shared threats in the region, this lack of a comprehensive policy sends the wrong message to our allies throughout the region.

The amendment will ensure that Congress is a genuine partner to the administration's effort to implement this important effort. I ask my colleagues to support this amendment.

One of the challenges we have seen going forward, of course, in the Asia-Pacific region is—as we talk about Asia balance, as we talk about a pivot—our day-to-day attention seems to be more and more drawn to the Middle East, rightly so. But our long-term interests lie in Asia and these regions that we are trying to negotiate a Trans-Pacific Partnership Agreement with. Hopefully, the House will pass trade promotion authority later this week, and we can begin to work in earnest on ideas that represent our commitment through the Asia pivot or Asia rebalance.

I am concerned that we have talked a lot of good talk and we have put together some fancy rhetoric and put a pretty good label on our foreign policy efforts as it relates to the Asia Pacific, but what we haven't done is actually followed through. While I commend Secretary Carter for his efforts and commitment, we can't just stop there. We must make sure we are doing everything we can to grow our opportunities in this region through an Asia pivot or Asia rebalance that truly does need reenergizing.

One of the best ways to help a rising China truly become a great nation is to make sure it is abiding by the norms and standards of acceptable international behavior. We have talked before about the challenges we have—from violations of intellectual property rights and cyber theft. In fact, five PLA officers have been indicted. President Obama has put forward an Executive order listing possible sanctions on cyber threats. We know that if we can start avoiding these kinds of bad behaviors when we start engaging Asia and our neighbors and friends throughout the region, the region we will be dealing with through the Trans-Pacific Partnership—it is my hope we can truly bring this amendment through the National Defense Authorization Act to bring coherence and clarity to the rebalance strategy we have talked about but so far have not been the best in our execution.

COLORADO'S WESTERN SLOPE

Mr. GARDNER. Mr. President, I wish to talk a little bit about what is happening on Colorado's Western Slope this morning.

Several weeks ago, a judge in Denver, CO, ruled that a permit was improperly given to a mine known as the Colowyo mine on the Western Slope in Northwestern Colorado. This lawsuit was brought, I think, some 8 years after this permit was granted. Mine employees number around 220 people on Colorado's Western Slope. It is critical to the region's economy, and it is critical to the economy of Craig, CO. Without these employees and without this mine, it will truly be an economically devastating moment in Western Slope history.

So I hope the Department of the Interior will pay attention to the multiple

letters they have received from our colleague Senator BENNET, from Governor Hickenlooper of Colorado, who have urged this to be taken seriously, to be reconsidered and appealed. It would be economically devastating for these communities to lose 220 jobs. I certainly hope the administration is paying the serious attention to this matter that it deserves.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

The Senator from Arizona.

ORDER OF BUSINESS

Mr. MCCAIN. Mr. President, we will begin today, and hopefully, with the agreement of my friend from Rhode Island, we will have some amendments, voice votes, and recorded votes today. My colleagues can look forward to it. Also, those who wish to come to the floor to propose amendments, we are still looking at, hopefully, an agreement that the amendments will be closed out by this evening.

Mr. REED. We are fine with that.

THE PRESIDENT'S FOREIGN POLICY

Mr. MCCAIN. Mr. President, I would like to say a few words here about the fact that apparently President Obama is now going to send hundreds more troops to Iraq. ''The President plans to deploy hundreds,'' according to the media reports, ''more American troops to western Anbar Province, POLITICO has learned, to step up training for Iraqi troops who'll be charged with retaking the city of Ramadi and other ground lost to ISIL.''

However, American troops still will not go into combat with Iraqi units, to help fight ISIL directly or to call for airstrikes. And defense officials continue to worry about Iraqis' end of the bargain—whether Baghdad can send enough recruits to take advantage of a widened American training pipeline. One U.S. training center, at Al Assad Air Base in western Anbar, hasn't had any Iraqi recruits to train for months.

We are going to send 400 more people, maybe, to staff up their headquarters. I don't know, but when we have a situation where 75 percent of the air combat missions over Iraq and Syria return—75 percent of them—without dropping a weapon, it is so reminiscent of another war at another time many years ago where, under then-Secretary of Defense McNamara, this same kind of strategy prevailed.

I would remind my colleagues of the various statements that have been made by President Obama and others.

January 27, 2014: ''Obama Likens ISIS to 'J.V. Team.' ''

On August 7, 2014, Mr. Obama said that ''the United States had no intention of 'being the Iraqi air force.' ''

September 10, 2014:

President Obama authorized a major expansion of the campaign against the Islamic State, saying the United States was recruiting a global coalition to ''degrade and ultimately destroy'' the militants.

Unfortunately, there is still—the President said I believe the day before yesterday that ''we do not yet have a complete strategy'' for fighting the Islamic State and that thousands of new fighters were replenishing the ranks of the militant group faster than the coalition could remove them from the fight.

In other words, we are losing.

I would remind my colleagues of the news items today. The Wall Street Journal: ''U.S. Strategy in Lebanon Stirs Fears.''

Critics say Washington's funding cut for a program in Lebanon to develop alternative Shiite political voices to Hezbollah is an effort to appease Iran.

''China military says conducted drills near Taiwan, Philippines.''

Chinese warships and aircraft on Wednesday passed through Bashi Channel between Taiwan and the Philippines to hold routine planned exercises in the Western Pacific.

The Hill: ''U.S. training base in Iraq hasn't seen a new recruit in weeks.''

The U.S. mission in Iraq has stalled at one of the five coalition training sites because the central government has not been sending new recruits, according to defense officials.

There is an interesting one in the Wall Street Journal: ''Iraqi City of Mosul Transformed a Year After Islamic State Capture.''

I remind my colleagues of the many statements made by American officials as well as Iraqis that they were going to retake the city of Mosul very quickly.

In Islamic State's stronghold of Mosul, the extremist group is working day and night to repair roads, manicure gardens and refurbish hotels. Iraq's second-largest city has never looked so good thanks to strict laws enforced by the Sunni militants. But beneath that veneer, the group metes out deadly punishments to those who don't comply with a long list of prohibitions imposed over the year since it took control of Mosul on June 10, 2014, according to interviews with more than a dozen current and former city. . . . officials.

Mosul is still almost fully inhabited—a contrast to cities where Iraqi and coalition forces have pushed the Islamic State out.

Doctors, judges, and professors who defied or questioned Islamic State laws have been executed, sometimes by public stoning or crucifixion. Prisons are filled with people awaiting their sentences from the Islamic court.

''Nearly no one gets out alive,'' one of the residents said.

Then came the attacks on minorities.

''There are many things we do not consider Islamic at all, like the way Christians were treated,'' said a female doctor from Mosul who is pious and veiled.

''All of Mosul does not accept what has happened to the Christians,'' said the woman, who lives in the northern city of Kirkuk. The group's attack on minorities ''was a major mistake that cost them our support.''

''Suicide bomber attacks tourist site in Luxor, four Egyptians wounded.''

''China military conducts drills near Taiwan, Philippines.''

''Al-Qaida militants in Libya attack IS after leader killed.''

''China exports repression beyond its borders.''

''Foreign Policy: Airstrikes Killing Thousands of Islamic State Fighters, but It Just Recruits More.''

''The strength of ISIS continues to grow, so they're getting more in from recruits than they are losing through casualties,'' said Rick Brennan, a former U.S. Army infantry officer who was a civilian adviser to the U.S. military in Iraq. . . . Brennan, now a senior political scientist at the Rand Corp., said he was basing his opinion on intelligence estimates that have been made public.

So the bragging about killing 10,000 ISIS—they forgot to mention that there are more coming in than they are killing—also reminiscent of the days of the Vietnam war where body counts seemed to be the criteria.

''Islamic State keeps firm grip one year after Mosul's fall.''

Weak Iraqi forces no closer to reclaiming strategic city.

The New York Times: ''ISIS Stages Attacks in Iraq and Libya, Despite U.S. Airstrikes.''

Islamic State militants staged attacks near Baghdad and the Libyan city of Surt on Tuesday, underscoring the group's persistent strength on both fronts despite a monthlong American-led air campaign against it in Syria and Iraq.

The Wall Street Journal: ''U.S. Prepares Plan to Send Hundreds More Trainers to Iraq,'' as I talked about.

The Associated Press: ''State Dep't spokesman: Saving Iraq could take 3–5 years.''

Naturally, there is no mention of Syria.

By the way, they said that they were developing if not a complete strategy—I would like to know the incomplete part of it. I would like to know what strategy there is of any kind.

The Wall Street Journal: ''Iraqi City of Mosul Transformed a Year After Islamic State Capture.''

I mentioned before that ISIS stage attacks in Iraq and Libya despite U.S. airstrikes.

It goes on and on. Meanwhile, the President of the United States will, according to the media reports, announce today that we will send 400 or so more to Iraq, none of which is accompanied by a strategy, none of which is accompanied by forward air controllers, so we will continue to see 75 percent of the combat missions flown return to base without having discharged their weapons since we have no one on the ground to identify targets. This is incrementalism at its best or worst, depending on how you would describe it.

Today, I hope we will be able to take some additional amendments. We have a managers' package getting prepared,

and I believe Senator REED and I are moving forward with some amendments we can have debated and also voted on today.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

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

The legislative clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

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

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

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

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

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

Reed (for Blumenthal) amendment No. 1564 (to amendment No. 1463), to increase civil penalties for violations of the Servicemembers Civil Relief Act.

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

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

McCain (for Burr) amendment No. 1569 (to amendment No. 1463), to ensure criminal background checks of employees of the military child care system and providers of child care services and youth program services for military dependents.

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

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

Burr/McCain amendment No. 1921 (to amendment No. 1569), to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, I was first going to offer an amendment, but both the chairman and ranking member of the committee suggested that I wait until after they have had a chance to review some of the technical details. So I will speak on an amendment that I will in all probability offer at a later time.

My amendment really goes to how we make sure we help our troops with the many stresses that are in their lives. My goal is to add money to funding our commissaries. This amendment, which I will offer at a later time, restores $322 million in cuts to commissaries proposed by the Department of Defense. It would authorize $1.4 billion in funding—the same level that is in the House National Defense Authorization Act and in the House Defense appropriations bill. It offsets the $322 million for commissaries by reducing the Pentagon's budget in failed policies to buy spare parts. They have a lot of waste there, and we think we can find the $322 million we need there, and that is the technical issue we need to work, also known as the offset. But what is not technical is the fact that we have to make sure our commissaries function at their current level.

Commissaries represent one of the most significant and lasting benefits for military members and their families. Commissaries have been around since 1826, giving military families the ability to shop at a network of stores. The commissary system is simple. If you are Active Duty, Reserve, National Guard, or a retired member of the family, you have access to 246 commissaries worldwide. They are particularly important to many of our troops overseas, and they give military families affordable access to healthy foods.

The benefits of commissaries are significant. They feed those people who are actually members of our military. They help military families stretch their budgets, and they also help provide jobs to family members in the military who work in those commissaries.

Our distinguished colleagues on the authorizing committee, Senator MCCAIN and Senator JACK REED, are themselves military men. Senator MCCAIN is a graduate of the Naval Academy and Senator JACK REED graduated from West Point. They know that one of the big expenditures right now for our military is rising health costs. The military itself is looking at how to make sure they keep our troops healthy not only while they are doing their job but also how to keep them healthy so that when they move on, they will be in excellent shape. The commissaries do those kinds of things. They provide what grocery stores provide—fresh fruits and vegetables. They provide healthy foods.

Also, for example, my own commissary at Fort Meade, which is part of the Healthy Base Initiative, has shown people how to stretch their dollar more so they can get more for their family budget and also has actual recommendations on how to add nutrition—save money and add nutrition. If we want to bend the health care cost curve, while we are looking at important medical research, research shows that good food leads to good health.

The other thing is this: Military members get a significant savings from commissaries. The average savings is about 30 percent on a grocery bill. For a family of four, that comes to over $4,000 a year. Everyone knows how much military families are stretched, and for our men and women who are enlisted, this is a really big deal. We need to make this available for them.

What many people don't realize is that the commissaries not only create jobs, but 60 percent of commissary workers are spouses of men who serve in the military. About 100,000 jobs are supported through commissaries. The other thing the DOD wants to do is cut their hours. Well, if they cut their hours, that does cut jobs, but it also cuts opportunity.

When you are in the military, you work around the clock. You are not on the clock; you work around the clock. So if you are a military police officer, you could be getting off of duty late at night. If you are someone who repairs our helicopters or airplanes, you could be getting off at night.

The commissary at Fort Meade serves agencies such as the National Security Agency. They essentially work a 36-hour day. They work around the clock, 24 hours a day. Our commissary isn't open 24 hours a day, but I can tell you it can't be open from 10 a.m. to 4 p.m. and still meet the needs of our military workforce.

The Department of Defense wants to make the commissaries more self-sustaining, and we don't argue with that. We can always find efficiencies and look at new ways to do things. But don't cut $322 million and further cut it close to $1 billion over the next 4 years.

What we want to do is make sure our military families have what they need. First of all, we want them to have good food. We want them to be able to go to these commissaries at hours that work for military families. We also want to look at the long-range effects of bending the health care curve.

I am going to come back to the commissary at Fort Meade. I am very proud of the fact that Fort Meade is what we call a compassionate post. That means if you are in the U.S. Army and you have a special needs child, one of the highly desirable places to be based is at Fort Meade. Why? Because Anne Arundel County has one of

the best programs for special education in the State and in the country. You also have access to Kennedy Krieger, which is one of the internationally iconic agencies that address the needs of children with not only special needs but multiple special needs.

We are very happy that Fort Meade is in Maryland and that it is known as a compassionate post. But think of those families who have a child with cerebral palsy or multiple complications that might even require the child to constantly need a respirator. All of these things go on along with the stress of being a military family. We can certainly keep the commissaries open so that they can get the food they need for their families and have the commissaries open during the hours that work for them. This is what real life in the military is.

After Desert Storm, I remember when the Appropriations Committee met under the leadership of Senator Byrd and Senator Ted Steven. They asked General Schwarzkopf what he needed in an after-action report. He said: We need better intelligence. And we worked really hard to upgrade to where we are. He also said: We need better food. We need better food for our troops, and people need to believe their families are being taken care of while they are in harm's way.

We ask a lot from our military, and our military families are now asking us: Don't cut the commissaries. Keep them open. Keep them affordable. Keep them available. Once we clarify the technicalities of the offset, which is required, I will come back and offer my amendment, which I hope will pass the Senate with a 100-to-0 vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1569, AS MODIFIED

Mr. McCAIN. Mr. President, I modify my amendment No. 1569 by accepting the second-degree amendment No. 1921, offered by the Senator from North Carolina.

The PRESIDING OFFICER. The Senator has that right. The amendment is so modified.

The amendment, as modified, is as follows:

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

TITLE XVII—CYBERSECURITY INFORMATION SHARING

SECTION 1701. SHORT TITLE.

This title may be cited as the ''Cybersecurity Information Sharing Act of 2015''.

SEC. 1702. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) ANTITRUST LAWS.—The term ''antitrust laws''—

(A) has the meaning given the term in section 1 of the Clayton Act (15 U.S.C. 12);

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 of that Act applies to unfair methods of competition; and

(C) includes any State law that has the same intent and effect as the laws under subparagraphs (A) and (B).

(3) APPROPRIATE FEDERAL ENTITIES.—The term ''appropriate Federal entities'' means the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Department of Energy.

(D) The Department of Homeland Security.

(E) The Department of Justice.

(F) The Department of the Treasury.

(G) The Office of the Director of National Intelligence.

(4) CYBERSECURITY PURPOSE.—The term ''cybersecurity purpose'' means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

(5) CYBERSECURITY THREAT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''cybersecurity threat'' means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) EXCLUSION.—The term ''cybersecurity threat'' does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) CYBER THREAT INDICATOR.—The term ''cyber threat indicator'' means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

(H) any combination thereof.

(7) DEFENSIVE MEASURE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''defensive measure'' means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) EXCLUSION.—The term ''defensive measure'' does not include a measure that destroys, renders unusable, or substantially harms an information system or data on an information system not belonging to—

(i) the private entity operating the measure; or

(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

(8) ENTITY.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ''entity'' means any private entity, non-Federal government agency or department, or State, tribal, or local government (including a political subdivision, department, or component thereof).

(B) INCLUSIONS.—The term ''entity'' includes a government agency or department of the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(C) EXCLUSION.—The term ''entity'' does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(9) FEDERAL ENTITY.—The term ''Federal entity'' means a department or agency of the United States or any component of such department or agency.

(10) INFORMATION SYSTEM.—The term ''information system''—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers.

(11) LOCAL GOVERNMENT.—The term ''local government'' means any borough, city, county, parish, town, township, village, or other political subdivision of a State.

(12) MALICIOUS CYBER COMMAND AND CONTROL.—The term ''malicious cyber command and control'' means a method for unauthorized remote identification of, access to, or use of, an information system or information that is stored on, processed by, or transiting an information system.

(13) MALICIOUS RECONNAISSANCE.—The term ''malicious reconnaissance'' means a method for actively probing or passively monitoring an information system for the purpose of discerning security vulnerabilities of the information system, if such method is associated with a known or suspected cybersecurity threat.

(14) MONITOR.—The term ''monitor'' means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

(15) PRIVATE ENTITY.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ''private entity'' means any person or private group, organization, proprietorship, partnership, trust, cooperative, corporation, or other commercial or nonprofit entity, including an officer, employee, or agent thereof.

(B) INCLUSION.—The term ''private entity'' includes a State, tribal, or local government performing electric utility services.

(C) EXCLUSION.—The term ''private entity'' does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(16) SECURITY CONTROL.—The term ''security control'' means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

(17) SECURITY VULNERABILITY.—The term ''security vulnerability'' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(18) TRIBAL.—The term ''tribal'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 1703. SHARING OF INFORMATION BY THE FEDERAL GOVERNMENT.

(a) IN GENERAL.—Consistent with the protection of classified information, intelligence sources and methods, and privacy and civil liberties, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General, in consultation with the heads of the appropriate Federal entities, shall develop and promulgate procedures to facilitate and promote—

(1) the timely sharing of classified cyber threat indicators in the possession of the Federal Government with cleared representatives of relevant entities;

(2) the timely sharing with relevant entities of cyber threat indicators or information in the possession of the Federal Government that may be declassified and shared at an unclassified level;

(3) the sharing with relevant entities, or the public if appropriate, of unclassified, including controlled unclassified, cyber threat indicators in the possession of the Federal Government; and

(4) the sharing with entities, if appropriate, of information in the possession of the Federal Government about cybersecurity threats to such entities to prevent or mitigate adverse effects from such cybersecurity threats.

(b) DEVELOPMENT OF PROCEDURES.—

(1) IN GENERAL.—The procedures developed and promulgated under subsection (a) shall—

(A) ensure the Federal Government has and maintains the capability to share cyber threat indicators in real time consistent with the protection of classified information;

(B) incorporate, to the greatest extent practicable, existing processes and existing roles and responsibilities of Federal and non-Federal entities for information sharing by the Federal Government, including sector specific information sharing and analysis centers;

(C) include procedures for notifying entities that have received a cyber threat indicator from a Federal entity under this title that is known or determined to be in error or in contravention of the requirements of this title or another provision of Federal law or policy of such error or contravention;

(D) include requirements for Federal entities receiving cyber threat indicators or defensive measures to implement and utilize security controls to protect against unauthorized access to or acquisition of such cyber threat indicators or defensive measures; and

(E) include procedures that require a Federal entity, prior to the sharing of a cyber threat indicator—

(i) to review such cyber threat indicator to assess whether such cyber threat indicator contains any information that such Federal entity knows at the time of sharing to be personal information of or identifying a specific person not directly related to a cybersecurity threat and remove such information; or

(ii) to implement and utilize a technical capability configured to remove any personal information of or identifying a specific person not directly related to a cybersecurity threat.

(2) COORDINATION.—In developing the procedures required under this section, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General shall coordinate with appropriate Federal entities, including the National Laboratories (as defined in section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), to ensure that effective protocols are implemented that will facilitate and promote the sharing of cyber threat indicators by the Federal Government in a timely manner.

(c) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date of the enactment of this title, the Director of National Intelligence, in consultation with the heads of the appropriate Federal entities, shall submit to Congress the procedures required by subsection (a).

SEC. 1704. AUTHORIZATIONS FOR PREVENTING, DETECTING, ANALYZING, AND MITIGATING CYBERSECURITY THREATS.

(a) AUTHORIZATION FOR MONITORING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, monitor—

(A) an information system of such private entity;

(B) an information system of another entity, upon the authorization and written consent of such other entity;

(C) an information system of a Federal entity, upon the authorization and written consent of an authorized representative of the Federal entity; and

(D) information that is stored on, processed by, or transiting an information system monitored by the private entity under this paragraph.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the monitoring of an information system, or the use of any information obtained through such monitoring, other than as provided in this title; or

(B) to limit otherwise lawful activity.

(b) AUTHORIZATION FOR OPERATION OF DEFENSIVE MEASURES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, operate a defensive measure that is applied to—

(A) an information system of such private entity in order to protect the rights or property of the private entity;

(B) an information system of another entity upon written consent of such entity for operation of such defensive measure to protect the rights or property of such entity; and

(C) an information system of a Federal entity upon written consent of an authorized representative of such Federal entity for operation of such defensive measure to protect the rights or property of the Federal Government.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the use of a defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(c) AUTHORIZATION FOR SHARING OR RECEIVING CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.—

(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, an entity may, for the purposes permitted under this title and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government a cyber threat indicator or defensive measure.

(2) LAWFUL RESTRICTION.—An entity receiving a cyber threat indicator or defensive measure from another entity or Federal entity shall comply with otherwise lawful restrictions placed on the sharing or use of such cyber threat indicator or defensive measure by the sharing entity or Federal entity.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the sharing or receiving of a cyber threat indicator or defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(d) PROTECTION AND USE OF INFORMATION.—

(1) SECURITY OF INFORMATION.—An entity monitoring an information system, operating a defensive measure, or providing or receiving a cyber threat indicator or defensive measure under this section shall implement and utilize a security control to protect against unauthorized access to or acquisition of such cyber threat indicator or defensive measure.

(2) REMOVAL OF CERTAIN PERSONAL INFORMATION.—An entity sharing a cyber threat indicator pursuant to this title shall, prior to such sharing—

(A) review such cyber threat indicator to assess whether such cyber threat indicator contains any information that the entity knows at the time of sharing to be personal information of or identifying a specific person not directly related to a cybersecurity threat and remove such information; or

(B) implement and utilize a technical capability configured to remove any information contained within such indicator that the entity knows at the time of sharing to be personal information of or identifying a specific person not directly related to a cybersecurity threat.

(3) USE OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES BY ENTITIES.—

(A) IN GENERAL.—Consistent with this title, a cyber threat indicator or defensive measure shared or received under this section may, for cybersecurity purposes—

(i) be used by an entity to monitor or operate a defensive measure on—

(I) an information system of the entity; or

(II) an information system of another entity or a Federal entity upon the written consent of that other entity or that Federal entity; and

(ii) be otherwise used, retained, and further shared by an entity subject to—

(I) an otherwise lawful restriction placed by the sharing entity or Federal entity on such cyber threat indicator or defensive measure; or

(II) an otherwise applicable provision of law.

(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize the use of a cyber threat indicator or defensive measure other than as provided in this section.

(4) USE OF CYBER THREAT INDICATORS BY STATE, TRIBAL, OR LOCAL GOVERNMENT.—

(A) LAW ENFORCEMENT USE.—

(i) PRIOR WRITTEN CONSENT.—Except as provided in clause (ii), a cyber threat indicator shared with a State, tribal, or local government under this section may, with the prior written consent of the entity sharing such indicator, be used by a State, tribal, or local government for the purpose of preventing, investigating, or prosecuting any of the offenses described in section 1705(d)(5)(A)(vi).

(ii) ORAL CONSENT.—If exigent circumstances prevent obtaining written consent under clause (i), such consent may be provided orally with subsequent documentation of the consent.

(B) EXEMPTION FROM DISCLOSURE.—A cyber threat indicator shared with a State, tribal, or local government under this section shall be—

(i) deemed voluntarily shared information; and

(ii) exempt from disclosure under any State, tribal, or local law requiring disclosure of information or records.

(C) STATE, TRIBAL, AND LOCAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), a cyber threat indicator or defensive measure shared with a State, tribal, or local government under this title shall not be directly used by any State, tribal, or local government to regulate, including an enforcement action, the lawful activity of any entity, including an activity relating to monitoring, operating a defensive measure, or sharing of a cyber threat indicator.

(ii) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.—A cyber threat indicator or defensive measures shared as described in clause (i) may, consistent with a State, tribal, or local government regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of a regulation relating to such information systems.

(e) ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Except as provided in section 1708(e), it shall not be considered a violation of any provision of antitrust laws for 2 or more private entities to exchange or provide a cyber threat indicator, or assistance relating to the prevention, investigation, or mitigation of a cybersecurity threat, for cybersecurity purposes under this title.

(2) APPLICABILITY.—Paragraph (1) shall apply only to information that is exchanged or assistance provided in order to assist with—

(A) facilitating the prevention, investigation, or mitigation of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system; or

(B) communicating or disclosing a cyber threat indicator to help prevent, investigate, or mitigate the effect of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system.

(f) NO RIGHT OR BENEFIT.—The sharing of a cyber threat indicator with an entity under this title shall not create a right or benefit to similar information by such entity or any other entity.

SEC. 1705. SHARING OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES WITH THE FEDERAL GOVERNMENT.

(a) REQUIREMENT FOR POLICIES AND PROCEDURES.—

(1) INTERIM POLICIES AND PROCEDURES.—Not later than 60 days after the date of the enactment of this title, the Attorney General, in coordination with the heads of the appropriate Federal entities, shall develop and submit to Congress interim policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(2) FINAL POLICIES AND PROCEDURES.—Not later than 180 days after the date of the enactment of this title, the Attorney General shall, in coordination with the heads of the appropriate Federal entities, promulgate final policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(3) REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators are shared with the Federal Government by any entity pursuant to section 1704(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are not subject to any delay, modification, or any other action that could impede real-time receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 1704 in a manner other than the real-time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled ''National Strategy for Trusted Identities in Cyberspace'' and published by the President in April 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there is—

(i) an audit capability; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this title, the Attorney General shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) CONTENTS.—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include personal information of or identifying a specific person not directly related to a cyber security threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General considers appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) PRIVACY AND CIVIL LIBERTIES.—

(1) GUIDELINES OF ATTORNEY GENERAL.—Not later than 60 days after the date of the enactment of this title, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this title, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the impact on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information of or identifying specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information of or identifying specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information of or identifying specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(c) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators shared through the real-time process within the Department of Homeland Security;

(D) is in compliance with the policies, procedures, and guidelines required by this section; and

(E) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) CERTIFICATION.—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this title; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) PUBLIC NOTICE AND ACCESS.—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures in real time with receipt through the process within the Department of Homeland Security.

(4) OTHER FEDERAL ENTITIES.—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive in a timely manner any cyber threat indicators and defensive measures shared with the Federal Government through such process.

(5) REPORT ON DEVELOPMENT AND IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this title, the Secretary of Homeland Security shall submit to Congress a report on the development and implementation of the capability and process required by paragraph (1), including a description of such capability and process and the public notice of, and access to, such process.

(B) CLASSIFIED ANNEX.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(d) INFORMATION SHARED WITH OR PROVIDED TO THE FEDERAL GOVERNMENT.—

(1) NO WAIVER OF PRIVILEGE OR PROTECTION.—The provision of cyber threat indicators and defensive measures to the Federal Government under this title shall not constitute a waiver of any applicable privilege or protection provided by law, including trade secret protection.

(2) PROPRIETARY INFORMATION.—Consistent with section 1704(c)(2), a cyber threat indicator or defensive measure provided by an entity to the Federal Government under this title shall be considered the commercial, financial, and proprietary information of such entity when so designated by the originating entity or a third party acting in accordance with the written authorization of the originating entity.

(3) EXEMPTION FROM DISCLOSURE.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(4) EX PARTE COMMUNICATIONS.—The provision of a cyber threat indicator or defensive measure to the Federal Government under this title shall not be subject to a rule of any Federal agency or department or any judicial doctrine regarding ex parte communications with a decisionmaking official.

(5) DISCLOSURE, RETENTION, AND USE.—

(A) AUTHORIZED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may be disclosed to, retained by, and used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, component, officer, employee, or agent of the Federal Government solely for—

(i) a cybersecurity purpose;

(ii) the purpose of identifying a cybersecurity threat, including the source of such cybersecurity threat, or a security vulnerability;

(iii) the purpose of identifying a cybersecurity threat involving the use of an information system by a foreign adversary or terrorist;

(iv) the purpose of responding to, or otherwise preventing or mitigating, an imminent threat of death, serious bodily harm, or serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(v) the purpose of responding to, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(vi) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in clause (iv) or any of the offenses listed in—

(I) section 3559(c)(2)(F) of title 18, United States Code (relating to serious violent felonies);

(II) sections 1028 through 1030 of such title (relating to fraud and identity theft);

(III) chapter 37 of such title (relating to espionage and censorship); and

(IV) chapter 90 of such title (relating to protection of trade secrets).

(B) PROHIBITED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be disclosed to, retained by, or used by any Federal agency or department for any use not permitted under subparagraph (A).

(C) PRIVACY AND CIVIL LIBERTIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be retained, used, and disseminated by the Federal Government—

(i) in accordance with the policies, procedures, and guidelines required by subsections (a) and (b);

(ii) in a manner that protects from unauthorized use or disclosure any cyber threat indicators that may contain personal information of or identifying specific persons; and

(iii) in a manner that protects the confidentiality of cyber threat indicators containing personal information of or identifying a specific person.

(D) FEDERAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be directly used by any Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any entity, including activities relating to monitoring, operating defensive measures, or sharing cyber threat indicators.

(ii) EXCEPTIONS.—

(I) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) PROCEDURES DEVELOPED AND IMPLEMENTED UNDER THIS TITLE.—Clause (i) shall not apply to procedures developed and implemented under this title.

SEC. 1706. PROTECTION FROM LIABILITY.

(a) MONITORING OF INFORMATION SYSTEMS.—No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the monitoring of information systems and information under section 1704(a) that is conducted in accordance with this title.

(b) SHARING OR RECEIPT OF CYBER THREAT INDICATORS.—No cause of action shall lie or be maintained in any court against any entity, and such action shall be promptly dismissed, for the sharing or receipt of cyber threat indicators or defensive measures under section 1704(c) if—

(1) such sharing or receipt is conducted in accordance with this title; and

(2) in a case in which a cyber threat indicator or defensive measure is shared with the Federal Government, the cyber threat indicator or defensive measure is shared in a manner that is consistent with section 1705(c)(1)(B) and the sharing or receipt, as the case may be, occurs after the earlier of—

(A) the date on which the interim policies and procedures are submitted to Congress under section 1705(a)(1); or

(B) the date that is 60 days after the date of the enactment of this title.

(c) CONSTRUCTION.—Nothing in this section shall be construed—

(1) to require dismissal of a cause of action against an entity that has engaged in gross negligence or willful misconduct in the course of conducting activities authorized by this title; or

(2) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

SEC. 1707. OVERSIGHT OF GOVERNMENT ACTIVITIES.

(a) BIENNIAL REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, and not less frequently than once every 2 years thereafter, the heads of the appropriate Federal entities shall jointly submit and the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy, in consultation with the Council of Inspectors General on Financial Oversight, shall jointly submit to Congress a

detailed report concerning the implementation of this title.

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

(A) An assessment of the sufficiency of the policies, procedures, and guidelines required by section 1705 in ensuring that cyber threat indicators are shared effectively and responsibly within the Federal Government.

(B) An evaluation of the effectiveness of real-time information sharing through the capability and process developed under section 1705(c), including any impediments to such real-time sharing.

(C) An assessment of the sufficiency of the procedures developed under section 1703 in ensuring that cyber threat indicators in the possession of the Federal Government are shared in a timely and adequate manner with appropriate entities, or, if appropriate, are made publicly available.

(D) An assessment of whether cyber threat indicators have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purposes of this title.

(E) A review of the type of cyber threat indicators shared with the Federal Government under this title, including the following:

(i) The degree to which such information may impact the privacy and civil liberties of specific persons.

(ii) A quantitative and qualitative assessment of the impact of the sharing of such cyber threat indicators with the Federal Government on privacy and civil liberties of specific persons.

(iii) The adequacy of any steps taken by the Federal Government to reduce such impact.

(F) A review of actions taken by the Federal Government based on cyber threat indicators shared with the Federal Government under this title, including the appropriateness of any subsequent use or dissemination of such cyber threat indicators by a Federal entity under section 1705.

(G) A description of any significant violations of the requirements of this title by the Federal Government.

(H) A summary of the number and type of entities that received classified cyber threat indicators from the Federal Government under this title and an evaluation of the risks and benefits of sharing such cyber threat indicators.

(3) RECOMMENDATIONS.—Each report submitted under paragraph (1) may include recommendations for improvements or modifications to the authorities and processes under this title.

(4) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) REPORTS ON PRIVACY AND CIVIL LIBERTIES.—

(1) BIENNIAL REPORT FROM PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Not later than 2 years after the date of the enactment of this title and not less frequently than once every 2 years thereafter, the Privacy and Civil Liberties Oversight Board shall submit to Congress and the President a report providing—

(A) an assessment of the effect on privacy and civil liberties by the type of activities carried out under this title; and

(B) an assessment of the sufficiency of the policies, procedures, and guidelines established pursuant to section 1705 in addressing concerns relating to privacy and civil liberties.

(2) BIENNIAL REPORT OF INSPECTORS GENERAL.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this title and not less frequently than once every 2 years thereafter, the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy shall, in consultation with the Council of Inspectors General on Financial Oversight, jointly submit to Congress a report on the receipt, use, and dissemination of cyber threat indicators and defensive measures that have been shared with Federal entities under this title.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include the following:

(i) A review of the types of cyber threat indicators shared with Federal entities.

(ii) A review of the actions taken by Federal entities as a result of the receipt of such cyber threat indicators.

(iii) A list of Federal entities receiving such cyber threat indicators.

(iv) A review of the sharing of such cyber threat indicators among Federal entities to identify inappropriate barriers to sharing information.

(3) RECOMMENDATIONS.—Each report submitted under this subsection may include such recommendations as the Privacy and Civil Liberties Oversight Board, with respect to a report submitted under paragraph (1), or the Inspectors General referred to in paragraph (2)(A), with respect to a report submitted under paragraph (2), may have for improvements or modifications to the authorities under this title.

(4) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 1708. CONSTRUCTION AND PREEMPTION.

(a) OTHERWISE LAWFUL DISCLOSURES.—Nothing in this title shall be construed—

(1) to limit or prohibit otherwise lawful disclosures of communications, records, or other information, including reporting of known or suspected criminal activity, by an entity to any other entity or the Federal Government under this title; or

(2) to limit or prohibit otherwise lawful use of such disclosures by any Federal entity, even when such otherwise lawful disclosures duplicate or replicate disclosures made under this title.

(b) WHISTLE BLOWER PROTECTIONS.—Nothing in this title shall be construed to prohibit or limit the disclosure of information protected under section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats), section 7211 of title 5, United States Code (governing disclosures to Congress), section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military), section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) (governing disclosure by employees of elements of the intelligence community), or any similar provision of Federal or State law.

(c) PROTECTION OF SOURCES AND METHODS.—Nothing in this title shall be construed—

(1) as creating any immunity against, or otherwise affecting, any action brought by the Federal Government, or any agency or department thereof, to enforce any law, executive order, or procedure governing the appropriate handling, disclosure, or use of classified information;

(2) to affect the conduct of authorized law enforcement or intelligence activities; or

(3) to modify the authority of a department or agency of the Federal Government to protect classified information and sources and methods and the national security of the United States.

(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this title shall be construed to affect any requirement under any other provision of law for an entity to provide information to the Federal Government.

(e) PROHIBITED CONDUCT.—Nothing in this title shall be construed to permit price-fixing, allocating a market between competitors, monopolizing or attempting to monopolize a market, boycotting, or exchanges of price or cost information, customer lists, or information regarding future competitive planning.

(f) INFORMATION SHARING RELATIONSHIPS.—Nothing in this title shall be construed—

(1) to limit or modify an existing information sharing relationship;

(2) to prohibit a new information sharing relationship;

(3) to require a new information sharing relationship between any entity and the Federal Government; or

(4) to require the use of the capability and process within the Department of Homeland Security developed under section 1705(c).

(g) PRESERVATION OF CONTRACTUAL OBLIGATIONS AND RIGHTS.—Nothing in this title shall be construed—

(1) to amend, repeal, or supersede any current or future contractual agreement, terms of service agreement, or other contractual relationship between any entities, or between any entity and a Federal entity; or

(2) to abrogate trade secret or intellectual property rights of any entity or Federal entity.

(h) ANTI-TASKING RESTRICTION.—Nothing in this title shall be construed to permit the Federal Government—

(1) to require an entity to provide information to the Federal Government;

(2) to condition the sharing of cyber threat indicators with an entity on such entity's provision of cyber threat indicators to the Federal Government; or

(3) to condition the award of any Federal grant, contract, or purchase on the provision of a cyber threat indicator to a Federal entity.

(i) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this title shall be construed to subject any entity to liability for choosing not to engage in the voluntary activities authorized in this title.

(j) USE AND RETENTION OF INFORMATION.—Nothing in this title shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use any information shared under this title for any use other than permitted in this title.

(k) FEDERAL PREEMPTION.—

(1) IN GENERAL.—This title supersedes any statute or other provision of law of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under this title.

(2) STATE LAW ENFORCEMENT.—Nothing in this title shall be construed to supersede any statute or other provision of law of a State or political subdivision of a State concerning the use of authorized law enforcement practices and procedures.

(l) REGULATORY AUTHORITY.—Nothing in this title shall be construed—

(1) to authorize the promulgation of any regulations not specifically authorized by this title;

(2) to establish or limit any regulatory authority not specifically established or limited under this title; or

(3) to authorize regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under another provision of Federal law.

(m) AUTHORITY OF SECRETARY OF DEFENSE TO RESPOND TO CYBER ATTACKS.—Nothing in this title shall be construed to limit the authority of the Secretary of Defense to develop, prepare, coordinate, or, when authorized by the President to do so, conduct a military cyber operation in response to a malicious cyber activity carried out against the United States or a United States person by a foreign government or an organization sponsored by a foreign government or a terrorist organization.

SEC. 1709. REPORT ON CYBERSECURITY THREATS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this title, the Director of National Intelligence, in coordination with the heads of other appropriate elements of the intelligence community, shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on cybersecurity threats, including cyber attacks, theft, and data breaches.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the current intelligence sharing and cooperation relationships of the United States with other countries regarding cybersecurity threats, including cyber attacks, theft, and data breaches, directed against the United States and which threaten the United States national security interests and economy and intellectual property, specifically identifying the relative utility of such relationships, which elements of the intelligence community participate in such relationships, and whether and how such relationships could be improved.

(2) A list and an assessment of the countries and nonstate actors that are the primary threats of carrying out a cybersecurity threat, including a cyber attack, theft, or data breach, against the United States and which threaten the United States national security, economy, and intellectual property.

(3) A description of the extent to which the capabilities of the United States Government to respond to or prevent cybersecurity threats, including cyber attacks, theft, or data breaches, directed against the United States private sector are degraded by a delay in the prompt notification by private entities of such threats or cyber attacks, theft, and breaches.

(4) An assessment of additional technologies or capabilities that would enhance the ability of the United States to prevent and to respond to cybersecurity threats, including cyber attacks, theft, and data breaches.

(5) An assessment of any technologies or practices utilized by the private sector that could be rapidly fielded to assist the intelligence community in preventing and responding to cybersecurity threats.

(c) FORM OF REPORT.—The report required by subsection (a) shall be made available in classified and unclassified forms.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1710. CONFORMING AMENDMENTS.

(a) PUBLIC INFORMATION.—Section 552(b) of title 5, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking ''wells.'' and inserting ''wells; or''; and

(3) by inserting after paragraph (9) the following:

''(10) information shared with or provided to the Federal Government pursuant to the Cybersecurity Information Sharing Act of 2015.''.

(b) MODIFICATION OF LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION CONCERNING PENETRATIONS OF DEFENSE CONTRACTOR NETWORKS.—Section 941(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2224 note) is amended by inserting at the end the following: ''The Secretary may share such information with other Federal entities if such information consists of cyber threat indicators and defensive measures and such information is shared consistent with the policies and procedures promulgated by the Attorney General under section 1705 of the Cybersecurity Information Sharing Act of 2015.''.

SEC. 1711. 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.

The PRESIDING OFFICER. Amendment No. 1921 is rendered moot.

The Senator from Texas.

Mr. REED addressed the Chair.

Mr. CORNYN. Mr. President, regular order.

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

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, turning to the underlying legislation that we are debating, the Defense authorization bill, I can't think of anything more basic or fundamental to the Federal Government's responsibility than national security and defense and to make sure we provide our men and women in uniform with the resources they need in order to do the job they volunteered to do on our behalf. Of course, many of us have commented time and again on this floor and elsewhere about the increasing complexity of the threats facing our national security and the security and peace of the world.

This legislation enables our troops to get the funding and the resources and the authorities they need in order to have success on the battlefield. As we consider the current state of the world, it is clear why this bill is vital. We live in a world marked by constant dynamic threats to our way of life. For example, parts of the Middle East and North Africa have been overrun by the Islamic State, and the region continues to be a hotbed of failed states and ungoverned places. If we have learned anything from 9/11, it is that ungoverned spaces are a threat to our national security, because that is where our adversaries will organize and train and then export those threats to our homeland.

Despite ongoing negotiations, Iran remains an enemy of the United States and continues its campaign to achieve regional domination and become a threshold nuclear State, threatening our most trusted allies and partners in the region. In Europe and in Asia, Russia and China continue to threaten our allies in their respective neighborhoods, using a growing array of soft-power and hard-power tactics to twist arms and to coerce our friends and allies. These new dynamic threats include cyber attacks, which have been much in the news today, including espionage and just outright theft of our intellectual property in seed corn created from the brains and ingenuity of American entrepreneurs and creators. Today, our courageous men and women in uniform are tasked with the challenge of facing these many threats and many others in regions all around the world.

So it is astounding to me that the Democratic leader, in the face of these threats and in the face of our grave responsibilities to meet these challenges, would come to the floor and suggest that debating this bill would be what he called a ''waste of time'' and go further to say that the Democratic minority would consider filibustering this legislation. It is just unbelievable.

This blatant disregard for our responsibilities and for our troops is very troubling, particularly because this bill has historically been one that has enjoyed broad bipartisan support. In fact, as our colleague, the senior Senator from Arizona, pointed out in an op-ed he wrote yesterday, Congress has passed a Defense authorization bill for 53 consecutive years—53 consecutive years—because it is a national priority. It should be, and it is. Up to now, this bill has been marked by strong bipartisan backing in the committee. The bill sailed through the Senate Armed Services Committee with a bipartisan vote of 22 to 4. We don't get much more bipartisan in today's Senate than that.

Yet, with all of the support from both sides of the aisle and even with such a clearly demonstrated need as the funding and well-being of our troops and their families, the President himself—the Commander in Chief—has threatened to veto this bill—a bill that actually provides the full funding levels he himself requested.

It is important to note—because some of our colleagues on the other side have said that the problem with this bill is that it doesn't spend enough money or that we ought to reallocate our nondefense discretionary spending to increase that, as well—that this bill includes the exact same level of funding that President Obama himself requested in his budget. So why in the world would the President threaten to veto a bill that meets the funding levels that he himself identified in his budget?

For some reason, instead of focusing on our most fundamental responsibilities of funding the brave men and women in our Armed Forces and making sure they have the resources they need to keep our country safe, our Commander in Chief and the minority leader are threatening to hold this bill hostage to extract more government spending for nondefense discretionary spending for organizations and agencies such as the Internal Revenue Service. So why in the world would we hold national security spending hostage so we can spend more money on the IRS? It is just a complete upside-down view of our priorities.

So the President's lack of strategic depth or his understanding of our Nation's most fundamental duties is really astounding. I am troubled to say this, but I think it is actually true: I think the President understands our Nation's fundamental duties very clearly. The problem is that this threat to hold this bill hostage is just cynical. It just uses a political tool to try to gain advantage when it comes to raising the caps on nondefense discretionary spending. For a President who admits that he doesn't have a complete strategy to defeat the Islamic State, I find his comments to be irresponsible. He is threatening to veto this bill to satisfy the far leftwing of his party, which doesn't believe government could ever spend too much money and that government is ever big enough. The government is never big enough or spends enough for some of our colleagues across the aisle and some of the political base in the President's party.

Just this morning, the Washington Post reported that Senate Democrats have now come up with a brand-new political strategy, and this time they are going further—to threaten to block all funding bills for the rest of the summer, including the Defense appropriations bill, which I know the majority leader is scheduling to be debated and voted on right after we complete our work on this legislation. As a matter of fact, the Democratic leader said this morning: ''We're headed for another shutdown.'' Senator REID said: ''They did it once, they're going to do it again. . . . They want to wait until the fiscal year ends and then close up government.''

It is bad enough that Democrats are threatening to filibuster the defense spending bill, but now they are claiming that it is really the Republicans' fault. In other words, they are saying: We are not for stopping the Defense authorization bill.

We are for funding our national responsibilities when it comes to national security. But because our Democratic friends wish to hold the Defense authorization bill and the Defense appropriations bill hostage, they somehow now are claiming that we are the ones responsible. Because we won't accede to their insatiable demand for bigger government and more government spending, and we won't allow them to hold our troops and their families and our national security hostage, we are the ones at fault.

But, today, as we know, thanks to the Washington Post, the filibustering of this and other bills is just part of a political strategy.

One point I have to acknowledge is the candor of our colleagues on the other side of the aisle. If we want to know what they are planning to do, all we have to do is read the newspaper, because they are more than happy to tell us exactly what they are going to do and what their plans are.

This is all part of a cynical political strategy to keep the Senate from working and to deny funding to our Armed Forces while bulking up Federal agencies such as the Environmental Protection Agency and the IRS. This is shameless, and it is hypothetical, and the American people will not be fooled by it.

I wish to remind our colleagues across the aisle that stifling debate and blocking votes is a pretty lousy political strategy, as well. It is what lost them control of this Chamber last November. It is a losing strategy, it is bad policy, it is cynical politics, and the American people understand that. It is simply shameful that they are trying to use our troops, who protect this great Nation, as some sort of leverage in some sort of political game.

I don't have to remind the Presiding Officer, who continues to serve honorably in our military services, that we live in a very dangerous world. Somehow, we don't pay enough attention to that until something reaches out and bites us or injures someone we love. Our Armed Forces face new and growing threats on a daily basis. Our troops deserve our full attention and every resource they need as they serve and defend our country around the world.

So that is why I have come to the floor, to say: Why in the world, after 53 consecutive Defense authorization bills, would the Democratic leader—and indeed with the complicity of the President of the United States himself—say they are going to hold this Defense bill hostage until they get what they want when it comes to spending more money?

This bipartisan bill, which focuses squarely on the needs of our warfighters and authorizes funding at the same level the President himself suggested, should not be held hostage to political gamesmanship. So I would encourage the more sensible Members across the aisle to focus on the troops and their families, not on the partisan agenda of their leadership, and pass this legislation to provide the funding our troops need to continue to do their courageous work of keeping our country safe.

One way my colleagues could play a constructive role and move this legislation forward, instead of threatening to filibuster, is to work with us on commonsense amendments, such as the one I have filed that is pending on the underlying bill.

Under current law, the President has discretion to allow energy exports to vulnerable allies, our partners in Europe, and around the world when it is deemed to be in our national interest. The amendment I have offered in the underlying bill simply reaffirms the existing authority of the President of the United States but encourages the President not to allow our adversaries, such as Vladimir Putin, to use energy supplies for vulnerable countries in Europe as a weapon. It would also commission a report that would allow us to get an accurate assessment of just how dependent our allies in the region are on those who would wield their energy supply as a weapon.

This amendment is a commonsense measure that serves as a first step to addressing the requests—the pleas in some cases—of our allies and partners in an increasingly unpredictable world, and it doesn't change the existing authority the President already has.

I would urge our colleagues to put down the political playbook and work with us in a constructive way on the underlying legislation. This has been the great tradition of the Defense authorization bill and one that is being threatened by the political gamesmanship that we see threatened by the Democratic leader and, indeed, even with the complicity and the fingerprints of the President of the United States.

We owe it and so much more to our troops, who are relying on us to act today. Even more than that, we have a duty to the country to make sure we maintain the security of the American people.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CYBERSECURITY INFORMATION SHARING ACT

Mrs. FEINSTEIN. Mr. President, last week we learned of the latest in the string of massive breaches of private information from cyber penetrations, this time of government personnel records held by the Office of Personnel Management.

In its annual worldwide threat assessment, the intelligence community this year ranked cyber intrusions and attacks as the No. 1 threat to our Nation's security. Cyber attacks and threats are also a major drag on our economy, with the theft of billions and billions of dollars of intellectual property and actual money from our Nation's businesses. Quite simply, cyber attacks are a major and growing threat to every aspect of our life.

It is with that background that Senator BURR and I began working early this year on a new cyber security information-sharing bill. It is a first-step bill, in that for sharing company to company or sharing cyber threat information directly with the government, a company would receive liability protection and therefore feel free to have this kind of constructive interchange.

The Senate Select Intelligence Committee produced the bill in the last Congress, but it didn't receive a vote. Chairman BURR and I have been determined not only to get a vote but to get a bill signed into law. It should be evident to everybody that the only way we will get this done is if it is bipartisan.

With significant compromises on both sides, we put together the Cybersecurity Information Sharing Act, a bill approved in March by our Intelligence Committee by an overwhelming 14-to-1 vote. That bill has been ready for Senate consideration for nearly 3 months but has not yet been brought to the floor.

Last week's attack underscores why such legislation is necessary.

The Democratic leader told me many weeks ago that this issue is too important for political wrangling, that he would not seek to block or slow down consideration of the bill and would work to move the bill quickly. So the bill is ready for floor consideration.

Now, a number of my colleagues would like to propose amendments—as is their right—and I expect I would support some of them and would oppose some of them. The Senate should have an opportunity to fully consider the bill and to receive the input of other committees with jurisdiction in this area. Unless we do this, we won't have a bipartisan vote, I believe, because, like it or not, no matter how simple—and I have been through two bills now—this was not an easy bill to draft because there are conflicts on both sides.

Filing the cyber security bill as an amendment to the Defense authorization bill prompted a lot of legitimate and understandable concern from both sides of the aisle. People want debate on the legislation, and they want an opportunity to offer relevant amendments. To do this as an amendment—when Senator BURR discussed it with me, I indicated I did not want to go on and make that proposal—I think is a mistake.

I very much hope that the majority leader will reconsider this path, and that once we have finished with the Defense authorization bill, the Senate can take up, consider, and hopefully approve the cyber security legislation. I think if we do it any other way, we are in for real trouble, and this is the product of experience. So I very much hope that there can be a change in procedure and that this bill—I know our leader will agree—could come up directly following the Defense authorization bill.

I thank the Chair, and I yield the floor.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Mrs. FEINSTEIN. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to call the roll.

The legislative clerk continued with the call of the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COTTON. Mr. President, I speak today about Cotton amendment No. 1605, addressing funding for the National Nuclear Security Administration, the administration that safeguards our nuclear stockpile for the country. The Obama administration, in its budget earlier this year, requested approximately $50 million per year for the next 5 years for the administration to be able to dismantle old or obsolete warheads. My amendment would simply codify President Obama's own budget request, limiting the administration to spend $50 million per year for the next 5 years on nuclear dismantlement.

My amendment also includes a waiver that would allow the President to increase the amount of spending under certain limited conditions. This amendment has been approved not only by the majority but also the minority of the Armed Services Committee.

I offer this amendment because of troubling statements from the Obama administration about their intent to accelerate nuclear disarmament, however. Last month, Secretary of State Kerry announced at the Nuclear Nonproliferation Review Conference that the United States would accelerate its dismantlement of nuclear warheads by 20 percent. Beyond obsolete or outdated warheads, I do not believe that is a priority. Nuclear modernization is a priority.

We should not be accelerating our nuclear disarmament by up to 20 percent because it would send the exact wrong message to Russia, other adversaries, and our allies. Russia is making overt nuclear threats to the United States and our allies, and we are going to accelerate our unilateral nuclear disarmament? That defies logic.

Madam President, I ask unanimous consent to set aside the pending amendment in order to call up Cotton amendment No. 1605.

The PRESIDING OFFICER (Mrs. ERNST). Is there objection?

Mrs. FEINSTEIN. Madam President, reserving the right to object. I am very concerned about this. It unnecessarily limits the National Nuclear Security Administration's ability to dismantle the retired nuclear weapons that no longer have any role in our national defense.

The President's budget proposed $48 million for dismantlement, and this amendment would freeze funding at that level and at specific funding levels for the next 5 years. However, the Appropriations Committee, just last month, provided an additional $4 million for dismantlement in the Energy and Water bill.

I am ranking member on that committee. It was approved on a bipartisan basis, 26 to 4. This funding is appropriate and it is justified. The fact is, there are currently approximately 2,400 retired warheads awaiting dismantlement. The rate at which we dismantle these warheads does not have anything to do with the 4,800 warheads that remain in the stockpile, consistent with the New START treaty.

This is a treaty, not an agreement. The administration has committed accelerating dismantlement and we should support its goals of eliminating redundant nuclear weapons. I see no reason to imply congressional disapproval for this effort and to micromanage NNSA's weapons activity. Modernization and dismantlement go hand in hand. NNSA routinely shifts employees from weapons stockpile stewardship and modernization work to dismantlement to keep the workforce fully and usefully engaged. It is completely unnecessary to complicate this process. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COTTON. Madam President, I understand that the Senator from California objects to my amendment. But this is the Senate. This is an important issue. We should be debating the matter. If the Senator from California wishes to defeat my amendment, we should call it up and make it pending and have a vote on it, not object to an amendment simply being brought to the floor to be debated.

Is there a reason to manage our nuclear policy? Yes, I would say there is a strong reason. On many issues, the administration has shown itself less than forthcoming in dealing with Congress, in particular on nuclear policy. As we now know, the administration minimized reports of Russia's activities under the Intermediate Nuclear Forces Treaty at a time they were trying to pass the New START treaty in 2010.

I would further say this amendment simply codifies the President's budget request. The Senator from California said $48 million for this year. For the next 4 years after that, it is $48.3 million, $50 million, $52.4 million, $51.8 million. I will concede that, in sum, that is $50.1 million per year, on average. So I am giving the administration a haircut of $100,000 per year. If that is objectionable, I would be happy to modify my amendment to put it at $50.1 million per year.

But this Congress should not give the President a blank check to engage in further unilateral nuclear disarmament at a time when Vladimir Putin is making nuclear threats against the United States, invading sovereign countries, and his missiles are shooting civilian aircraft out of the sky in the heart of Europe.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, I rise to speak on my amendment No. 1706. This amendment addresses the contributions of the member states to the North Atlantic Treaty Organization, in relation to their commitment towards their defense budgets within their economy.

At the 2006 NATO summit in Riga, Latvia, which I was honored to be able to attend, NATO member countries committed to spend a minimum of 2 percent of their national income, GDP, on defense. Furthermore, at the 2014 NATO summit in Wales, NATO member countries agreed again that ''allies currently meeting the NATO guideline to spend a minimum of 2 percent of their gross domestic product on defense will aim to continue to do so''.

They went on to state that ''allies whose current proportion of GDP spent on defense is below this level will: halt any decline in defense expenditure; aim to increase defense expenditure in real terms as GDP grows; aim to move towards the 2 percent guideline within a decade with a view to meeting their NATO Capability Targets and filling NATO's capability shortfall.''

Well, I suggest that is a pretty weak commitment, but it remains a commitment. It certainly can be stretched out, and they are already failing too often to meet those commitments.

So, in 2015, only 4 this year—only 4 out of the 28 NATO-member countries, including the United States, meet the 2-percent target. That is 4 out of the 28.

Regrettably, European NATO allies averaged just 1.33 percent of their GDP on defense, even though NATO countries have made numerous, unbinding, unfulfilled agreements to spend 2 percent. The United States currently spends 3.8 percent of its GDP on defense—a large portion of it defending Europe.

So, in contrast, the Organisation for Economic Co-operation and Development data shows that European-NATO allies averaged 24 percent of their GDP on social welfare programs, contrasting to 19 percent in the United States. So they spend more in-country on their programs while we are spending more to defend them.

Unfortunately, reductions in military spending are a common theme across Europe. Just 5 years ago, according to the NATO figures, France's military budget amounted to 2.4 percent of GDP. This past year, it stood at 1.9 percent, and France's budget law orders no increases before 2019. As for Germany, Europe's economic powerhouse, it spends only 1.3 percent of its GDP on defense. By the way, the European economy, as a whole, is as large or slightly larger than the U.S. economy as a whole.

So in 1990, NATO's European member states spent, on average, about 2.3 percent GDP on defense—well above today's average of 1.3. America's share of NATO military expenditures—get this, colleagues—is 75 percent. The U.S. share of the NATO military expenditures is 75 percent and has grown an additional 5 percent since 2007. This is a rather dramatic figure.

I had the privilege to be able to travel to Eastern Europe recently, and it was raised to us, by individuals in those countries, that they were somewhat embarrassed about this. But the reality is, they are taking no substantial steps to deal with it.

Former Secretary of Defense Robert Gates—who is one of the most wise people in the world, I believe, in terms of U.S. policy and international policy, served in multiple administrations over the years in the White House and as Secretary of Defense under President Obama and President Bush—in his last speech as Secretary of Defense had the following to say on this matter:

> Indeed, if current trends in the decline of European defense capabilities are not halted and reversed, future U.S. political leaders—those for whom the Cold War was not the formative experience that it was for me—may not consider the return on America's investment in NATO worth the cost.
>
> What I've sketched out is the real possibility for a dim, if not dismal future for the transatlantic alliance. Such a future is possible, but it is not inevitable. The good news is that the members of NATO—individually and collectively—have it well within their means to halt and reverse these trends, and instead produce a very different future.

This was his last speech. He made a speech on a subject he considered to be extraordinarily important. It is a statement he has made previously at other times, but it reflected, I think, something akin to Washington's Farewell Address as he raised and discussed one of the most important problems facing the world today; that is, the developed world, other than the United States, is not conducting itself financially in an effective way to defend themselves.

Former Secretary of State Henry Kissinger, for decades one of the world's wisest world leaders and commentators, has repeatedly questioned Europe's will. It gets down to that level: To what extent is Europe willing to pay a modest price to maintain their security?

There was a book out a number of years ago, referred to as ''Of Paradise and Power,'' and Robert Kagan's book notes that the Europeans are living in the paradise provided by American power.

So when the Russians took this aggressive step to invade the Ukraine, a nation we have considered for admission into NATO, took Crimea and otherwise acted in violation of international law, we announced a European reassurance initiative, $1 billion. This $1 billion was to be utilized in a way that would reassure our allies and reaffirm our commitment to Europe, even in the face of this dangerous and provocative action by Russia.

Well, colleagues, after having been to Europe and Eastern Europe on a number of occasions, I would say I am getting to the point where I want to be reassured. I want to have confidence in Europe's commitments.

At this volatile time in world history, this lack of commitment on the part of our European allies must end. We need to ensure that NATO members are spending at least what is needed and certainly the minimum 2 percent of GDP they repeatedly committed to spend.

The dangers in this world are much closer to Europe than they are to the United States, and our European allies are right to be concerned. They are anxious to have our presence. The requests for more and numerous military support, action from the United States, are even urgent in some of those countries. They want us there.

But, great danger arises from Europe living in an unreal comfort zone, living in the paradise of American power. Unless the history of the world has been dramatically altered, and it has not, threats to Europe will remain. Who will resist the dangerous pressures on Europe? Will our European partners just rest on American power? That is what the reality suggests is, in fact, occurring now.

Europeans now insist Greece must take painful financial steps for the good of the European Union to be a good team player, they say.

I think it is right and appropriate for the United States to call on our NATO

allies to do their part for this great alliance that has done so much for stability, prosperity, and peace for Europe and for the entire world.

This amendment before the Senate has overwhelming support, I believe. I think it will be accepted as part of the managers' package. The call it makes on NATO members is the absolute minimum, I think, that can be expected of them.

Let's consider the plain facts. The deployment of U.S. military forces to any nation in the world, for the purpose of defending that nation and a region, is an august thing. Obviously, the military might of the United States is unsurpassed. The United States cannot and must not take these commitments lightly. The ramifications of our commitment to the defense of a foreign nation are significant—grave indeed.

This Nation has every right and a duty to our citizens to ensure that those with whom we partner do their share. The idea that a small nation can simply send an email to the United States calling for more forces whenever they become nervous—while taking only limited steps to fund and defend their own country—suggests a disconnect with reality.

This Senate, by this amendment, is sending a clear call for NATO to do more. It is not too late to maintain this alliance as the force for good it has always been. But everyone on both sides of the Atlantic who understands these issues realizes we are in a precarious situation if a miscalculation occurs, and miscalculations can lead to violence and war.

So it is time to make clear the strength of our commitment to each other and to ensure there is no miscalculation. To do that, more is required of our NATO allies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1473

Mr. VITTER. Madam President, I rise to speak about amendment No. 1473 that is pending. I will be modifying it, not now but later today, in a technical way. The majority and the minority have been notified of this modification, so I will be making that later, and I am going to talk about the substance of the amendment.

This amendment is very significant in terms of our Army force structure. It would limit any additional reductions the Army can make to Army BCTs, which have already been drastically reduced from 48 brigade combat teams in 2008 to 45 in 2013, to now 33 in 2015—so in just 7 years, from 48 to 33. Obviously, it was a dramatic reduction.

This is important because brigade combat teams are a very significant element of Army force structure, and many experts all across the spectrum would acknowledge that and would acknowledge that further significant reductions would be very dangerous.

To clarify, my amendment would require the Army to trim its force structure. It doesn't stop that trend, but it also offers protections for that primary core unit of the brigade combat team without mandating additional money, additional requirements, et cetera. There is a serious and urgent need for Congress to act quickly so the Defense Department has the authority and support it needs to defend our Nation.

This specific amendment protecting those core, required brigade combat teams is supported by the National Guard Association of the United States and the Association of the United States Army, the two key national groups that support the direct Army and the National Guard.

Some Members may argue that we don't want to micromanage the Army and how it deals with force structure. I certainly agree with that generally, but this is certainly not getting into the fine weeds. This is a major issue, and brigade combat teams are a major tool of their force structure. Furthermore, exactly this sort of limitation has been done in this bill, in the underlying bill, both with regard to the Air Force and with regard to the Navy.

The bill, as it stands on the floor coming out of committee, includes numerous provisions to block the elimination of certain weapons systems, such as the Air Force fighter inventory, the A–10, EC–130 Compass Call aircraft. So it is very similar on the Air Force side to justify blocking these eliminations. The chairman's report states:

> The committee believes further reductions in fighter force capacity, in light of ongoing and anticipated operations in Iraq and Syria against the Islamic State of Iraq and Levant, coupled with a potential delay of force withdrawals from Afghanistan, poses excessive risk to the Air Force's ability to execute the National Defense Strategy, causes remaining fighter squadrons to deploy more frequently, and drives even lower readiness rates across the combat air forces.

Exactly that same sort of rationale which is in the bill with regard to limitations of what the Air Force can do also applies to the Army and brigade combat teams.

In addition, the same sort of thing is already in this underlying bill with regard to the Navy. There is specific language blocking certain further reductions of aircraft carriers—again, a major element of force structure; again, Congress saying: No, don't go below this number. That is not justified. That will weaken our overall capability, and that will weaken force structure.

So again on the Navy side on this bill the chairman and the committee have done exactly the same thing. My amendment would simply do something very similar and equally as important and justified on the Army side with regard to brigade combat teams.

Because of the significance of brigade combat teams to Army readiness and operations, because of the enormous cuts that have already been made in those numbers in the last 7 years—from 48 to 33—I urge all of my colleagues, Democrats and Republicans, to support this commonsense amendment.

Again, Madam President, to underscore, I will be returning to the floor sometime today to modify my amendment in a technical way. Everyone—certainly including the majority and minority leaders on this bill—has been given those modifications. They are not controversial. I will simply wait for them to be on the floor to make that modification, which is within my right and purview and does not require unanimous consent, and then I am very hopeful this amendment will be teed up in the next group of votes, perhaps around 3:30.

Madam President, with that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1921

Mr. MCCAIN. Madam President, I want to say a few words about the Burr amendment, No. 1921, which has now been made pending. I am thankful for the leadership of Chairman BURR and Vice Chairman FEINSTEIN.

The language of this amendment, of which I am an original cosponsor, was overwhelmingly approved by a 14-to-1 vote in the Senate Select Committee on Intelligence in March.

Implementing legislation to address a long list of cyber threats that have become all too common is among my highest priorities. Earlier this month, it was the Office of Personnel Management and the Army. A few weeks before that, it was the Pentagon network, the White House, and the State Department. Before that, it was Anthem and Sony. That is just to name a few.

I am pleased we are able to consider this amendment on the National Defense Authorization Act. This voluntary information sharing is critical to addressing these threats and ensuring that mechanisms are in place to identify those responsible for costly and crippling cyber attacks and ultimately deterring future attacks.

Our current defenses are inadequate, and our overall cyber strategy has failed to deter cyber adversaries from continued attacks of intellectual property theft and cyber espionage against the U.S. Government and American companies. This failure to develop a meaningful cyber deterrent strategy has increased the resolve of our adversaries and will continue to do so at a growing risk to our national security

until we demonstrate that the consequences of exploiting the United States through cyber greatly outweigh any perceived benefit.

This amendment is a crucial piece of that overall deterrent strategy, and it is long past time that Congress move forward on information-sharing legislation. This legislation—again, 14 to 1 from the Select Committee on Intelligence—complements a number of critical cyber provisions which are already in the bill which will ensure that the Department of Defense has the capabilities it needs to deter aggression, defend our national security interests, and, when called upon, defeat our adversaries in cyber space.

The bill authorizes the Secretary of Defense to develop, prepare, coordinate, and, when authorized by the President, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a U.S. person by a foreign power.

The bill includes a provision requiring the Secretary of Defense to conduct biennial exercises on responding to cyber attacks against critical infrastructure. It limits $10 million in funds available to the Department of Defense to provide support services to the Executive Office of the President until the President submits the integrated policy to deter adversaries in cyber space, which was required by the National Defense Authorization Act for Fiscal Year 2014.

It authorizes $200 million for a directed evaluation by the Secretary of Defense of the cyber vulnerabilities of every major DOD weapons system by not later than December 31, 2019.

It requires an independent panel on DOD war games to assess the ability of the national mission forces of the U.S. Cyber Command to reliably prevent or block large-scale attacks on the United States by foreign powers with capabilities comparable to those expected of China, Iran, North Korea, and Russia in years 2020 and 2025.

It establishes a $75 million cyber operations procurement fund for the commander of U.S. Cyber Command to exercise limited acquisition authorities.

It directs the Secretary of Defense to designate Department of Defense entities to be responsible for the acquisition of critical cyber capabilities.

The cyber security bill was passed through the Select Committee on Intelligence because that is clearly, in many respects, among the responsibilities of the Select Committee on Intelligence. But I think it is obvious to anyone that the Department of Defense is a major player. I just outlined a number of the provisions of the bill which are directly overseen and related to the Department of Defense.

So my friends on the other side of the aisle seem to be all torqued-up about the fact that this cyber bill should be divorced from the Department of Defense. I know that my colleagues on the other side of the aisle are very aware that just in the last few days, 4 million Americans—4 million Americans—had their privacy compromised by a cyber attack. The Chairman of the Joint Chiefs of Staff has stated that we are ahead in every aspect of a potential adversary except for one, and that is cyber. There are great threats that are now literally to America's supremacy in space and to many other aspects of technology that have been developed throughout the world and are now part of our daily lives.

So I am not quite sure why my friends on the other side of the aisle should take such exception to legislation that addresses our national security and the threats to it, which literally every expert in America has agreed is a major threat to our ability to defend the Nation.

So I think there are colleagues who are not on the Intelligence Committee and are not familiar with the provisions of this bill. It clearly is not only Department of Defense-related, but it is Department of Defense-centric, with funds available to DOD to provide services to the Executive Office of the President, $200 million, cyber vulnerabilities of major DOD weapons system, an independent panel on DOD war games, and on and on. It is Department of Defense-related, and it is the whole purpose of the Defense authorization bill, which is to defend the Nation. To leave cyber security out of that—yes, there are some provisions in the underlying bill, but this hones and refines the requirements that we are badly in need of and gives the President of the United States and Secretary of Defense tools to try to limit the damage that is occurring as we speak.

I want to repeat—and to my colleague from Indiana who is a member of that committee, I would ask him—4 million Americans recently were compromised by cyber attack.

Mr. COATS. In response to my friend from Arizona——

Mr. MCCAIN. Madam President, I ask unanimous consent to engage in a colloquy with the Senator from Indiana.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COATS. Madam President, this is a serious breach, and there is more to the story to be told. It shows the extreme position that we are in here as Americans, as there are those who want to take this country down, those who want to invade privacy of Americans and have the capabilities of breaching this. The legislation before us, and the reason why it is brought here now and, hopefully, will be attached to the Defense bill is that this needs to be done now and not later. How many breaches do we have to hear about—whether it is the private sector or whether it is the government sector—before this Congress and this Senate will stand up and say we have the capability of preventing some of these things from happening, but we need the legislative authority to do it. To delay and not even allow us to go forward with this puts more and more millions of Americans at risk, whether they work for the government or are in private industry.

Mr. MCCAIN. And isn't it true, I would ask my colleague from Indiana, that the Chairman of the Joint Chiefs of Staff recently stated that in the potential of our adversaries to threaten our security, we have a definite superiority in all areas except for one, which is in the issue of cyber security; is that correct?

Mr. COATS. I think that is obvious, because, clearly, while we have the capability to address some of these issues, we are not allowed to use the capability. This legislation gives us the opportunity to have a cooperative effort. Some of those who resist the use of this because they think it is potentially a breach of privacy now understand that breaches are occurring from outside and into the United States, by those who are enemies of the state, those who are criminal groups, those who are terrorist groups. While we may have the capacity to deal with this, without this legislative authority we are not allowed to use it.

So what an irony—what an irony that some are saying: We can't trust the government on this to help us. This is defense. This is like saying we can't trust the Department of Defense, we can't trust the Army or the Navy to protect us from attack because it is government-run. Now, they are saying there are some operations in government here that are part of our defenses that can't be used until we have authority. The irony is that people's privacies are being breached by all of these attempts, and we are denying the opportunity to put the tools in place to stop that from happening.

Mr. MCCAIN. Could I ask my colleague again: The 4 million people whose privacy was just breached—4 million Americans—what potential damage is that to those individual Americans?

Mr. COATS. Well, we are just learning what damage this is and how it can be misused in any number of ways. Some of this information is classified. But I can say to my colleague from Arizona, the chairman of the Armed Services Committee, that this puts some of our people and some of our systems in great peril. It is something that needs to be addressed now and not pushed down the line.

Mr. MCCAIN. So it seems to me that to those 4 million Americans, we owe them and it is our responsibility—in fact, our urgent responsibility—to try to prevent that same kind of breach from being perpetrated on 4 million or 8 million or 10 million more Americans. If they are capable of doing it once to 4 million Americans, what is to keep them from doing the same thing to millions of Americans more, if we sit here idly by and do nothing on the grounds that the objection is that it is not part of the Department of Defense

bill, which seems to me almost ludicrous?

Mr. COATS. Well, since the Department of Defense is one of those agencies being attacked, I would certainly think this is the appropriate attachment to a bill for which, hopefully, we will be given the opportunity by our friends across the aisle. Hopefully, we will be able to pass it in the Senate, move it on to the House, and get it to the President so that these authorities can be in place.

The Senator mentioned 4 million. A company whose headquarters is in the State of Indiana, Anthem insurance company, was breached—and this is public information—of 80 million people on their roles. That is almost one-third of all Americans who have had their private information breached by a cyber attack—not to mention the threat that comes from cyber attack on our critical infrastructure.

What if they take down the financial system of one of our major banks or several banks? What if they take down the financial transactions that they place on Wall Street every day? What if they shut down an electric power grid in the middle of February when the temperatures in the Northeast are in minus-Fahrenheit temperatures or when it is 110 degrees in Phoenix and you lose your power and can't turn on air conditioning? People will die. People will be severely impacted by this. To not go forward and give authorization to use the tools to try to better protect American safety is not only unreasonable but is a very serious thing.

Mr. MCCAIN. I thank my colleague from Indiana for his outstanding work on a very difficult issue that poses a threat to every American and citizens throughout the world.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Louisiana.

AMENDMENT NO. 1473

Mr. CASSIDY. Mr. President, I rise in support of Senator VITTER's amendment No. 1473, which requires the Army to maintain no fewer than 32 brigade combat teams, which are also referred to as BCTs.

I support this amendment because cutting the brigade combat teams is cutting the core of the Army's structure and their ability to perform their mission. This amendment requires the Army to maintain a brigade combat team level of 32. Currently, the Army is planning on cutting these to 30 and to continue cutting to a point where we will have a hollow force. This is a short-sighted approach to a bigger problem.

First, what the amendment says is that the Secretary shall give priority under this paragraph to be carried out as funding or appropriations become available.

Secondly, nothing in this section shall be construed to supersede the Army's manning of brigade combat teams at designated levels, and it requires congressional defense committees to have a report on the current manning of each brigade combat team of the Army. It also ensures that the Army National Guard brigade combat teams are maintained at 26, and this accounts for the deactivation of two Air National Guard brigade combat teams previously agreed to.

You may ask, Why do we need 32 brigade combat teams? At the height of the Iraq and Afghanistan wars, we had 48 brigade combat teams. If we have noticed, in the Middle East, it is getting worse, not better. This is not to say that we will commit these troops, but it will be to say that we shall maintain our readiness.

Next, the Army's key weapon system is the brigade combat team. This amendment protects that key weapon from those cuts.

Lastly, reducing brigade combat teams does not—I emphasize, does not—make existing brigade combat teams more ready. It wears them out. If you have fewer teams, they are deployed more often in whatever activity they are deployed to, and that stretches that manpower and womanpower potentially to the break.

Under this, with the higher level of force, there is less stress upon those who are there maintaining their readiness. In total, this amendment requires the Army to take a closer look at their strategy and risk, forcing the Army to think long term instead of just cutting the most crucial part of our force, which is the people, the human capital, our fellow citizens.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, I rise today to support the underlying bill we are talking about on the floor, which is the Defense authorization bill.

At a time of a rapidly deteriorating security environment around the world, we need to modify our policies. From the violence in Iraq and Syria to China's aggressive land reclamation in the South China Sea to Russia's activities on the eastern border of Ukraine as we speak here today—all of this is going on. We live in a world that is a lot less safe and less friendly to U.S. interests. Every day we see more of this. Frankly, it is time for us here in the Senate to help by changing some of our policy approaches to address this changing and more dangerous situation we see around the world.

I would hope we can do this on a bipartisan basis. Our differences with regard to other issues tend to be more pronounced, but with regard to national security, normally we come together. I am concerned with what I am hearing, at least from some of the debate I have heard on the floor, where it sounds as though some of our colleagues on the other side of the aisle would like to actually shut down this debate and not have a debate on some of these amendments and not have some votes on some of these amendments and not have a vote on this bill to try to adjust our national security posture so that we can address these new challenges around the world. It doesn't mean that everything that this side of the aisle wants to do would be accepted. Democrats would have the chance to offer their ideas, and we would have a good debate on it, and they would have a say in it. We need Democrat support to get the legislation done. But let's have that debate and that discussion.

So I hope that what I am hearing is not accurate. I hope we will be able to come together and continue this discussion and be able to have votes on amendments and on the final bill and then be able to help, to the extent we can in the Senate, to adjust our foreign policy and our national security policy to address these very real threats we see emerging all over the world.

I will give an example of one that I will offer today. This is an amendment that has to do with Ukraine. As some of my colleagues know, the situation in Ukraine has deteriorated significantly in the last year or so, and it has done so because Russia not only invaded Crimea and took that part of Ukraine but they are also now continuing their aggression on the border of Ukraine. This is a situation that affects us as Americans because Ukraine is our ally. Ukraine is a country that has decided to stand with us. It is time for us and the other NATO countries to stand with them.

Our policy toward Ukraine, in my view, has been not just insufficient but it has been kind of piecemeal. We haven't had a strategy to deal with this issue. So what this amendment attempts to do is to take the language that is in the underlying legislation—already in the bill the committee put together—and improve it so that, indeed, we do have a more comprehensive strategy toward Ukraine. This is incredibly important not just for Ukraine but for the international order, for our national security, and for our ability to help stop this aggression in Europe—the first, really, since World War II, where we have seen that a country is going across another country's boundaries and actually violating territorial integrity.

I visited Ukraine a couple of months ago in April. I got to see some of the conflict consequences firsthand. For those who have been to Ukraine—a number of my colleagues have, including Senator DURBIN, who just got back from Ukraine—I think they would all agree with me that Ukraine is in a state of war and it is under siege. That makes it much more difficult for Ukraine to do what they know they need to do, which is to improve their

economy, to deal with corruption, to have more transparency, to become more like those countries they want to emulate—the European countries and the United States of America. They are attempting to do that, but it is difficult when they have this conflict on their border where troops are being killed and civilians are being killed and where they have to devote enormous amounts of time and resources.

Just this week I had the opportunity to meet with the Prime Minister of Ukraine and the Finance Minister, both of whom are in town. In fact, we met with them yesterday as part of the Ukrainian Caucus, which I cofounded with Senator DURBIN. I will tell my colleagues that talking to them, it is very troubling to hear what is happening in their country right now.

As some of my colleagues know, there is supposed to be a cease-fire in place. It came from the second of what is called the Minsk agreement. Whatever semblance of credibility this Minsk cease-fire had left—I don't think it had much—it has now totally crumbled. Just last week, combined Russian-separatist forces launched a major assault to the north and southwest of the Province of Donetsk. Donetsk is one of those areas also known as an oblast or a province, where there is a lot of Russian and Russian-separatist activity. They were focused on this strategic town of Maryinka. We probably saw some of this on TV. It is very troubling that once again it looks as of these separatist forces, backed by Russia and Russian equipment, which are directly involved in this, are beginning to push back into Ukraine again.

The casualty reports are still coming in, but it appears that dozens have been killed or wounded in this assault, according BBC. These independent news organizations are following this, and I hope all of us are focused on this. The U.S. intelligence in the area is not what it ought to be, frankly, in my view, so we do need to rely on some of these media sources.

It is very clear that in terms of this assault, they were using tanks and heavy multiple-launch rocket systems and over 1,000 men were involved. So clearly, this is something that is not only a serious military exercise, but it is one that is backed by Russia, using Russian equipment. We have seen just how committed the Russian Government is to this—to promoting instability in that region of the world. They are committed.

The question is whether we are committed to step up and support the people of Ukraine. This is something that, in my view, the NATO forces and the United States should have done a long time ago—not by us getting involved directly, which, frankly, that is not what they are asking for. They are asking for assistance and aid to be able to defend themselves. They are asking for us to help them to be able to stop this assault by giving them just the basic weaponry they need to stop tanks, potentially to stop aircraft if aircraft get involved, and to be able to stop the invasion and to protect the territorial integrity of the country of Ukraine.

The President and some of his top advisers continue to stand in the way of meaningful U.S. and NATO action. They have told me they fear that it would provoke Russia, as if deadly clashes such as the one we saw last week and, in fact, yesterday—and we will continue to see today, probably, this steady stream of Russian tanks, artillery pieces, and soldiers into Ukraine—aren't evidence enough that NATO and American restraint has not deescalated this conflict. In fact, I think, in a way, it has emboldened the Russians, and it has inflamed them. Again, we are not talking about U.S. troops. What we are talking about is helping this country that is our ally that has turned to us through NATO, and we want them to be able to defend themselves.

The President continues to enforce this de facto embargo on any kind of significant weapon that Ukraine has said it needs to defend itself. He does that despite an overwhelming bipartisan consensus here in this body and in the House that it is time to increase this help. That would include lethal and nonlethal assistance to Ukraine. Congress has voted repeatedly to do just that, most notably in the Ukrainian Freedom Support Act, which was signed into law by President Obama in December. It also provided the President a national security waiver so he didn't have to do what we think he should do, which is to help them to defend themselves. The administration continues to withhold these arms, and it is time for that to end.

There is really very little disagreement on the capabilities that Ukraine needs. My amendment, which is amendment No. 1850, modifies and builds on the great work that Senator MCCAIN and Senator REED and others have already done in the bill. If we look at section 1251 of the bill, we will see that there is already assistance being provided to Ukraine, about $300 million. Our amendment directs the Secretary of Defense to spend this money in a way that all of us know is the appropriate way to ensure that we get the most bang for the buck and that we are giving them the assistance they really need.

It requires the Secretary of Defense to spend this money on a number of critical capabilities they need to defend themselves, including real-time intelligence, medium-range and long-range counter-artillery radars, defensive lethal assistance such as antitank weapons, UAVs, secure communications, and training to develop key combat, planning, and support capabilities at both the small unit level and at the brigade level. So it provides, frankly, less wiggle room for the administration by laying out exactly what is needed, what is being asked for by the Ukrainian military, and what, in this Chamber and having done a lot of work in this area through our Ukrainian Caucus and through other sources, we know is necessary.

Half of this $300 million under our amendment would be fenced off until at least $60 million of it is spent on the important capabilities the Ukrainians really need and have requested. That is the real-time intelligence, defensive lethal assistance, and counter-artillery batteries. If the administration fails to use this money for the purposes specified, then they have to use it to support other nations facing an increased risk of Russian aggression—countries such as Georgia and Moldova.

The amendment also requires DOD to report on the quantity and the type of security assistance being provided to Ukraine and how it complies with the purposes that are established in the legislation.

So the amendment helps to ensure that U.S. military assistance provides the assistance that will truly have a meaningful impact on the ground, and it gives Ukraine the tools it needs to defend itself.

It will also finally increase the cost of Russia's aggression. At no point has President Putin's decision to escalate this war been costly enough to force President Putin and the Russians to fundamentally reconsider their strategy. The annexation of Crimea, the campaign to destabilize and then invade eastern Ukraine last summer and fall, and the recent offensive have all happened despite a flurry of Western attempts to force a negotiated settlement. In fact, each temporary cease-fire in some senses has merely legitimized what the Russians have done. When there is this flurry of diplomatic activity, it tends to happen after the Russians have made gains on the ground and then it accepts those gains on the ground as the basis for negotiations, granting the separatists and their Russian supporters moral and, I would say, some legal equivalency that they simply don't deserve.

There is a pattern here. They seize the land, they preserve their gains through an internationally mediated cease-fire, and then they break that cease-fire, as they are doing right now, to seize more land and then use a new cease-fire to secure acceptance of their new gains. This has to stop.

The Obama administration and some EU members have been so fixated on ensuring that the successful implementation of the February cease-fire is a goal in and of itself that they have lost sight of this broader policy objective that a cease-fire should be working to achieve, which should be the defense of Ukrainian sovereignty and territorial integrity and support for the economic and political reforms that Ukraine needs. Let me underscore that. It is very difficult for them to undertake the economic and political reforms they need with this siege going on, and that is what we need. We need them to make those reforms so they cannot

just keep their territorial integrity but also so they become a stable, democratic, and prosperous country.

The Russian aggression in Ukraine is not going to go away or resolve itself simply because we wish it to. It will take a comprehensive strategy, which is laid out in this amendment, and coordinated political, military, and economic actions to change the current dynamic. Sanctions and economic assistance for Ukraine are important, but they are tools, not a strategy. Russian military action has been successful in threatening Ukraine's stability where other attempts to use economic or political means have failed. So what the Russians and separatists have found is that they have tried to disrupt through economic means and political means, and they haven't been successful there. In fact, the Ukrainians have rejected that, including by a recent election. It is no accident that their most successful tactic, the military tactic, is the one the United States and the West has done the least to address.

I have argued for months that this piecemeal, reactionary response to intimidation from Moscow is a recipe for failure. Instead, we have to have a comprehensive, proactive strategy that strengthens NATO, deters Russian aggression, and gives Ukraine the political, economic, and military support it needs to maintain its independence. We need a strategy that seeks to shape the outcomes, rather than one that is shaped by them. Much of that leadership must come from us and the administration here in the United States. Of course, this body has an important role to play, and that is what this amendment is all about.

Let's include funding for Ukrainian military assistance, not just in this authorization bill where we are setting the policy for it, but let's be sure in the spending bills that follow that we provide the Ukrainians what they need.

We should pass this legislation—the underlying bill—which Chairman MCCAIN has correctly noted is critical to helping us deal with so many challenges in the dangerous world we face. We should pass, again, the defense spending bill that doesn't leave the men and women in uniform without the means to carry out their incredibly important mission.

Importantly, for today's purposes, we have to be clear about what the stakes are in Ukraine. Events in Ukraine are a direct and deliberate challenge to the credibility of NATO itself, to the U.S.-led international order. President Putin's actions upend decades of established international norms and threaten the very foundation of this system order. Confidence in America and our European allies' unity and commitment to upholding this system deters bad actors. It incentivizes other countries to play by the rules. That is what we want. We want to help ensure peace, stability, and prosperity. If the credibility of our commitment is in doubt, the risk of economic collapse, more violence, and more instability increases. Into a void, chaos ensues. The Ukrainians understand this. They understand the importance of this conflict well beyond their borders. I hope in the United States of America we understand it. I hope we act in a way to help the Ukrainians be able to defend themselves and counter these activities on the eastern border of Ukraine.

Mr. President, I ask unanimous consent that the Senate be in a period of debate only until 3 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Thank you so much.

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

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

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

HIGHWAY BILL

I come to talk about something different than the pending legislation—I have a number of things to say about that, a number of amendments I am supporting, many of them bipartisan.

At this point, I want to talk about the crisis we are facing in terms of our highway bill. We now have 51 days until the highway trust fund is empty. For all of us, this is a terrible prospect because a lot of our States rely on the Federal Government for up to 85 to 90 percent of their funding. Some States rely on less. My State relies on about 50 percent, but it is still huge. When this trust fund goes under, we are going to be in a lot of trouble.

What we have seen in this particular Senate since our Republican friends took over—and they are my friends—are a number of self-inflicted crises. Lord knows we have enough of them coming our way, we don't have to invent them—but we have seen several. In the first crisis we had, we were headed toward a partial shutdown of the Department of Homeland Security over an unrelated immigration issue. That was ridiculous. There was a lot of angst and finally it was resolved.

The second self-inflicted crisis ended last week, and it was brought about because the Republican leader didn't like the USA FREEDOM Act the House had passed overwhelmingly. As a result of his opposition, he, for several days, turned away from 57, 58, and more Senators who actually supported that bill, and he brought the surveillance of terrorists to a screeching halt. That wasn't what he wanted to do, but as a result of that self-inflicted crisis, we had a couple of moments there where we were dark. That problem luckily ended after a couple of days.

And now we are headed for another self-inflicted crisis, although I must say, from conversations I have had, I have some hope we can avert this crisis.

We have known about this since last December, when Democrats said: Let's stay in until we solve the highway trust fund. And Republicans said: Oh, no, let's just take care of it in May. Then, in May, the Republicans said: Let's just take care of it in July. That is no way to run a country. It is no way to run a transportation system. It is ridiculous, and our States, as I will point out later, are starting to cut way back on transportation projects—highways, bridges, and transit systems—because they are scared we are not going to reach agreement. So, 51 days, and I am here today to talk about it.

I want to show you a photograph of a bridge collapse in Minneapolis, MN, that happened in August of 2007. This bridge collapsed because there was a design flaw. It went undetected because there were not enough inspections made of the bridge because there wasn't enough being spent on ensuring that our bridges are safe.

To me, as I look at this, it is a metaphor for the current status of the highway trust fund, which supports thousands of businesses and millions of jobs and is on the verge of bankruptcy. You can see on this photograph the chaos, the danger, the disaster. Even though there are no people you can see, you can imagine the shock that occurred from this collapse.

Now, you might think this is an isolated incident, but I want to tell you we have 61,300 bridges in the United States which have been cited as being structurally deficient by engineers. The fact that we don't have a multiyear plan in place to fix these bridges is a shame upon our Nation. It is a shame upon our Nation. If you had your loved one in one of these cars, you would know this is unacceptable.

My message today to both sides of the aisle and to the House and the Senate is simple: We cannot afford to pass yet another short-term extension because that doesn't give us the certainty or the funds to fix bridges such as these—the 61,300 bridges that need repair. The continued inaction by Congress to enact a long-term bill is a disgrace and we need to meet this challenge head-on.

Now, I have heard rumors that we are making progress, and I know we are in the Environment and Public Works Committee. I serve on that committee with my friend Senator INHOFE. He and I have agreed we will go forward with a multiyear bill. This is wonderful. It is a little late in the day—we should have done it a long time ago—but I am proud he and I have agreed this is a priority. We have a date set of June 24 to mark up the bill. That is only about 35 days before the collapse of the trust

fund, but if all the other committees did their job as our committee did, we would be OK. So, yes, I am encouraged, but there are three other committees that haven't set up dates to mark up anything, as far as I know. Unless a miracle occurs, I believe my Republican friends are going to ask us for yet another short-term extension.

Now, if you went out on the street and stopped anybody—Republican, Democrat, whatever age—if you asked: Is it controversial for the Federal Government to fund transportation projects? They would say no.

Maintaining and improving our roads, bridges, and transit systems is a necessity. It is a necessary investment in our future that was recognized at our country's founding in the Constitution. That is why Senator INHOFE, who is one of the leading conservatives in the Senate, and myself, a very strong progressive Member, agree. Article I, section 8 of the Constitution gave Congress the authority ''to establish Post Offices and post Roads,'' and that has continued throughout our Nation's history.

Legislation authorizing Federal investment in our highways dates back 100 years to the passage of the Federal Aid Road Act of 1916 and the Federal Aid Highway Act of 1921.

I quote one of my favorite Presidents, Dwight Eisenhower. In 1956, he established the highway trust fund to serve as the major source of funding for our Nation's highway systems. This was significant because it was a large increase of Federal infrastructure investment. President Eisenhower knew we needed modern, efficient transportation systems to ensure our security. I say ''security'' because this is what President-elect Eisenhower said, a general and a hero from World War II: ''A network of modern roads is as necessary to defense as it is to our national economy and personal safety.''

He viewed a network of modern roads as a necessity to our defense. And I would add the word ''bridges,'' because you can have a convoy going over our bridges, too. So General Eisenhower and then President Eisenhower knew how important an efficient system of roads is to our military and national defense.

While serving in the Army way back in 1919, he joined a convoy of approximately 80 trucks and other military vehicles to cross from Washington, DC, to San Francisco to test the military's motor vehicles. This trip took 2 months, averaging 6 miles an hour. From this experience, plus his countless other experiences with the military, both home and abroad, he understood how important a reliable transportation system is to a First World nation.

Again, he said, ''A network of modern roads is as necessary to defense as it is to our national economy and our personal safety.''

Today, our economy still relies on interconnected transportation systems to move goods out of major ports of entry. I want to talk about my own State because at the Port of Los Angeles, we take in about 40 percent of the Nation's imports. We know they go straight out onto those roads and they deliver goods all over our great Nation.

We know there is a universal understanding that we have to maintain that road system so we can move people and goods efficiently. These surface transportation systems, which used to be the envy of the world, remain the foundation of a strong U.S. economy and enable us to compete in the global marketplace.

I hope you heard that I said our transportation system used to be the envy of the world because it is no longer the envy of the world. It is our fault. This has to be a priority. The United States lags behind its overseas competitors in infrastructure investment. According to the most recent World Economic Forum ranking within the past decade, the United States has fallen from 7th to 16th in the quality of our roads. We are behind countries such as China, Portugal, and Oman. This is ridiculous. The greatest Nation in the world—that is what we are—but we are falling behind on our infrastructure because we do not have the guts to face the fact that we have to fund the highway system.

Why are we behind? We only spend 2 percent of our gross domestic product on infrastructure, and that is a 50-percent decline from 1960. So we spend 2 percent of our gross domestic product while Europe spends 5 percent and China spends 9 percent.

The Federal Government does provide, as I said, over 50 percent of the capital expenditures for State highway projects nationwide, which means that all of our States and all of our local governments rely heavily on Federal funding to maintain and to improve their transportation. However, this is just a national average.

(Mr. SCOTT assumed the Chair.)

I see my colleagues have changed places here. For South Carolina, South Carolina depends on the Federal Government for 80 percent of their highway funds and their bridge repair—80 percent. California is 50 percent. North Dakota is 80 percent. Montana is 87 percent.

So what I am saying to my colleagues who I hope are somewhere listening is that if we do not act to fill the highway trust fund and to meet this looming made-up crisis—check out your State and how much you rely on Federal funds.

I already showed the picture of the Minnesota bridge collapse. I would like to put that up again because I think the Minnesota bridge collapse is a metaphor for where we are. Our whole thing is discombobulated. Our whole thing is disrupted because we do not have the courage to fund the highway trust fund, which, as President Eisenhower said all of those areas ago, is critical to our national security.

I am going keep this picture up here for a minute. I want to talk about our States and the bridges that are in disrepair. I hope people who may be listening across the country—if you live in one of these States, give a call to your Senator and ask him or her: What are you doing to fill the highway trust fund?

For example, in Kentucky there are over 1,100 structurally deficient bridges—bridges that could look like this. Pennsylvania has more than 5,000 structurally deficient bridges, which accounts for over 20 percent of all the bridges in their State.

In addition to the dangerously poor conditions of our bridges, 50 percent of our Nation's roads are in less than good condition. These roads and bridges that are no longer in good working condition span across the country.

So I am going to show a chart that I don't think we have ever talked about here. These are examples of deficient highway bridges in need of repair: Alabama, I–65 bridge over U.S. 11 in Jefferson County; Arizona, I–17 bridge over 19th Avenue in Maricopa County; Arkansas, I–30 bridge over the UP Railroad in Pulaski County; California, the Golden Gate Bridge, for goodness' sake; Colorado, the I–70 bridge in Denver; Connecticut, the West River Bridge in New Haven; District of Columbia, the Memorial Bridge. There was a press conference right near the Memorial Bridge by one of my colleagues a couple of weeks ago.

People are getting really scared about this. The point of this is not to scare anybody; the point of this is to say to my colleagues that we are responsible.

You know, maybe it is me. When I was growing up, my mother and father said: If you know there is a problem, do something about it. You don't have a right to turn your back and walk away.

I remember once when I was a county supervisor I found out that the county building we were in was earthquake-prone. Nobody talked about it. As soon as I found out it could collapse in an earthquake, I brought it to my colleagues. I said: Colleagues, we need to do something.

Do you know what they said, one or two of them? Don't bring it up. We don't have the money.

Excuse me. You have to have the money if you know the building you are in could collapse in an earthquake. You have to have some money if you know all of these bridges are in disrepair.

So let's continue. Florida, the Pensacola Bay Bridge; Georgia, a bridge in Fulton County; Hawaii, Halona Street Bridge in Honolulu; Illinois, Poplar Street Bridge; Indiana, the bridge over the CSX Railroad; Iowa, the Centennial Bridge; Kentucky—another one—the Brent Spence Bridge; Louisiana, another bridge there; Maine, the Piscataqua River Bridge; Maryland, the Chesapeake Bay Bridge; Massachusetts, the I–95 bridge in Middlesex; Michigan, the I–75 Rogue River Bridge.

Remember, if you are hearing my voice and you are hearing your State mentioned, give a call to your Senator and ask him or her, whether they are a Democrat or Republican, what they are doing about the highway trust fund because in 51 days it will go bust.

In Minnesota—did I mention that—the I–35 East Bridge over Pennsylvania Avenue; Mississippi, the Vicksburg Bridge; Missouri, the East Bridge over Conway Road; Nevada, the Virginia Street Bridge in Reno; New Hampshire, the I–293 bridge in Hillsborough; New Jersey, the Garden State Parkway in Union County; New Mexico, the Main Street Bridge; New York, the Brooklyn Bridge.

If you did not read the book ''The Great Bridge,'' you should read that book by David McCullough. It is an incredible book. That bridge was built so long ago. We don't want to lose the Brooklyn Bridge.

In North Carolina, the Greensboro Bridge; Ohio, the John Roebling Suspension Bridge; Oklahoma, the I–40 bridge over Crooked Oak Creek; Oregon, the Columbia River Crossing; Pennsylvania, the Benjamin Franklin Bridge; Rhode Island, the viaduct in Providence; South Carolina, the I–85 bridge in Greenville; Texas, the I–45 bridge over White Oak Bayou; Utah, the I–15 bridge over SR–93 in Davis County; Washington, the Evergreen Point Floating Bridge; Wisconsin, the U.S. 41 bridge over a river.

I just have to ask my friends on both sides of the aisle, if the roof on your house is about to cave in with your children inside and you know about it, would you find a way to pay for that repair or would you let it collapse on your kids? The answer is obvious. Of course you are going to fix the roof on your house. You have to keep infrastructure in good repair. The roof is caving in on our roads and our bridges. Lord help us if we do not act and someone else goes down in a crisis.

We can look at the details surrounding the I–35 bridge collapse in Minneapolis, MN, shown in that picture. On August 1, 2007, this eight-lane bridge, which is Minnesota's second busiest bridge, carrying 140,000 vehicles every day, suddenly collapsed during rush hour, killing 13 people and injuring 145 people.

It is critical that our Nation continue investing in our aging infrastructure. Everybody knows it. Everybody knows it—Congress, States, businesses, American workers. Republicans say they are for infrastructure investment, but they have not acted. Happily, we are having a markup—I am excited about it—in our EPW Committee. Not one other committee has marked up a long-term bill.

The highway trust fund is an integral part of how the Federal Government provides predictable, multiyear funding to States so that States can plan and construct long-term highway, bridge, and transit projects; therefore, the highway trust fund should be our No. 1 priority. In 51 days, the fund will go bust. It will be gone. We will not be able to pay all of our bills. So we have to move quickly because otherwise we will face a transportation shutdown.

The law that currently authorizes our transportation program is set to expire on July 31, and the highway trust fund will go bankrupt shortly thereafter. The clock is ticking, and failure is not an option. So let's put up that 51-day ticking time bomb, if you will. The highway trust fund is in serious trouble, and much needed transportation projects are in peril.

The short fund creates uncertainty, and uncertainty is terrible for business, it is terrible for workers, and it is terrible for the economy. Billions of dollars will be delayed to our States. Many States, including Utah, Arkansas, Georgia, Tennessee, and Wyoming, have already delayed or cancelled construction projects due to the uncertainty in the funding.

We are facing a crisis, and everybody knows it. If we do not act and act quickly, we will see a domino effect that will be felt throughout our economy.

I don't think I have to remind people that we came out of the worst recession since the Great Depression. I was here when we saw that happen at the end of George W. Bush's term. We were losing 700,000 jobs a month. I remember standing here on the floor of the Senate feeling that the whole world was collapsing around us.

The recovery is taking a long time, and thank God it is moving forward now. Our economy, though, is still recovering, and we must have a strong, modern, efficient transportation system to move goods and people. There are some people who absolutely need transportation to get to work. This is not a game. Either they need their cars or they need to hop on a bus or a subway. And we have 51 days until the highway trust fund will be empty.

The amount of money we need just to keep up with the demand right now to fix our roads and our bridges—that amount is $123 billion just to catch up on the nightmare we are facing. So we not only need a 6-year bill, but we need one that is robust so we can start spending some money on these repairs. Millions of jobs and thousands of businesses are at stake here.

You know, it is 51 days. And I have stood in several press conferences with business leaders, the chamber of commerce, the AFL–CIO, construction workers, the concrete people, the tar people, the granite people—you name it. They are united as one America in favor of a 6-year solution. I will show you just some of the people whom I have stood with over time in recent days: The AFL–CIO; the U.S. Chamber of Commerce—it is hard to get them on the same page, but they are on the same page and they want this fix; the U.S. Conference of Mayors; the American Association of State Highway and Transportation Officials; the American Council of Engineering Companies; the American Highway Users Alliance; the American Public Transportation Association; the American Road and Transportation Builders Association; the American Society of Civil Engineers; and the American Trucking Association.

The truckers have said to me: Senator, we are willing to pay more in our gas tax because we cannot continue to ride on these roads that are falling apart.

When was the last time someone came up to you and said ''Raise my gas tax''? It is rare. But the truckers have asked us to do it as long as we use the money to fix the road. The chamber of commerce has asked us to raise the gas tax 6 cents to 8 cents. I mean, this is unusual, and I know there is very little support for that.

I have proposed numerous ways to pay for the trust fund, including a refundable gas tax increase. So if you earn $100,000 or less in your family, you get back the tax increase, which is about $40 a year. So I think it is worth $40 a year to know that the bridge you drive on is safe, but we would make it refundable so that you would get that back if you are in the middle class or below.

I will tell you, facing a shutdown—and we are already seeing a shutdown in five, six, or seven States—is painful for businesses. I have had business people come before me with their heads in their hands because they do this work. They build the highways. They fix the bridges. They build the transit systems. And they know we have not come together yet. It is a recipe for disaster.

What planet are we living on? All of America wants this.

I will continue with some more of these names. I just read some of them; I will read some more: the Associated General Contractors; the Association of Equipment Manufacturers; the Association of Metropolitan Planning Organizations; the International Union of Operating Engineers; the Laborers' International Union of North America; the National Asphalt Pavement Association; the National Association of Counties; the National Association of Manufacturers.

The National Association of Manufacturers, the Associated General Contractors, the International Union of Operating Engineers, the Laborers' International Union of North America—this is all of America. This isn't red. This isn't blue. This is everybody. Everybody wants us to fix the roads. Everybody wants us to fix the bridges.

We have the National Association of Truck Stop Operators; the National Governors Association—the Governors are Republicans and Democrats, and they are begging us to get our act in gear and get this done; the National League of Cities, and finally, the National Ready Mixed Concrete Association; the National Stone, Sand, and Gravel Association; the Owner-Operator Independent Drivers Association;

the Portland Cement Association; and the Retail Industry Leaders Association.

The list I read is a partial list. The list that I read, frankly, is mostly Republican-leaning organizations.

Why have we not done our job? Why don't we already have a long-term transportation bill before us before the fund goes bust in 51 days? Why?

It is Congress's responsibility to act quickly to address our Nation's infrastructure needs. Every day that the Republicans fail to move forward with a bill, they are putting people at risk. This isn't about philosophy. This is about bread and butter. This is about getting to work safely. This is about driving with your family and not being fearful that the bridge you are on is going to fail.

I am always asked: Well, Senator, that is all well and good, but how are you going to pay for this?

Well, I have a lot of ideas, and I will lay them out. There are many ways to pay, and I will give just a sampling of ideas, and I will embrace these ideas. I will work with any Democrat or Republican on any one of these ideas.

Replace existing gas and diesel fuel fees with a user fee charged at the refinery based on the fuel price. In other words, do away with the gas tax and replace it with a refinery-based fuel fee. They did that in Virginia, and I think it is working well.

Increase existing gas and diesel fuel fees by indexing those fees to inflation, along with a refundable tax credit for low- and middle-income families to offset those costs. So we can have a modest increase of 6 cents, 7 cents, 8 cents on the gas tax and make it refundable to families earning $100,000 or less.

Assess a user fee on the sale of new and used vehicles. That is another idea.

Use revenue generated from repatriation of corporate earnings currently held overseas. That is international tax reform. We have a lot of money sitting abroad from corporations that have parked it there. They don't like the rate of their taxes. If you lower their tax, that money can come home, and we can use the taxes we collect to fund the highway trust fund. I have a bill on that with Senator PAUL. It is bipartisan. Join us. Join us and let's fix the problem.

How about this: Borrow money from the general fund, to be paid back from the stimulative effect of transportation infrastructure investments on the economy. When we make these investments, they generate so much employment and so much business that people will pay income taxes because they are working. These are millions of jobs, thousands of businesses.

Another way to pay for it: Apply a new, honor-based user fee on the number of miles each individual drives each year. So when you fill out a form to get your car registered, just tell me how many miles you traveled last year, there will be a modest fee, and we can help the trust fund.

By the way, I notice my friends want to use savings from reducing the overseas contingency operations account. They want to use that money. They used it for the military; why not use it for saving the trust fund? And how about the savings of uncollected revenues owed to the Federal Government? If we just collected one-third of those, we would meet the shortfall.

So, as I count these ideas, there are eight ideas that I have, and I am sure everybody has their own ideas. There is not a shortage of ideas. There is a bit of shortage of courage to come out and say the obvious. If your roof is about to collapse on your home, it will cost you something to fix it. Admit it upfront. No one is going to do it for free. No one is going to fix these 60,000-plus bridges for free. No one is going to build new highways for free. No one is going to build new transit systems for free. Grow up and pay for it. This is ridiculous.

I am speaking for myself. I will support any of these eight ideas or any combination of them. We know our country is in danger. Our people are in danger every day because of these structurally deficient bridges. If we don't do anything about it, we will be liable—maybe not in a court of law, but in my mind it is a moral responsibility. So I can support any of these ideas. Some of them are conservative ideas, and some of them are liberal ideas. I don't care. I want to pay for the highway trust fund.

The bottom line is that the only solution is a consensus-based, bipartisan 6-year transportation bill that will provide States and local communities with the funding and the certainty they need to build these multiyear projects and modernize our infrastructure.

This isn't rocket science. Choose one of the options. Add one of your own. Do a combination of these options. Let's have the courage and the moral fortitude to do what is our responsibility. We know our Nation's infrastructure is deteriorating. We are responsible for it. This is one Nation under God, and we have to act to protect our people. It is our job.

I think the clearest message was from President Eisenhower on this front, and President Reagan, who stepped up to the plate. President Reagan signed into law an increase in the gas tax. He was so proud. He said: I am proud to do this. We have to do this. Let me read his quote. He signed the surface transportation bill, which did increase the gas tax, and he said:

> Because of the prompt and bipartisan action of Congress, we can now ensure for our children a special part of their heritage—a network of highways and mass transit that has enabled our commerce to thrive, our country to grow, and our people to roam freely and easily to every corner of our land.

President Ronald Reagan. I was elected the same year he said this. I mean, I am giving away my age, but I was proud that my President understood this. I didn't agree with Ronald Reagan on a bunch of things. He said once: ''If you have seen one tree, you have seen them all.'' I never agreed with that.

But setting all of that aside, I agree with what he said. This is magnificent. Listen to this:

> Because of the prompt and bipartisan action of Congress, we can now ensure for our children a special part of their heritage—a network of highways and mass transit that has enabled our commerce to thrive, our country to grow, and our people to roam freely and easily to every corner of our land.

Another person whom I really admire on this subject is Senator INHOFE, my friend from Oklahoma, my chairman. I was his chairman for a few years—I think 8—and unfortunately for me I am no longer chairman, I am the ranking member. But I will tell you why we will do hand-to-hand combat on the environment—and we did that today. When it comes to infrastructure, we are very close. Do you know what he said? ''The conservative thing is to pass a bill instead of having the extensions.''

Anthony Foxx, our Transportation Secretary, and 11 of his predecessors offered an open letter to Congress expressing their support for passage of a long-term bill. Remember, this was signed by people who worked for—follow me—President Johnson, President Ford, President Reagan, President George Herbert Walker Bush, President Clinton, President George W. Bush, and President Obama. They offered an open letter and said this about the current situation:

> Never in our nation's history has America's transportation system been on a more unsustainable course. . . . So, what America needs is to break this cycle of governing crisis-to-crisis, only to enact a stopgap measure at the last moment. We need to make a commitment to the American people and the American economy.

That is four Republican Presidents and three Democratic Presidents—people from those administrations. My goodness, there is bipartisanship everywhere but here in this room.

I read the list of everybody who wants this bill, and it is very impressive: labor, business—small business, large business. It is extraordinary.

A survey by the National Association of Manufacturers of its members—one of our more conservative organizations—found that 65 percent don't believe our infrastructure is sufficient. We know from the Texas Institute study that traffic congestion in 2011 was $121 billion. We are wasting so much time in traffic. The cost to truck goods moving on our highway system—$27 billion in wasted time and diesel fuel.

So I hear a lot of talk about passing a long-term bill. I am pleased I am hearing that talk. I say to my colleagues, I hadn't heard of that, and now I am starting to hear my Republican friends say maybe we can do it. I think we need to do it. We still have 1.4 million fewer construction jobs than we had before the recession.

The clock is ticking. Failure is not an option. Let's get going. Let's come together and do the right thing. Pass the highway bill.

Thank you.

Mr. COONS. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. The Senate is not in a quorum call.

EXPORT-IMPORT BANK

Mr. COONS. Mr. President, I have come to the floor today following on the speech just delivered by Senator BOXER, who highlighted her concern about a manufactured crisis—the impending expiration of the highway bill, which must be reauthorized by July 31. I come to speak to another manufactured crisis. We have to reauthorize the Export-Import Bank by June 30 or face the loss of its support for vital jobs in our economy that will happen with its expiration.

I am a big advocate for manufacturing here in the Senate and in my home State of Delaware, but I am not a big fan of manufactured crises. Both of these are unneeded, self-inflicted wounds that will create further drag on our economic recovery. I think we can and should find ways to work together across the aisle to reauthorize the Export-Import Bank.

For more than 80 years, the Export-Import Bank, commonly known as Ex-Im, has served as a vital tool to help American companies sell their goods around the world. By making loan guarantees and providing risk insurance and other financial products to American firms at market prices, the Bank has helped to ensure that American companies and their workers can compete anywhere in the world and at no cost to the American taxpayer. I will say that again: at no cost to the American taxpayer.

The Bank not only pays for itself, but it actually often runs a surplus. Last year alone, it returned $700 million to the U.S. Treasury. Today, the Ex-Im Bank helps American businesses sell nearly $30 billion in goods every single year and supports more than 150,000 American jobs.

The Bank is a government agency, however, and even though it costs taxpayers nothing and has an undeniably positive impact on our economy and on job creation, it remains unclear if this Congress will be able to come together to reauthorize it by June 30 and keep it running.

Unfortunately, some of my colleagues would like to close the Bank, and they are using arguments I think are unfounded and misguided to do so.

First, I have heard the Ex-Im Bank is somehow a government giveaway to large politically connected corporations. But the truth is the Bank helps companies of many different sizes, large and small.

In my home State of Delaware, for instance, the Ex-Im Bank has helped a company I know well—Voigt and Schweitzer, a hot-dip zinc galvanizing company. It has helped them to sell their products abroad. Voigt & Schweitzer has a few facilities around the United States, in addition to the one in New Castle, DE. At its Delaware location it provides galvanizing services for a range of steel products for export. V&S isn't a huge corporation. It has just a few dozen employees in Delaware. It is because of Ex-Im's support that it has been able to compete with other companies around the globe.

In fact, Ex-Im's support helped the firm's Delaware location earn the business to galvanize literally hundreds of bridges that were manufactured in Pennsylvania and being exported and sold to Africa—business that would have likely gone to competitors overseas without Ex-Im's help.

Now, Ex-Im does also help large corporations export their goods to countries around the world, but that support also benefits small and medium-sized businesses. For example, Boeing often receives significant support from the Ex-Im Bank, which helps it compete with international airplane manufacturers such as Airbus. I have heard Senators criticize this support, but the reality is it isn't just Boeing that benefits. This is an important point about how modern manufacturing and the integration of the supply chain work.

When Boeing manufactures a finished airplane, it doesn't make all of the plane's parts with its own factories and its own workforce. It, in fact, buys the vast majority of the component parts from much smaller manufacturers spread throughout the United States. From the brakes on the landing gear to the in-flight entertainment system, other companies make those parts and sell them to Boeing for the finished product. So when Ex-Im helps Boeing export a 747, it helps sustain tens of thousands of jobs for American workers at other smaller companies.

I have seen this myself in Delaware. Although Boeing directly employs in Delaware just 16 people, the company supports 1,300 jobs with 52 different Delaware companies. Let me give one example. A smallish company, Polymer Technologies, manufactures and sells thermal and acoustic insulation to Boeing for inclusion in their planes, which are then exported through the help of Ex-Im.

So when Ex-Im's opponents in this Chamber argue that this is all about a few big companies, that just isn't true. It also is vital to sustaining and supporting smaller manufacturers that are vital to our communities.

The next misplaced argument I have heard is that government shouldn't be supporting private companies, period. They should not be, as it were, picking winners and losers. But even to a supporter of the free market, the point of government is to step in where the private market fails to do so, and that is exactly what Ex-Im does.

When the Bank makes a loan to a business, it isn't replacing capital that would otherwise have come from a private bank. It supplements private capital or makes a private bank more inclined to put at risk its own capital through provision of political risk insurance. Much of the time Ex-Im serves as a lender of last resort and provides a loan where a private bank can't or won't.

So the Export-Import Bank isn't doing something the private sector should be doing. It is picking up where the market leaves off, and in doing so it helps to level the global playing field on which American companies compete.

The reality is that every single one of our trading partners provides the same type of support for their exports as the Ex-Im Bank does for ours. So they are picking winners. They are picking American winners on the global playing field.

For example, as Ex-Im's chairman, Fred Hochberg, has written, ''Ex-Im has given $590 billion in loans, guarantees, and insurance over its entire history but Chinese institutions''—Chinese export-financing institutions—''have provided an estimated $670 billion in just the past 2 years.''

In other words, China has done more in just 2 years to support the financing of their exporters than our Export-Import Bank has done in its entire 80-year history and at no cost to the taxpayer.

The bottom line is that American jobs are at stake in this debate, and if we fail to keep the doors open to the Export-Import Bank, we will fail a lot of American workers. Every year, Ex-Im supports hundreds of thousands of jobs, and shuttering it will put them at risk.

In fact, as the Wall Street Journal reported just this morning, American companies worry that global competition is ''so cutthroat,'' that they would ''be forced to move manufacturing overseas'' and to ship American manufacturing jobs out of the United States ''if the Ex-Im Bank isn't open.''

At a time when our economy is continuing to gain steam and Americans are going back to work—at a clip of 280,000 new jobs announced just last month—we need to continue to help American companies compete in markets around the world. The Ex-Im Bank is central to our competitiveness and our continued strength at home and abroad. It is critical that we act together to reauthorize it before the end of June. So I urge my colleagues to join this effort to help support American jobs, American manufacturing, and the American middle class.

Mr. President, for more than 20 years, the State Partnership Program—or SPP—has helped the United States to build closer sustained relationships with militaries and nations around the world. Although I will not call it up and make it pending at this moment, I want to take a few minutes to speak on the floor today about my amendment No. 1474 to the NDAA, an amendment that would significantly strengthen the State Partnership Program.

First established after the fall of the Soviet Union, the State Partnership Program was created to help countries transition their militaries from the Soviet model and enshrine the idea of civilian control of the military through professional and personal exchanges with our State National Guard units.

The SPP facilitates cooperation across all aspects of civil military affairs and, besides military relationships, encourages people-to-people ties at the State level. I have personally seen the benefits of this program through the participation of my home State National Guard in their State partnership with Trinidad and Tobago and the civilian control that it reinforces.

I have also seen it in farflung parts of the globe, from Liberia to Senegal to Tunisia on the African continent, where three different State Partnership Programs are actively at work providing training and support and resources for the military of those three nations.

The California National Guard, for example, currently has units that are helping Ukraine to push back against Russian aggression in eastern Ukraine, leveraging a deep and trusting relationship first established back in 1993.

Since its creation, the SPP has grown substantially. Today, it consists of 68 partnerships between U.S. National Guard units and foreign countries, with the 69th, between Kentucky's National Guard and the African nation of Djibouti, having just been signed. Djibouti is a nation that is actually the site of our only substantial military presence on the continent of Africa, and that State Partnership Program will help to strengthen, sustain, and reinforce our ongoing and vital security partnership with Djibouti, a nation that is sandwiched between Somalia and Yemen, countries currently in chaos and facing significant threats from Islamic terrorism.

That is just one example of how the State Partnership Program helps leverage the resources of our National Guard.

Traditionally, the program has needed to be reauthorized every 2 years, so I am happy this year that both the House and Senate have recognized its value and have decided to work together to permanently reauthorize it in their respective National Defense Authorization Act. However, there are a few changes we can make that would add to making the SPP more transparent, more efficient, and more effective, and that is what my amendment would do.

First, it would allow the Secretary of Defense to consolidate the various funding streams for the SPP, which right now come from over a half dozen different accounts scattered across DOD, which makes it more difficult to provide meaningful congressional sight. This amendment would allow the Defense Secretary to combine these funding sources into one National Guard fund to pay for personnel, training, operations, and equipment.

Second, my amendment would allow the National Guard to determine its core competencies and to help combatant commanders determine how best to leverage the National Guard to serve the needs of a partner country.

Last, my amendment would establish clear and enhanced reporting requirements so we can better track the annual performance of our units and make modifications where needed to enhance the program's effectiveness.

Critically, this amendment would not increase the program's costs at all. This amendment, which is based on the State Partnership Program Enhancement Act and currently has 9 Republican and 12 Democratic Senators, including myself, Senator LINDSEY GRAHAM of South Carolina, Senator PAT LEAHY of Vermont, and Senator JONI ERNST of Iowa, enjoys broad bipartisan support from a wide range of States whose National Guards have participated and benefited from the State Partnership Program.

The amendment is enthusiastically supported by the National Guard Association of the United States, the National Guard Bureau, and the Adjutants General. It would take important steps to strengthening a program that is essential to many of our international partnerships, and I urge my colleagues to support it.

With that, I thank the Chair, and I yield the floor.

Mr. WARNER. Mr. President, I join my Virginia colleague Senator TIM KAINE in expressing concern over the chairman's measure to cut $1.7 billion in funding from specific operations and maintenance accounts in an effort to streamline defense headquarters functions.

The Department of Defense is in the midst of implementing a 20 percent headquarters reduction that defense officials have planned over time to ensure that consequences of the reductions are known and managed. Like my colleague, I am concerned that the chairman's proposed legislation would require additional headquarters reductions, the results of which have not been properly considered.

While I support continued efficiency gains within the Department of Defense, including—where merited—reducing headquarters functions, I believe that before such cuts are taken, the Department must conduct a thorough analysis of the best methods to streamline their organizations for the most efficient staffing solutions while remaining viable and effective.

At a time when department officials are managing through enormous budget pressure in an increasingly complex national security environment, I fear the Department will be forced to reduce funding to critical programs.

Finally, the men and women who will likely bear the brunt of these cuts are performing the very work that Congress charged the Department of Defense to conduct. Even this authorization includes additional reports, studies, and demands for improvement in areas like program management, personnel planning, acquisition, and sexual assault. These programs require a professional cadre to conduct the required analysis and propose recommendations for improvement.

I look forward to passing a defense authorization that adequately supports the Department that has been at war for nearly 15 years.

Mr. KAINE. Mr. President, I am pleased the Senate is debating the National Defense Authorization Act for fiscal year 2016. Senators MCCAIN and REED, with help from my colleagues and me on the Senate Armed Services Committee, have worked tirelessly throughout the spring on these important military issues. Our committee prides itself on taking a bipartisan and measured approach to reforming and providing oversight to the Department of Defense. I believe we largely succeeded in this endeavor, but I remain gravely concerned about the chairman's proposals to streamline Department of Defense Headquarters by cutting funding to specific operations and maintenance, O&M, accounts.

The Department of Defense already implemented a 20 percent reduction of headquarters, which began this year and continues through 2019. Planning for the reduction began several years ago, affording the Department adequate time to ensure compliance with various directives, including requirements of the Goldwater-Nichols Act that established the division in roles among the service chiefs and combatant commanders. I am concerned the chairman's proposed legislation this year, requiring additional headquarters reductions, will force the Department of Defense to find efficiencies that will blur the lines between service and warfighting functions, undermining the bedrock reforms established by Goldwater-Nichols.

I support reducing the magnitude of these cuts, while allowing the Department to conduct a thorough analysis of the best methods to streamline organizations for the most efficient staffing solutions while remaining viable and effective.

The chairman's specific proposed reductions are not supported by any report or study. Instead, they are based on a perception of unnecessary growth based on anecdotal evidence and nebulous data-sets fueled a $1.7 billion cut to several operations and maintenance accounts.

To the chairman's point, there has undoubtedly been a growth in headquarters over the past decade. Areas that saw significant increases include cyber warfare and special operations. USCYBERCOM did not exist a decade ago, but now has almost 6,000 employees. Special Operations Command is forecasted to swell to over 70,000 by 2017, but both headquarters are excluded from consideration for reduction, against the requests of the DOD

to leave everything on the table if forced to act on this provision.

The timing and magnitude of these cuts are so severe that I fear the Department will be forced to reduce funding to critical programs associated with the targeted accounts. Some key programs associated with these accounts include military burial honors, suicide prevention, radioactive waste disposal, nuclear command and control networks, acquisition support, veteran hiring programs, and installation fire departments. Many of these programs are tied to our Nation's commitment to our servicemembers and veterans and should not be subjected to such drastic cuts without due consideration of the downstream effects.

Finally, the men and women who will likely bear the brunt of these cuts are performing the very work that Congress charged the Department of Defense to conduct. Even this authorization includes additional reports, studies, and demands for improvement in areas like program management, acquisition, and sexual assault. These programs require a professional cadre to conduct the required analysis and propose recommendations for improvement. Asking our workforce to bear additional oversight and program management functions while cutting their funding is illogical and wrong.

The PRESIDING OFFICER. The Senator from Oregon.

CYBERSECURITY INFORMATION SHARING ACT

Mr. WYDEN. Mr. President, I wish to speak this afternoon about a controversial proposal, the Cybersecurity Information Sharing Act, otherwise known as CISA, which was filed yesterday as an amendment to the Defense authorization bill.

I want to begin by saying to the Senate that I believe tacking this legislation onto the Defense bill would, in my view, be a significant mistake. I expect our colleagues are going to have a wide range of views about this legislation, and I hope the Senate can agree that bills as controversial as this one ought to be subject to public debate and an open-ended process, not stapled onto unrelated legislation with only a modest amount of discussion.

This is particularly true given the issue of cyber security, which is going to have a significant impact on the security and the well-being of the American people and obviously the consumer rights and the privacy of law-abiding Americans. Because it is designed to increase government collection of information from private companies, I am of the view that for the Senate to have this expansion of collecting so much information about the people of the United States, for it to have real legitimacy in the eyes of the public, it is important to have open debate, with votes on amendments from Senators who have a wide variety of opinions on the issue of cyber security. Trying to rush this bill through the Senate, in my view, is not going to increase public confidence.

So let me be clear about the process and talk a bit about the substance of the legislation as well. I believe tacking it onto the Defense bill is a flawed process. But I think there are also significant flaws with the substance of the legislation as well. Dozens of independent experts agree this legislation will have serious consequences and do little to make our Nation more secure at a time when cyber threats are very real. The issue of cyber threats requires more than a placebo, and this legislation is a bandaid on a gaping wound. I believe the Senate, having the time for adequate reflection and amendment, can do better.

In beginning, I would like the Senate to know just how much controversy and concern this legislation has generated among those who are considered independent experts on cyber security. Shortly before the Intelligence Committee, which I have been honored to serve on for more than 14 years—shortly before the committee marked up this legislation, a coalition of nearly 50 organizations and security experts wrote to the members of the Intelligence Committee expressing serious concerns about the legislation.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

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

Re Cyber Threat Information Sharing Bills

APRIL 16, 2015.

Senator DIANNE FEINSTEIN,
Hart Senate Office Building,
Washington, DC.
Congressman ADAM SCHIFF,
Rayburn House Office Building,
Washington, DC.
Congressman MICHAEL MCCAUL,
Cannon House Office Building,
Washington, DC.
Senator RICHARD BURR,
Russell Senate Office Building,
Washington, DC.
Congressman DEVIN NUNES,
Longworth House Office Building,
Washington, DC.

DEAR SENATOR BURR, SENATOR FEINSTEIN, AND REPRESENTATIVES NUNES, SCHIFF, AND MCCAUL: We are writing you today as technologists, academics, and computer and network security professionals who research, report on, and defend against Internet security threats. Among us are antivirus and threat signature developers, security researchers and analysts, and system administrators charged with securing networks. We have devoted our careers to building security technologies, and to protecting networks, computers, and critical infrastructure against a wide variety of even highly sophisticated attacks.

We do not need new legal authorities to share information that helps us protect our systems from future attacks. When a system is attacked, the compromise will leave a trail, and investigators can collect these bread crumbs. Some of that data empowers other system operators to check and see if they, too, have been attacked, and also to guard against being similarly attacked in the future. Generally speaking, security practitioners can and do share this information with each other and with the federal government while still complying with our obligations under federal privacy law.

Significantly, threat data that security professionals use to protect networks from future attacks is a far more narrow category of information than those included in the bills being considered by Congress, and will only rarely contain private information. In those rare cases, we generally scrub the data without losing the effectiveness of the threat signature.

These are some common categories of data that we share to figure out if systems have been compromised (indicators of compromise, or IoCs) and to mitigate future threats:

Malware file names, code, and hashes

Objects (code) that communicate with malware

Compile times: data about the conversion of source code to binary code

File size

File path location: where on the computer system malware files are stored

Registry keys: configuration settings for low-level operating system and applications

Memory process or running service information

Attached to this letter is an actual example of a threat signature containing data that helps system administrators secure their networks. You'll see that the information does not contain users' private information.

Waiving privacy rights will not make security sharing better. The more narrowly security practitioners can define these IoCs and the less personal information that is in them, the better. Private information about individual users is often a detriment in developing threat signatures because we need to be able to identify an attack no matter where it comes from and no matter who the target is. Any bill that allows for and results in significant sharing of personal information could decrease the signal-to-noise ratio and make IoCs less actionable.

Further, sharing users' private information creates new security risks. Here are just three examples: First, any IoC that contains personal information exacerbates the danger of false-positives, that innocent behavior will erroneously be classified as a threat. Second, distribution of private data like passwords could expose our users to unauthorized access, since, unfortunately, many people use the same password across multiple sites. Third, private data contained in personal emails or other messages can be abused by criminals developing targeted phishing attacks in which they masquerade as known and trusted correspondents.

For these reasons, we do not support any of the three information sharing bills currently under consideration—the Cybersecurity Information Sharing Act (CISA), the Protecting Cyber Networks Act (PCNA), or the National Cybersecurity Protection Advancement Act of 2015. These bills permit overbroad sharing far beyond the IoCs described above that are necessary to respond to an attack, including all ''harms'' of an attack. This excess sharing will not aid cybersecurity, but would significantly harm privacy and could actually undermine our ability to effectively respond to threats.

As a general rule, when we do need to share addressing information, we are sharing the addresses of servers which are used to host malware, or to which a compromised computer will connect for the exfiltration of data. In these cases, this addressing information helps potential victims block malicious incoming connections. These addresses do not belong to subscribers or customers of the victims of a security breach or of our clients whose systems we are helping to secure. Sharing this kind of addressing is a common current practice. We do not see the need for new authorities to enable this sharing.

Before any information sharing bill moves further, it should be improved to contain at least the following three features:

1. Narrowly define the categories of information to be shared as only those needed for securing systems against future attacks;

2. Require firms to effectively scrub all personally identifying information and other private data not necessary to identify or respond to a threat; and

3. Not allow the shared information to be used for anything other than securing systems.

We appreciate your interest in making our networks more secure, but the legislation proposed does not materially further that goal, and at the same time it puts our users' privacy at risk. These bills weaken privacy law without promoting security. We urge you to reject them.

Sincerely,

Ben Adida; Jacob Appelbaum, Security and privacy researcher, The Tor Project; Sergey Bratus, Research Associate Professor, Computer Science Department, Dartmouth College; Eric Brunner-Williams, CTO, Wampumpeag; Dominique Brezinski, Principal Security Engineer, Amazon.com; Jon Callas; Katherine Carpenter, Independent Consultant; Antonios A. Chariton, Security Researcher, Institute of Computer Science, Foundation of Research and Technology—Hellas; Stephen Checkoway, Assistant Research Professor, Johns Hopkins University; Gordon Cook, Technologist, writer, editor and publisher of ''COOK report on Internet Protocol'' since 1992; Shaun Cooley, Distinguished Engineer, Cisco; John Covici, Systems Administrator, Covici Computer Systems; Tom Cross, CTO, Drawbridge Networks; David L. Dill, Professor of Computer Science, Stanford University; A. Riley Eller, Chief Technology Officer, CoCo Communications Corp; Rik Farrow, USENIX.

Robert G. Ferrell, Special Agent (retired), U.S. Dept of Defense; Kevin Finisterre, Owner, DigitalMunition; Bryan Ford, Associate Professor of Computer Science, Yale University; Dr. Richard Forno, Affiliate, Stanford Center for Internet and Society; Paul Ferguson, Vice President, Threat Intelligence; Jim Fruchterman, Benetech; Kevin Gennuso, Information Security Professional; Dan Gillmor. Teacher and technology writer; Sharon Goldberg, assistant professor, Computer Science Department, Boston University; Joe Grand, Principal Engineer, Grand Idea Studio, Inc.; Thaddeus T Grugq, independent security researcher; J. Alex Halderman, Morris Wellman Faculty Development Assistant Professor of Computer Science and Engineering, University of Michigan, Director, University of Michigan Center for Computer Security and Society; Professor Carl Hewitt, Emeritus EECS MIT; Gary Knott, PhD (Stanford CS, 1975), CEO, Civilized Software; Rich Kulawiec, Senior Internet Security Architect, Fire on the Mountain, LLC; Ryan Lackey; Product, CloudFlare, Inc.

Ronald L. Larsen, Dean and Professor, School of Information Sciences, University of Pittsburgh; Christopher Liljenstolpe, Chief architect for AS3561 (at the time about 30% of the Internet backbone by traffic) and AS1221 (Australia's main Internet infrastructure); Ralph Logan, Partner, Logan Haile, LP; Robert J. Lupo, Senior Security Engineer ''sales team'', IBM inc.; Marc Maiffret, Former CTO BeyondTrust; Steve Manzuik, Director of Security Research, Duo Security; Ryan Maple. Information security professional; Brian Martin, President Open Security Foundation (OSF); Morgan Marquis-Boire; Aaron Massey, Postdoctoral Fellow, School of Interactive Computing, Georgia Institute of Technology; Andrew McConachie. Network engineer with experience working on Internet infrastructure; Daniel L. McDonald, RTI Advocate and Security Point-of-Contact, illumos Project; Alexander McMillen, Mission critical datacenter and cloud services expert; Charlie Miller, Security Engineer at Twitter; HD Moore, Chief Research Officer, Rapid7.

Joseph ''Jay'' Moran, Vice President of Cimpress Technology Operations; Peter G. Neumann, Senior Principal Scientist, SRI International Moderator of the ACM Risks Forum (risks.org); Jesus Oquendo, Information Security Researcher, E-Fensive Security Strategies; Ken Pfeil, CISO, Pioneer investments; Benjamin C. Pierce, Professor of Computer and Information Science, University of Pennsylvania; Ryan Rawdon, Network and Security Engineer; Bruce Schneier, security researcher and cryptographer, published seminal works on applied cryptography; Sid Stamm, Ph.D., Principal Engineer, Security and Privacy, Mozilla; Visiting Assistant Professor of Computer Science, Rose-Hulman Institute of Technology; Armando Stettner, Technology Consultant; Matt Suiche, Staff Engineer, VMware.

C. Thomas (Space Rogue), Security Strategist Tenable Network Security; Arrigo Triulzi, independent security consultant; Doug Turner, Sr. Director—Privacy, Security, Networking, Mozilla Corporation; Daniel Paul Veditz, Principal Security Engineer, Mozilla, Co-chair Web Application Security Working Group, W3C; David Wagner, Professor of Computer Science, University of California, Berkeley; Dan S. Wallach, Professor, Department of Computer Science and Rice Scholar, Baker Institute for Public Policy, Rice University; Jonathan Weinberg, Professor of Law, Wayne State University; Stephen Wilson, Managing Director and Founder, Lockstep Technologies; Chris Wysopal, CTO and co-founder Veracode, Inc.; Stefano Zanero, Board of Governors member, IEEE Computer Society.

Mr. WYDEN. The signers of the letter expressed very serious concerns about the legislation and were particularly concerned it would ''significantly undermine privacy and civil liberties.'' Unfortunately, as the signers of the legislation will report, these concerns were not adequately addressed in the committee markup.

Shortly after the committee markup, a group of 65 technologists and cyber security professionals wrote to Chairman BURR and Vice Chairman FEINSTEIN expressing their opposition to this legislation.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD as well.

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

MARCH 2, 2015.

Chairman RICHARD BURR,
Senate Select Committee on Intelligence, U.S. Senate.

Vice Chairman, DIANNE FEINSTEIN,
Senate Select Committee on Intelligence, U.S. Senate.

DEAR CHAIRMAN BURR, VICE CHAIRMAN FEINSTEIN, AND MEMBERS OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE: We the undersigned civil society organizations, security experts, and academics write to explain how the Cybersecurity Information Sharing Act of 2015 (CISA), would significantly undermine privacy and civil liberties. We now know that the National Security Agency (NSA) has secretly collected the personal information of millions of users, and the revelation of these programs has created a strong need to rein in, rather than expand, government surveillance. CISA disregards the fact that information sharing can—and to be truly effective, must—offer both security and robust privacy protections. The legislation fails to achieve these critical objectives by including:

Automatic NSA access to personal information shared with a governmental entity;

Inadequate protections prior to sharing;

Dangerous authorization for countermeasures; and

Overbroad authorization for law enforcement use.

For the following reasons, we urge rejection of CISA in its current form:

Automatic NSA Access to Personal Information and Communications: Since the summer of 2013, NSA surveillance activities, such as the telephony metadata bulk collection program and the PRISM program, have raised nationwide alarm. CISA ignores these objections, and requires real time dissemination to military and intelligence agencies, including the NSA. Congress should be working to limit the NSA's overbroad authorities to conduct surveillance, rather than passing a bill that would increase the NSA's access to personal information and private communications.

Automatic sharing with NSA risks not only privacy, but also effectiveness. During a recent House Intelligence Committee hearing, NSA Director Admiral Mike Rogers stated that sharing threat indicators without filtering out personal data would slow operations and negatively impact NSA's cyber defense activities. Further, in the wake of revelations regarding the PRISM program, major tech companies stated that they would not voluntarily share users' information with the NSA. Automated NSA access could thus disincentivize sharing, undercutting the key goal of the legislation.

Inadequate Protections Prior to Sharing: CISA does not effectively require private entities to strip out information that identifies a specific person prior to sharing cyber threat indicators with the government, a fundamental and important privacy protection. While the bill requires that companies ''review'' cyber threat indicators for information that identifies a specific person and sometimes remove it, the bill contains no standard to ensure that this review effort is—at a minimum—reasonable.

Further, the bill requires companies to remove that information only for individuals that it knows are ''not directly related to a cybersecurity threat.'' This could encourage companies to retain data by default, unnecessarily exposing the information of innocent bystanders and victims to the government, and making it available to law enforcement for a myriad of investigative uses. Legislation should instead require that prior to sharing, companies make at least a reasonable effort to identify all personally identifiable information and, unless it is necessary to counter the cyber threat before sharing any indicators with the government, remove it. The default should be to preserve privacy, rather than to sacrifice it.

Dangerous Authorization for Countermeasures: CISA authorizes countermeasures ''notwithstanding any law,'' including the federal Computer Fraud and Abuse Act. As amended by CISA, federal law would permit companies to retaliate against a perceived threat in a manner that may cause significant harm, and undermine cybersecurity. CISA provides that countermeasures must be ''operated on'' one's own information systems, but may have off-networks effects—including harmful effects to external systems—so long as the countermeasures do not ''intentionally'' destroy other entities' systems. Given the risks of misattribution and

escalation posed by offensive cyber activities—as well as the potential for misappropriation—this is highly inadvisable. CISA permits companies to recklessly deploy countermeasures that damage networks belonging to innocent bystanders, such as a hospital or emergency responders that attackers use as proxies to hide behind, so long as the deploying company does not intend that the countermeasure result in harm. CISA's authorization would not only inadvisably wipe away the Computer Fraud and Abuse Act's current prohibition against these activities, it would be dangerous to internet security.

Overbroad Law Enforcement Use: Law enforcement use of information shared for cybersecurity purposes should be limited to prosecuting specific cyber crimes identified in the bill and preventing imminent loss of life or serious bodily harm. CISA goes far beyond this, and permits law enforcement to use information it receives for investigations and prosecutions of a wide range of crimes involving any level of physical force, including those that involve no threat of death or significant bodily harm, as well as for terrorism investigations, which have served as the basis for overbroad collection programs, and any alleged violations of various provisions of the Espionage Act. The lack of use limitations creates yet another loophole for law enforcement to conduct backdoor searches on Americans—including searches of digital communications that would otherwise require law enforcement to obtain a warrant based on probable cause. This undermines Fourth Amendment protections and constitutional principles.

Cybersecurity legislation should be designed to increase digital hygiene and identify and remediate advanced threats, not create surveillance authorities that would compromise essential privacy rights, and undermine security. Accordingly, we urge that the Committee not approve this bill without addressing these concerns.

Thank you for your consideration,

Civil Society Organizations—Access; American-Arab Anti-Discrimination Committee; American Library Association; Advocacy for Principled Action in Government; American Civil Liberties Union; Association of Research Libraries; Bill of Rights Defense Committee; Brennan Center for Justice; Center for Democracy & Technology; Center for National Security Studies; Competitive Enterprise Institute; Constitutional Alliance; The Constitution Project; Council on American Islamic Relations; Cyber Policy Project; Defending Dissent Foundation; Demand Progress; Electronic Frontier Foundation Free Press Action Fund FreedomWorks; Liberty Coalition; National Association of Criminal Defense; Lawyers; New America's Open Technology Institute; Project on Government Oversight; R Street Institute; Sunlight Foundation.

Security Experts and Academics—Ben Adida, Cryptographer; Jacob Appelbaum, The Tor Project; Alvaro Bedoya, Center on Privacy and Technology at Georgetown Law; Brian Behlendorf; David J Farber, University of Pennsylvania; J. Alex Halderman, University of Michigan; Joan Feigenbaum, Yale University; Bryan Ford, Yale University; Matthew D. Green, Johns Hopkins University; Daniel Kahn Gillmor, Technologist; Susan Landau, Worcester Polytechnic Institute; Sascha Meinrath, X-Lab; Peter G, Neumann, SRI International; Ronald L. Rivest, Massachusetts Institute of Technology; Phillip Rogaway, University of California, Davis; Bruce Schneier, Cryptographer and Security Specialist; Christopher Soghoian, Technologist; Gene Spafford, Purdue University; Micah Sherr, Georgetown University; Adam Shostack; Dan S. Wallach, Rice University; Nicholas Weaver, University of California at Berkeley.

Mr. WYDEN. This is a particularly important letter. We have some of the most distinguished independent experts from across the country—whether Amazon or Sysco, Stanford University, Dartmouth, some of the leading experts in the private sector and academia—expressing real concerns about this legislation and its House companion.

From their letter:

We appreciate your interest in making our networks more secure, but the legislation proposed does not materially further that goal, and at the same time it puts our users' privacy at risk. These bills weaken privacy law without promoting security. We urge you to reject them.

The reason I want our colleagues to be aware that these distinguished scientists in Silicon Valley, and literally every corner of the country, are so concerned is that the American people want both security and liberty—and they understand the two are not mutually exclusive. What this distinguished group of experts has just said is this ''weaken[s] privacy law without promoting security.'' I hope the Senate will review what these experts are saying.

Along the same lines, I note that the Christian Science Monitor recently polled a group of more than 78 high-profile security and privacy experts from across government, think tanks, and the private sector. With these experts, they asked if legislation along the lines of this bill—this bill which has been attached to the Defense authorization. These experts were asked if this legislation would significantly reduce security breaches, and 87 percent said it would not. Many of them noted—a concern I have noted in opposing the legislation—that incentivizing private companies to share information about security threats is a very worthwhile proposition, a worthwhile thing to do. But they go on to say that bills like this are going to have limited value in that area and would have significant negative consequences.

Now, many of my colleagues may have some disagreement with some of the dozens and dozens of independent experts I have just mentioned. Some of them may agree with the 13 percent of those experts who said this bill will do a lot to reduce security breaches. That is their right, and that is what a good Senate debate would be all about. But what the Senate should not do is pretend that this legislation is uncontroversial and try to rush it through without substantial revisions and the chance for Senators on both sides of the aisle to be heard.

Now, I think we all understand why some in the Senate would feel we have to move immediately on this issue and in effect be tempted to rush to action here. We have all understood there have been a number of recent high-profile hacks that have drawn attention to the need to improve our Nation's cyber security—and I don't disagree with the importance of that at all.

For example, a major company in Oregon was hacked by the Chinese simply because they were trying to enforce their rights under trade law.

So this is not some abstract issue for the people I represent. We have seen it in my home State.

So these high-profile hacks, like the one we saw here recently, is obviously drawing attention to the need to improve cyber security. The recent compromise of a very large amount of Office of Personnel Management data is obviously the latest of these, but it is certainly not going to be the last.

Every single time I read about these kind of hacks, what I do is—and I have a very talented staff from the Intelligence Committee and my own office to assist me—I try to reach out and talk to experts in the field about ways to improve cyber security. But that doesn't mean every single piece of legislation with the word ''cyber security'' in it is automatically a good idea that ought to be blessed without revision in the Senate.

The fact is, this particular cyber security bill is largely focused on trying to make it more difficult for individuals to be able to take on corporations. I understand why the U.S. Chamber of Commerce likes it so much. They have always been concerned about the rights of the large corporations. Sometimes the inevitable is, well, we are concerned about the large corporations, let's make it harder for individuals to be able to get a fair shake in the marketplace. But in my judgment, the actual cyber security value of this bill would be very limited, and the consequences for those individuals who are trying to get a fair shake would be quite serious.

I am going to turn in a moment to the substance of the CISA bill to explain why I consider it so problematic and why it needs a major revision. But first I am going to take just a few minutes to discuss proposals that I believe would actually make a difference in terms of improving American cyber security.

First, the most effective way to improve cyber security is to ensure that network owners take responsibility for the security of their networks and effectively implement good security practices. This proposal was the centerpiece of a 2012 bill called the Lieberman-Collins cyber security bill, and in my view that legislation was just a few changes away from being good cyber security law. Unfortunately, the notion of having the government create even voluntary standards for private companies was strongly opposed by the U.S. Chamber of Commerce and the Congress has not revisited it since.

Beyond ensuring that network owners take responsibility and implement good security practices, it is also important to ensure that government agencies do not deliberately weaken security standards.

I know the Presiding Officer in the Senate has a great interest, as I do, in

innovation and American competitiveness. It is pretty hard—when we say the words: The American Government is actually thinking, as the FBI Director has talked about, about requiring companies to build weaknesses into their products—it is pretty hard to get your arms around this theory, not the least of which is the reason that once the good guys have the keys, the bad guys will also have the keys, which will facilitate cyber hacking.

I have been skeptical of these statements from senior FBI officials suggesting that U.S. hardware and software companies should be required, as I would characterize it, to weaken the security of their products because encryption and other advanced security measures are a key part, a key compound of actually improving cyber security.

I was pleased to see that in the other body, just last week, a new amendment from Representatives MASSIE and LOFGREN to prevent the government from deliberately weakening encryption standards was voted on, and I am very hopeful the Senate will eventually follow suit. In fact, I offered that concept in the Intelligence Committee, and regrettably it did not pass.

With regard to government-held data, it is absolutely imperative that Federal agencies receive the funding and expertise they need to develop and implement strong network security programs and to ensure that they have the technical and administrative controls in place to combat a wide range of cyber security threats.

I also believe our government needs to be in a stronger position to recruit and retain a capable Federal cyber security workforce by ensuring that cyber security professionals can find opportunities in government that are as rewarding as those in the private sector. In order to ensure that there are enough professionals to fill positions in both the private sector and the government, it is obvious that there is going to need to be an investment in the education of the next generation of cyber security leaders.

As we talk about responsible approaches to deal with these cyber issues, I would like to note that I consider the Consumer Privacy Protection Act—a piece of legislation initiated by Senator LEAHY—to be another step in the right direction. This legislation creates a comprehensive approach to data security by requiring companies to build a cyber security program that can defend against cyber attacks and prevent data breaches. It also protects a wide range of personal information, not just name or financial account information but also online user names and passwords, information about a person's geolocation, and access to private digital photographs and videos.

Unlike CISA, this legislation would, in my view, provide real tools to address the kinds of recent cyber attacks we have seen in the news, such as the celebrity photo hack. Unlike CISA, it would also empower individuals by requiring companies to notify consumers if their information has been lost and would protect the rights offered under some State laws for consumers to sue in the event of a privacy incident. The Consumer Privacy Protection Act is the right kind of responsible, thoughtful approach to cyber security, which is legislation that will help us get an added measure of security and public protection, while at the same time protecting the individual liberties and the privacy of our people.

Finally, in my judgment, our country needs to be willing to impose consequences on foreign entities that attempt to hack into American networks and steal large quantities of valuable data. These hacks are undermining our national security, our economic competitiveness, and the personal privacy of huge numbers of Americans. These consequences should draw on the full range of American power, depending on the nature of the hack and the entity responsible.

It would be a failure of American imagination to say that the only way to respond to foreign hacking is to have our military and intelligence agencies ''hack back,'' as the concept has been known, at the parties responsible. We are the most powerful country in the world, and our government has a wide variety of tools at its disposal, including economic sanctions, law enforcement, and multilateral diplomacy. And building a multifaceted strategy to deter foreign hacking is going to require all of those kinds of tools I have mentioned by way of articulating responsible steps to deal with cyber security, steps that protect both our security and liberty. All of those tools are ones we will have to draw on.

Having laid out ways that the Senate on a bipartisan basis can improve cyber security, I want to turn to the proposal in detail that is now in front of the Senate. As I have said, I believe it makes sense to encourage private companies to share information about cyber security threats. Cyber is a problem. Sharing information can be useful, but it is also vital that information sharing not be bereft of privacy protections for law-abiding Americans.

Cyber security is a problem. Information sharing is a plus. But let's make no mistake about it—an information-sharing bill that lacks privacy protections really is not a cyber security bill; it is a surveillance bill. That is what has been one of my major concerns about this legislation, that the legislation in front of the Senate—we talked about the flaws in the process, but substantively, if you have an information-sharing bill that lacks adequate privacy protections, it is a surveillance bill by another name.

When the Senate Intelligence Committee voted on the CISA bill, I opposed it. I opposed it because I believe its insufficient privacy protections will lead to large volumes of Americans' personal information, personal information from law-abiding Americans who have done nothing wrong—that they will be faced with the prospect that their information is shared with the government even when that information is not needed for cyber security. When I say ''personal information,'' I am talking about the contents of emails, financial information, and what amounts to any data at all that is stored electronically.

Some of my colleagues have stressed that companies will have a choice about whether to participate in this information-sharing part of the legislation. That is true, but while corporations will have a choice about whether to participate, they will be able to do so without the knowledge or consent of their customers, and they will receive broad liability protections when they do so. The CISA bill as written trumps all Federal privacy laws.

Furthermore, once this information is shared with the government, government agencies will be permitted to use it for a wide variety of purposes unrelated to cyber security. The bill creates what I consider to be a double standard—really a bizarre double standard in that private information that is shared about individuals can be used for a variety of non-cyber security purposes, including law enforcement action against these individuals, but information about the companies supplying that information generally may not be used to police those companies.

I will tell you, I think that will be pretty hard to explain at a townhall meeting in virtually any corner of America because I believe it is wrong to say that the privacy rights of corporations matter more than the privacy rights of individual Americans.

I expect that some colleagues will say that it is not their intent to authorize this excessively broad collection. The argument will be that this is legislation to encourage companies to share information about actual cyber security threats, such as lines of malicious code and signatures of hostile cyber actors. Again, I would say to colleagues that I am all for encouraging companies to share information about genuine security threats, but if you read the language that is now before the Senate in the cyber security bill, the language of that bill is much broader than just sharing information about genuine security threats.

If Senators want to pass a bill that is focused on real cyber security threats and includes real protection for Americans' privacy, then the Senate should add language specifying that companies should only provide the government with individuals' personal information if it is necessary to describe a cyber security threat. That does not seem to me to be an unreasonable protection for the privacy of Americans, that the Senate would adopt language specifying that the companies provide the government with individuals' personal information if it is necessary to

describe a cyber threat. That is pretty obvious.

We can explain that, I would say to the distinguished President of the Senate, at a townhall meeting, that if it is related to a cyber security threat, then the companies would provide individuals' personal information. But this would discourage companies from unnecessarily sharing large amounts of their customers' private information with the government.

Unfortunately, the cyber security bill in front of the Senate now takes the opposite approach. It only requires companies to withhold information that is known at the time of sharing to be personal information unrelated to cyber security. This approach will clearly discourage companies from closely reviewing the information that they share and will lead to a much greater amount of Americans' personal information being transferred needlessly to government agencies.

I hope that here in the Senate there will be an opportunity to carefully consider the potential consequences of this legislation before voting to rush it through by an expedited process.

I have said here several times that cyber security is a real problem, and policymakers are going to have to deal with it. In fact, I will go so far as to say that the issue of cyber security is going to be an ongoing and enduring challenge of the digital age. It is my view that every Senator who serves in this body today can expect to deal with cyber security questions for the rest of their career in public service. Voting to rush a bill through, however, is not going to make these problems somehow go away, and it will have real consequences for our constituents for years to come, and in particular, it will not make us safer and will jeopardize the rights of individual Americans.

Before I wrap up, I believe it is important and I have an obligation to draw my colleagues' attention to one final issue. As of this afternoon, there is a secret Justice Department legal opinion that is of clear relevance to this debate that continues to be withheld from the public. This opinion remains classified. The Senate rules prohibit me from describing it in detail. But I can say that it interprets common commercial service agreements and that in my judgment is inconsistent with the public's understanding of the law.

So this gets back to a question I have talked about on the floor often, which is secret law, when the public reads one thing and there is a secret interpretation that goes in another direction and it contributes to the public's cynicism about Washington.

As always, I certainly see it as my job to say that colleagues can decide whether to take my counsel, but I believe any Senator who votes for this legislation, without reading this secret Justice Department legal opinion I have referred to, is voting without a full understanding of the relevant legal landscape. If Senators do not understand how these common commercial service agreements have been interpreted by the executive branch, then it will be harder for the Senate to have a fully informed debate on the cyber security legislation, whether it is considered now or later.

I would also like to note for the record that I have repeatedly asked the Justice Department to withdraw this opinion and to make it public so anyone who is party to one of these commercial service agreements can decide whether their agreement ought to be revised. The Justice Department has chosen not to take my advice on either of my suggestions.

In public testimony before the Senate Intelligence Committee, the deputy head of the Justice Department's Office of Legal Counsel told me she personally would not rely on this opinion today, and I appreciate her view on that matter. Yet, until the opinion is withdrawn, I believe Senators should be concerned about other government officials choosing to rely on it at any time. In my judgment, that is a very clear instance of the government developing what is essentially secret law—law that is at variance with what you read if you are in a coffee shop in Arkansas or Utah or anywhere else.

The reality is, as I have said often on the floor, operations always have to be secret, as do the sources and methods. Chairman HATCH remembers this from his service on the Intelligence Committee. Operations always have to be secret, but the law ought to be public because that is how the American people have confidence in how we make decisions in our Republic.

I will close by saying it is quite obvious at this point that I have significant reservations about the cyber security bill. I believe a number of Senators are going to share these concerns. I will let them speak for themselves, although I believe Senator LEAHY's strong statement yesterday was certainly on point. Yet I will also say, even to my colleagues who are inclined to vote for this bill, that I hope all Senators will think about whether this is an appropriate process for this sort of legislation.

I have already said I believe Senators are going to be dealing with cyber security questions for the rest of their time in public service, because in the digital age, I think we are going to see a constant evolution in this field with respect to these threats and both the technical and political concerns that are raised by them.

Should the Senate be rushing a bill like this through by tacking it onto an unrelated defense measure? Is this the best way to show the American people, once again, that security and liberty are not mutually exclusive and that it is possible to do both?

If Senators share the concerns I have raised, I hope they will oppose the cyber security amendment if it is brought up for a vote on the Defense bill. I hope Senators will support this issue, which has been brought to the floor under a different process—a process that involves regular order, so every Senator on both sides of the aisle will have an opportunity to make the revisions I believe it needs and to offer their own ideas.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Utah.

TRADE PROMOTION AUTHORITY

Mr. HATCH. Mr. President, as the House of Representatives moves closer to a vote on the Senate-passed legislation to renew trade promotion authority, I wish to take a few minutes to talk about the links between our Nation's trade policy, foreign policy, and national security. Whether it is Russia's aggression toward the Ukraine, civil wars in the Middle East or ongoing efforts to prevent nuclear proliferation, the world faces a number of challenges that are impacting the future geopolitical landscape.

In all of this, the question we have to consider is: Going forward, what role will the United States play? Are we going to lead or are we going to follow?

Make no mistake, the path we take on international trade will say a lot about how we plan to answer those questions.

Consider a few facts. In the next few years, China will likely pass the United States as the world's largest economy. It is already the world's largest exporting country. China is continually seeking to expand its influence in order to dictate the terms of international trade, particularly in places like Sub-Saharan Africa, Central Asia, and Latin America.

In other words, when we are talking about trade and the possibility of the United States retreating from the international marketplace, China is the proverbial 800-pound gorilla in the room. Indeed, any ground we cede in leading the world on trade is, more likely than not, ground ceded to China.

I have heard many people—including Members of Congress—express their concerns about China, both strategically and economically, and rightfully so. After all, when it comes to trade, China has constantly shown a disregard for international norms and standards. However, oddly enough, many of those same people who talk the most about the threat posed by China have expressed opposition to TPA, the trade promotion authority bill, and to the Trans-Pacific Partnership or TPP. This is puzzling and reflects a fundamental misunderstanding of the Senate TPA bill and free trade in general.

If we are serious about keeping China and its growing economic and political influence in check, getting a strong TPP agreement that advances U.S. interests should be a top priority. In addition, if we want to eventually convince China to change their harmful practices, a high-standard TPP agreement would naturally be a big step in the right direction.

Free-trade agreements like TPP, if done correctly, should provide new rules for trade in the 21st century. They should set modern standards for economic liberalization and integration, including the protection of foreign investments and intellectual property rights and the marginalization of state-owned enterprises.

We need to be setting the standards and writing the rules on trade so our workers, innovators, researchers, and job creators can fairly compete in the global market. If we don't lead, if we sit on the sidelines, Americans will be competing on an imbalanced playing field, with rules designed specifically to disadvantage us. Given that TPP countries comprise 40 percent of the world economy, it is vital we improve our ability to compete in that region.

Moreover, if TPP fails, we will lose influence in one of the most economically dynamic and strategic regions of the world, and any leadership vacuum left by the United States will almost certainly be filled by someone else and, in this case, most likely China.

But don't just take my word for it. Congress recently received a letter from 17 former Secretaries of Defense and retired military leaders, including Colin Powell, Leon Panetta, William Perry, and Donald Rumsfeld.

In that letter, these leaders said:

> We write to express our strongest possible support for enactment of Trade Promotion Authority legislation, which is critical to the successful conclusion of two vital agreements: the Trans Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP). Indeed, TPP in particular will shape an economic dynamic over the next several decades that will link the United States with one of the world's most vibrant and dynamic regions. If, however, we fail to move forward with TPP, Asian economies will almost certainly develop along a China-centric model. In fact, China is already pursuing an alternative regional free trade initiative. TPP, combined with TTIP, would allow the United States and our closest allies to help shape the rules and standards for global trade.

The concerns outlined in this letter went beyond China.

The letter continues:

> The stakes are clear. There are tremendous strategic benefits to TPP and TTIP, and there would be harmful strategic consequences if we fail to secure these agreements. In both the Asia-Pacific and the Atlantic, our allies and partners would question our commitments, doubt our resolve, and inevitably look to other partners. America's prestige, influence, and leadership are on the line. With TPP originating in the Bush administration, these agreements are fundamentally bipartisan in nature and squarely in our national security interest. It is vitally important that we seize the new strategic opportunities these agreements offer our nation.

When 17 former Secretaries of Defense, admirals, and generals who served under both Republican and Democratic administrations have joined together with such a strong message, they probably have a point, and Congress had better listen closely.

Many people, including a number of our colleagues in Congress, continually argue that one of the best uses of American power would be to better promote human rights and democracy in developing countries and increase our efforts at alleviating poverty. I don't necessarily disagree with that sentiment.

Indeed, while there are different opinions about how we can best accomplish these goals, I think most of us in Congress, in both the Senate and the House, agree with the basic premise that we should continually be working to expand our influence and advance our values, particularly in the developing world.

History has demonstrated that the best way to accomplish these objectives is to increase U.S. trade with these countries. Indeed, if we want to export the benefits of American exceptionalism, capitalism, work ethic, and democracy, a freer, expanded exchange of goods is absolutely the best way to do it.

Trade is an effective exercise of America's economic power and influence, trade is how you spread capitalism and encourage other countries to open their economies, trade is how you export American values in the developing world, and, most importantly, trade is how you counter the growing influence of countries like China in the world economy.

The stakes are high. The importance of TPP and other trade agreements to our strategic and security interests is obvious, and given that reality, the importance of TPA should be just as obvious.

Put simply, without TPA, there is no TPP. That is just a fact. Sure, technically speaking, TPA is not required for the administration to complete negotiations and send the agreement to Congress, but technicalities aside, that route is unlikely to yield a desirable result, both in terms of the substance and process.

Japan and Canada, two of our largest trading partners in the TPP negotiations, have each stated they are reluctant to bring their final offers to the table until Congress provides the administration with TPA. Trade promotion authority assures our trading partners that if they reach an agreement, it will not be unraveled when it is sent to Congress for approval. This allows our negotiators to get the best deal possible.

TPA also ensures that Congress has a meaningful role in crafting the specifics of the agreement by setting objectives, mandating transparency, and requiring periodic updates. Under the Senate-passed bill, Congress will have more authority than ever to review and respond to the administration on individual trade agreements.

Long story short, TPA is absolutely necessary for advancing U.S. interests abroad and protecting the opportunities for millions of Americans to earn and compete for a livelihood in an increasingly global trade environment.

With the House TPA vote set to take place in a matter of days, I hope our colleagues in the other Chamber will recognize the strategic and economic realities we face as a country and be willing to advance our Nation's interests and security. I am confident that most of them will make the right choice, and it will be good for America as well as them.

CHILD SUPPORT ENFORCEMENT

Mr. President, I wish to take a few minutes to speak about another matter of great importance not just to me but to everybody.

Last year, after the midterm elections, the Obama administration quietly and without much fanfare proposed a massive, far-reaching rule that would overturn a number of bedrock principles of child support enforcement and welfare reform, chief among them being the principle that parents should be financially responsible for their children.

This was just the latest attempt on the part of the Obama administration to bypass Congress and work to enact policies through executive fiat. Sadly, it wasn't even the first time this administration tried to gut welfare reform. Indeed, we all remember a few years back when the administration granted itself the unprecedented authority to waive critical welfare work requirements.

Put simply, this latest rule would make it easier for noncustodial parents to evade paying child support. It would undermine a key feature of welfare reform, which is that single mothers can avoid welfare if fathers comply with child support orders.

I am fundamentally opposed to policies that allow parents to abdicate their responsibilities, which, in return, results in more families having to go on welfare. I think most Americans would agree with me. That is why I, joined by Senator CORNYN and House Ways and Means Committee Chairman PAUL RYAN, have introduced legislation that would prevent the Obama administration from bypassing Congress in yet another attempt to subvert key features of welfare reform. I regret that we must take this action.

In the past, Members of Congress have generally been able to find common ground and work on a bipartisan basis to address issues relating to child support. In fact, Congress recently passed, and the President recently signed legislation, that made improvements to child support enforcement policies.

In 2013, the Senate Finance Committee reported a series of ambitious proposals related to child support enforcement. At that time, we requested input on these proposals from the Obama administration. At no time did administration officials indicate that the Department of Health and Human Services was quietly working to advance a massive overhaul of child support enforcement, much less that it was planning on doing so without the help or input of Congress.

It is important to note that this secretive preparation only came to light

after the recent elections. That suggests to me that the administration does not have faith that its proposal can withstand public scrutiny and that they have no interest in making a full and transparent justification for the policies they are trying to ram through.

Truth be told, Chairman RYAN and I have introduced our legislation more out of sorrow than anger. For many months, our offices attempted to work out an equitable arrangement with the Obama administration. We tried to convince HHS to withdraw the problematic features of the rule, and in exchange we would agree to engage in a substantive, productive discussion on how to move forward with improvements to child support enforcement.

I firmly believe there is room for common ground. In fact, there are a number of features of the administration's proposed rule that could generate bipartisan support. But any workable solution would have to include the full participation and ultimate consent of the legislative branch. Any changes to the law would have to go through Congress and not simply be dictated by the administration.

So Chairman RYAN and I will do all we can to get our bill through Congress and present it to the President. If we are successful, I hope he will sign it and commit to working with us in the future to advance reforms to child support enforcement. I stand ready to work with the administration and any of my colleagues on both sides of the aisle and both sides of the Capitol to achieve this goal.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1986

(Purpose: To reauthorize and reform the Export-Import Bank of the United States)

Ms. AYOTTE. Mr. President, on behalf of Senator KIRK, I send an amendment to the desk to the text proposed to be stricken by amendment No. 1463.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Ms. AYOTTE], for Mr. KIRK, proposes an amendment numbered 1986 to the language proposed to be stricken by amendment No. 1463.

Ms. AYOTTE. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Ms. AYOTTE. Thank you, Mr. President.

I rise today to talk about an important amendment that was offered by Senator KIRK, which I cosponsor, and that is the reauthorization of the Export-Import Bank.

I can tell you that in my home State of New Hampshire, on Monday, I was at a roundtable at GE Aviation. GE Aviation has over 700 jobs in the State of New Hampshire. They are building a new facility there. The Export-Import Bank provides a company like GE Aviation the opportunity to obtain financing to export its products that are manufactured in the United States of America, in New Hampshire, to other countries overseas, increasing the opportunity for American manufacturing jobs.

At that company, on Monday, they invited a lot of their suppliers and small businesses who also have either used Ex-Im financing or are suppliers for the larger companies that use Ex-Im financing.

One of those companies that were around the table that had used Ex-Im financing in New Hampshire was Boyle Energy in Concord. In fact, Mike Boyle, who is the CEO of Boyle Energy, has been able to use Ex-Im financing to grow New Hampshire jobs. He has a vision for a new plant in Merrimack, NH, that he is ready to expand. If he can get this financing, he is going to be selling more of his great products overseas, creating more jobs in New Hampshire.

Yet, this Bank expires at the end of June. This is a very important tool for American businesses. This program—and I wish I had this problem with every program in Washington—actually returns money to the Treasury, and it creates American jobs.

The reason this type of financing is available is because of the risk that is often taken in exporting products and there aren't commercial loans always available. The Ex-Im Bank has the ability to allow financing for our businesses in America. In fact, other countries around the world have programs such as this, and that are much more extensive. So without the Ex-Im Bank, it is not a level playing field for our American companies that want to manufacture in the United States of America. The Ex-Im Bank will allow access to financing that will enable businesses to create American jobs.

Also around that table on Monday at GE Aviation was Goss International. They manufacture great printing presses in New Hampshire. We are very proud of them. They have also been able to use Ex-Im financing. If that financing doesn't go through, we heard from a representative of Goss that, in fact, they could lose up to 40 jobs in my home State of New Hampshire. So it is important that we reauthorize this Bank.

I want to thank the Senator from Illinois for offering this amendment to reauthorize the Ex-Im Bank so that our companies here in the United States of America can manufacture here, sell to consumers around the world, and have access to this financing. In fact, in New Hampshire there have been about 36 companies—many of them small companies—that were able over the last several years to use Ex-Im financing to create New Hampshire jobs.

This is about jobs in the United States of America. This is about competing. We recently had the TPA—trade promotion authority—on the floor to expand opportunities for trade. This goes hand in hand with that legislation so that companies have opportunities to get financing to create jobs here and return money to the Treasury. I wish I could say that about every program—that it returns money to the Treasury. The default rate at Ex-Im Bank is lower than with commercial loans.

I hope that Senator KIRK's amendment will get a vote on the Senate floor, that we can get this reauthorized before the expiration date at the end of this month, and that we can continue to allow this financing for American businesses to continue to build and create products to sell overseas and to create American jobs. This is what this financing allows these businesses to do. This is very important in making sure that we remain competitive and that we have more jobs here and that we continue to sell our great products built here in the United States of America around the world.

So I am very honored to support this amendment. I hope we will get a vote on this amendment on the Defense authorization bill or get a vote and make sure that we have this passed before the end of this month when this Bank expires so that we could have continuity in this important financing mechanism for our businesses here in this country.

In addition to the businesses I previously mentioned that were around the table on Monday, I also want to mention GKN Aerospace from Charleston, which is a larger business with a smaller footprint in New Hampshire that has been able to export and create jobs in New Hampshire and across the country. In addition to that, we were so glad to hear from other businesses in New Hampshire that were able to rely on this important financing mechanism.

I am very glad to support Senator KIRK's amendment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

SPACE PROGRAM CUT

Mr. NELSON. Mr. President, I just learned that the CJS subcommittee of the Appropriations Committee reported a bill out that made a substantial cut in the request for commercial crew in order for us to be able to have Americans flying on American rockets to and from the International Space Station, instead of having to rely on the Russian Soyuz, which we buy and have been buying those ever since we shut down the space shuttle at something like $60 million to $70 million per

passenger going up to the space station.

Now, the whole idea was that since we cooperated with the Russians in building this space station, we would both have the means of transportation to get up there. We do have the means of transportation of getting cargo to and from the space station, since we shut down the space shuttle, but we are in the process of a competition between several companies—especially those that have been selected in the competition by NASA, Boeing and SpaceX. Each of them has been granted money to develop all of the redundancies and safety and escape systems in their spacecraft capsule in order to make it safe for Americans to go to and from the International Space Station.

Now, I can tell you that for the average American on the street, their image of our space program is one that since the space shuttle shut down in 2011, they think the space program is over, when, in fact, it is really just beginning, and we are going to Mars in the decade of the 2030s. Well, that is the whole point of our being able to rely on our own spacecraft and on our own rockets, instead of relying on the Russians.

If this cut is sustained—and this is a cut from a request of $1.24 billion for this competition for making American rockets safe and creating the spacecraft to take Americans to the space station—it will have been cut to $900 million. If that cut in the subcommittee is sustained in the full committee and ultimately in the final appropriations bill, it is going to delay us from being able to launch Americans on American rockets.

Instead of 2017—just 2 years from now—it will delay us another 4 years. That is 4 more years of relying on the Russians. Now, I know there are a bunch of Senators around here that do not like the fact of the aggressiveness of Vladimir Putin. Well, this is one way to wean ourselves from having to depend on them.

The final comment on this subject is that the money that supposedly is being cut, which is just a little over $300 million, we would lose in still paying that money to the Russians to fly an additional 2 years. We need to wake up to what is happening. Senator MIKULSKI will be offering an amendment to the full Appropriations Committee to restore that cut. I hope Senators will understand all the nuances and support Senator MIKULSKI.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Illinois.

AMENDMENT NO. 1986

Mr. KIRK. Mr. President, I seek to speak on my amendment on behalf of the Export-Import Bank. I would like to say the Export-Import Bank is set to expire this year on June 30. It allows thousands of American companies to advance their technology overseas. Without these loans, many American jobs would be ceded to China or Europe.

Now, 200,000 American workers depend on Ex-Im, plus 46,000 in my home State of Illinois. They work for these companies that depend on Ex-Im's backing to make exports happen. Some people are interested in killing this agency because it may be a government handout agency. It is not. It actually makes the taxpayer $1 billion a year. In the last 3 years, it has earned the U.S. Treasury over $3 billion.

I will be offering the Kirk-Heitkamp amendment to keep this Bank alive. I want to thank Senators BLUNT, CANTWELL, and MANCHIN for defending these American jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to speak about the National Defense Authorization Act. This is legislation we are currently considering that we need to pass. It is important for our military, and it is important for the American people. I have offered a number of amendments, and I rise to speak about three of those amendments at this point.

The first is amendment No. 1483, which involves RPA flight training. Essentially, amendment No. 1483 would instruct the Air Force to consider allowing private contractors to provide the Air Force with training for remotely piloted aircraft or RPAs. These are the vehicles used in unmanned aerial systems, commonly called UAS.

Currently, the Air Force is training pilots for RPAs, remotely piloted aircraft, within the service itself. But there are some very skilled private contractors. In fact, the people who make unmanned aircraft could be doing high-quality training for them as well, particularly in concert with our universities that provide aviation training.

Right now the Air Force faces a real challenge in training a sufficient number of unmanned aircraft pilots to meet operational demands. Specifically, this amendment directs the Air Force to evaluate the use of private contractor facilities, equipment, and trainers to increase the number of qualified pilots for our RPA missions. It requires the Air Force to detail various aspects of their shortfall in manning RPAs, the authorized number of personnel assigned to the missions, and the identification and assessment of actions to address that shortfall.

In this rapidly growing era of unmanned aerial systems technology, it just makes sense for the military to partner with companies and universities that have the expertise to provide the critical training the military needs. It is cost effective. It is efficient. It is good for the military and our country. Right now the demand for unmanned aerial systems is so strong worldwide that the Air Force has all of its pilots flying the missions. That does not give them the resources, the pilots to train more pilots to fly unmanned aerial systems.

So this is a way that we can help the Air Force train these new pilots with the very contractors that make things such as Global Hawk, Predator and with our universities that provide aviation training. I think it would be of great benefit and assistance to the Air Force.

The second amendment that I want to talk about is amendment No. 1484. This one seeks to give the Air National Guard units a larger role in the Global Hawk unmanned aerial systems mission. Specifically, this measure directs the Air Force to determine the feasibility of partnering the Air National Guard with Active-Duty Air Force to operate and maintain the Global Hawk. The RQ–4 Global Hawks, including the Block 20, Block 30, and Block 40 variants, are the Air Force's high-altitude, long-endurance aircraft for intelligence, surveillance, and reconnaissance.

They are currently operated and maintained only by Active-Duty forces. But the Air National Guard could be providing a valuable adjunct to the Air Force's regular personnel if we allow them to do that. The North Dakota Air National Guard, for example, already operates and maintains the armed MQ–1 Predator, and does it exceptionally well. They and units like them are clearly capable of taking on part of the Global Hawk mission, in association with their Active-Duty counterparts.

This amendment would further the joint operations which have been a major initiative of all of the armed services, the Guard, and the Reserves in recent years, and they have done a tremendous job on jointness. It has made our military stronger, more effective, and more responsive. We need to continue to build on that joint operation. That is exactly what this amendment does.

The third amendment that I would like to discuss is amendment No. 1485. It regards the Nuclear Force Improvement Program. This amendment seeks to fortify the Nuclear Force Improvement Program, or NFIP, which I believe is crucial to our national security both now and well into the future. The reality is that we are facing an increasingly nuclearized future. Nations such as Iran, North Korea, and others have or are developing nuclear weapons.

That means we must maintain a credible, decisive nuclear deterrent. That is what the Nuclear Force Improvement Program is all about. In 2014, the Air Force initiated the program to bolster and enhance its nuclear missions, including the intercontinental ballistic missile, ICBM, and nuclear-capable bomber missions. The program involves a wide range of efforts to improve morale, update facilities and equipment, and reinvigorate the nuclear-related career fields in the Air Force.

We need to continue to invest in and build this program. Specifically, my amendment provides that the nuclear mission should be a top priority for the

Department of Defense and the Air Force; that Congress should support investments which sustain progress made under the Nuclear Force Improvement Program; that the Air Force should regularly inform Congress on the program's progress and any additional requirements it may identify; and that future Air Force budgets should reflect the importance of the nuclear mission and the need to support personnel performing the nuclear mission.

The bottom line is that the men and women assigned to the nuclear mission in the U.S. Air Force are doing incredibly important work every day for the security of our country. We need to do all we can to support them. We need to provide them with the support they deserve so they can continue to do the job we ask them to do and do it at the level that our security requires.

The Nuclear Force Improvement Program is a success, and the Air Force needs to extend it into the future and continue to shore up the foundations of our nuclear deterrent, which is, itself, at the foundation of national security.

In conclusion, let me say that working on legislation as essential as the defense of our Nation is and should be a bipartisan effort. The Senate Armed Services Committee passed this bill out of committee with a bipartisan vote of 22 to 4. Let's come together and do this for the American people and the men, women, and families who have undertaken the great and noble effort to protect our country.

I want to thank both the chairman of the Armed Services Committee and the ranking member for their hard work, for their bipartisanship, and, again, offer my support as we work to pass this vitally important legislation for our military and for this great country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DONNELLY. Mr. President, I wish to tell you a little bit about Gregg Keesling, a dad and small business owner from Indianapolis. I have gotten to know Gregg over the past few years because Gregg and his wife Jannett lost their son Chancellor to suicide while Chancellor was serving in Iraq in 2009, joining a club he often says he doesn't want anyone else to join.

On the poster, this is Gregg and this is Chancellor. This is Chancellor again, on duty. This is the memorial they had for Chancellor.

Gregg recently said that he sees the invisible wounds borne by our men and women in uniform as ''one of the greatest challenges that our country faces.'' And he noted that ''we're going to face this challenge for many years to come.'' Gregg is right. We have lost more troops to suicide than in combat each of the past 3 years. We lost more than 400 Active-Duty, Guard, and Reserve servicemembers last year alone. It is also estimated that we lose 22 veterans to suicide every single day. These are preventable deaths.

We must do more to get these men and women the mental health care they have earned. We need to remind our troops and veterans, along with our friends and family, that it is OK to share the burden of their personal struggles. It is a sign of strength to seek help. Our servicemembers, veterans, and their families sacrifice for us, so we must do everything possible to support them.

Last year we passed and the President signed into law the Jacob Sexton Military Suicide Prevention Act, which for the first time requires an annual, in-person mental health assessment for all servicemembers, whether they are Active, Guard, or Reserve. Just like physical health, mental health is an essential piece of military readiness. We need to have an attitude of all-in toward providing support for mental health challenges and also for the day-to-day struggles we know contribute to suicide risk, such as financial problems, relationship issues—things that are never made easier by military life.

The Sexton act was named for a member of the Indiana National Guard who took his own life while home on leave from Afghanistan in 2009. Jeff and Barb Sexton, Jacob's parents, have been incredible partners in this work. Jeff recently spoke about the decision he and his wife made to speak out about military suicide.

This is SPC Jake Sexton. Here he is in his Humvee, and here he is serving as well. His parents, Jeff and Barb—actually, it was Jeff in particular, his dad, who said:

> I had three choices: I could crawl in a corner, I could crawl in a bottle or I could stand up and fight. It's not been an easy job, but it's something I feel me and my wife have to do.

The Keeslings and the Sextons are courageously telling their stories to help prevent any more families from going through this nightmare. Congress needs to continue to answer their call. This is an issue we cannot let up on because there is so much more important work to do.

This year, we are taking the next step in the continuum of care and focusing on improving the quality of and access to mental health care through Department of Defense providers, VA providers, and private community providers.

This year, we introduced the servicemember and veteran mental health care package—three bills. Each improves access to quality mental health care for servicemembers and veterans. The care package aims to improve mental health care by focusing on direct care providers at DOD and VA, community providers in their own towns, and the training of physician assistants as mental health providers.

I thank Chairman MCCAIN and Senator REED for working with me to include elements of the care package in the national defense bill, specifically those elements which deal with DOD and care for servicemembers.

I wish to go through the care package provisions in the NDAA briefly and offer two amendments to ensure that these provisions support not only servicemembers but also veterans.

First, section 716 is based on the first of our care package bills, the Community Provider Readiness Recognition Act. It is cosponsored by my friend, Senator JONI ERNST, and it creates a special military-friendly designation for providers who choose to receive training in military culture and the unique needs of servicemembers and military families. Providers who receive this designation would be listed in a regularly updated online registry, allowing servicemembers to search for designated providers in their area.

This bill is inspired by the Star Behavioral Health Provider Network, which is a program that the Military Family Research Institute at Purdue University built in Indiana to train providers to better understand military culture and medical treatments. Designating a provider as part of the Star Behavioral Health Provider Network helps servicemembers and their families make informed choices about where to seek care. This can easily be translated on a national scale so that servicemembers, veterans, and their families know which private mental health care providers are well-suited and trained to treat them.

Mr. President, second, section 713 of the NDAA is drawn from another care package bill, the Military and Veterans Mental Health Provider Assessment Act, cosponsored by my friend Senator ROGER WICKER of Mississippi.

This legislation requires that all of DOD primary care and mental health providers have received evidence-based training on suicide risk recognition and management and that their training be updated to keep pace with changes in mental health care best practices.

It also requires DOD to report to Congress on the military's current mental health workforce, the long-term mental health needs of servicemembers and military families, and how we ensure DOD meets those needs.

Finally, it requires the Department of Defense to bring us a plan to assess mental health outcomes in DOD care, variations in outcomes across different DOD health care facilities, and barriers to DOD mental health providers implementing the best clinical practice guidelines and other evidence-based treatments.

Finally, by including elements from the Frontline Mental Health Provider Training Act, cosponsored by my friend Senator JOHN BOOZMAN from Arkansas, the NDAA calls on the Department of

Defense to train physician assistants to specialize in psychiatric care in order to help meet the increasing demand for mental health services among servicemembers and their families. We are also working to extend the same spectrum of care to our veterans, and we are working toward a hearing on the corresponding veterans bills for this mental health care package in the months ahead. These are smart, bipartisan provisions that address one of the most serious challenges facing our military, our veterans and our country.

We must improve the mental health care at the Department of Defense and the Veterans' Administration and at private community providers from Ellsworth, ME, to Evansville, IN, to the shores of California so they are better able to serve our servicemembers, veterans, and their families. It is absolutely essential that we have coordination and continuity for servicemembers and their families as they transition to veteran status.

I will leave you with a couple of brief thoughts from two brave Hoosiers I have the privilege to know and have gotten to know well. Jeff Sexton, Jacob's dad, put it this way: ''It is one thing to lose someone you love in the war. It is a whole other thing to lose them to the war.'' And Gregg Keesling, Chancellor's dad, concluded this: ''The bottom line is I don't want anybody to go through what we've gone through.''

We must act and we must act now before any more families have to experience this loss from suicide. I urge all of my colleagues to support the care package provisions for servicemembers and to later extend them to our veterans who need our help and who need us to stand up for them.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, I am coming to the floor to speak on behalf of an amendment I am offering, along with Senators SCHATZ, UDALL, BLUMENTHAL, HEINRICH, TESTER, MERKLEY, and BALDWIN.

Today, it was announced that President Obama is going to be sending another 450 troops to Iraq to help assist in the fight against ISIL. That will mean we now have 3,500 troops in position throughout Iraq assisting in the battle against ISIL within those borders. This marks also nearly a year since we have reengaged in military activities in Iraq and in Syria, both with support forces for the Iraqis, with training for those who are fighting in Syria, and major air operations targeting ISIL.

I think there is broad bipartisan consensus here that the United States needs to take the fight to this enemy—an enemy that is seeking to occupy an enormous amount of territory in a very dangerous region from which it can plot attacks against the United States. But I also think there is bipartisan agreement that we should do our constitutional duty; that we should authorize this war against ISIL. My hope is the Foreign Relations Committee—of which I am a member, of which the Presiding Officer is a member—will have that debate in the upcoming months.

But given that we are authorizing hundreds of millions of dollars in this bill in order to take the fight to ISIL, I think it makes sense to have some commonsense limitations on the use of that money that are in keeping with the very public promises the President has made.

President Obama has stated very clearly that he does not think it is a wise strategy to reinsert major combat troop operations into the Middle East. I agree with him. I think many of us agree with him. There is nothing about the last 10 years of American occupation in Iraq that tells us that U.S. troops inside Iraq can have the effect of killing more terrorists than are created, in part, through the recruitment benefit of major U.S. combat operations.

So the amendment we are offering today is a fairly simple one. It would prohibit the use of major combat—of large numbers of combat troops in the fight against ISIL, with certain commonsense exceptions: an exception for rescue operations, an exception for intelligence-gathering exercises, and an exception for special operations in and throughout the region; special operations like the one we used to kill a high-ranking ISIS commander just within the last several weeks.

We think it is important that Congress weigh in and state what we believe to be the desire and imperative of our constituents; that we learn from the mistakes of the Iraq war; that we don't repeat them by inserting thousands of American ground troops back into Iraq or perhaps Syria.

ISIS was created, first and foremost, primarily by a political vacuum inside Iraq, not a military vacuum. We need to acknowledge that any strategy to ultimately defeat ISIL, as we are all committed to, has to first and foremost have a realistic political strategy on the ground to divorce Sunni populations from this death cult that is ISIL.

Sunni grievances grew throughout Nouri al-Maliki's reign. They were denied an equitable share of oil revenues. They were excluded from government jobs. There were real atrocities committed against Sunni communities—mass incarcerations, torture, extrajudicial killings. If we don't have an Iraq Government that is committed to being inclusive of Sunni populations, there is no amount of American troops on the ground that can heal those divisions. In fact, what we know about the Iraq war is that major American combat operations on the ground in Iraq have an effect of exacerbating those divisions rather than healing them. They give space for people like Maliki to try to marginalize these populations. They increase suffering on the ground, especially for these populations that aren't represented effectively within the reigning Shiite government in Baghdad.

So if we really want to learn lessons from the past, then let's take President Obama at his word. Let's include in the NDAA a commonsense limitation, with exceptions, with respect to the deployment of major ground operations inside Iraq.

Now, there are some people who will say this isn't the role of Congress. I would just state for the record that there are a litany of examples in the past in which Congress has placed commonsense limitations on our authorizations for military force. In fact, the President, in submitting a proposed AUMF to the Foreign Relations Committee several months ago, in fact, included in that authorization of military force a limitation on ground forces. So this would be entirely consistent with the history of this body but also with the proposal the President has made.

I know, from having visited our troops in Iraq and in Afghanistan, that it is easy for us to believe there is no mission that U.S. soldiers can't take on; that their capability, that their bravery, that their courage, that their adaptability knows no bounds. They have done admirable work inside Iraq over the course of the last 10 years, but what we know is that those troops inside Iraq also made Iraq what our own intelligence community called the cause celebre for the international terrorist movement, drawing in thousands of would-be terrorists to fight the Americans.

What we know is that the ISIS we are fighting today is a follow-on organization from Al Qaeda in Iraq, which was created because of the American invasion and occupation—maybe not in whole but certainly as the primary influence.

So we hope to be able to have a full debate on an authorization of military force. But with the inability to move that piece of legislation through the Foreign Relations Committee, we think it is proper on the NDAA to hold the President at his word, place a commonsense limitation on the use of ground troops and learn from the mistakes of the last 10 years inside Iraq.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 1986

Mr. KIRK. Mr. President, I urge this Chamber to reject the motion to table my amendment, which put forward reforms to the Export-Import Bank. I would say to Members that this is going to be a key scored vote by the

U.S. Chamber of Commerce and the National Association of Manufacturers; that, without my amendment, we would not have the reforms to make sure Ex-Im works at least 25 percent of its portfolio with small businesses.

I urge Members to vote no on the motion to table my amendment by Mr. SHELBY that I understand is coming up. This is a key test vote, Export-Import Bank. With a good bipartisan vote, I would think we would have people supporting the Kirk-Heitkamp-Blunt-Graham reform legislation for Ex-Im.

I yield the floor.

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

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

Mr. GRAHAM. Mr. President, very briefly. Senators AYOTTE and KIRK's amendment is coming up. There will be a motion to table. What we are trying to do is basically show support for the Ex-Im Bank, which is due to expire in June. We are trying to find a vehicle, a must-pass piece of legislation, to keep the Bank afloat. I think it is very important to the American economy that American manufacturers not be disadvantaged. The Ex-Im Bank makes money for the American taxpayer. China's Ex-Im Bank is larger than France, Germany, the United States, and England's combined.

What does this mean to the average person? When a product is made in the United States and sold into the developing world without the Ex-Im financing mechanism available to American manufacturers, we are going to lose market share to other countries like China, France, Germany that produce wide-body jets and other products. Eighty-nine percent of the people who get help from the Ex-Im Bank are small businesses.

This is an attempt to show the investor community and those who are watching this issue that the Senate is in support of the Bank. So I am urging a ''no'' vote on tabling. We had to do this procedurally. So this will be a signal to the markets that the Senate is in support of the Bank. I urge everyone who believes the Bank is vital to American exports and not against unilateral surrendering of market share to the Chinese and other competitors to vote no. There will be another vote of our choosing on a vehicle that will have to get to the President's desk. This is not the last vote we will take on Ex-Im Bank.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I understand we have a vote scheduled at 5 o'clock, and I appreciate the opportunity to speak for about 60 seconds.

AMENDMENT NO. 1473

I came to the floor today to speak in favor of an amendment described earlier in the afternoon by Senator VITTER. This is an amendment, of course, to the National Defense Authorization Act that makes certain our U.S. Army is able to maintain the current number of brigade combat teams.

Sequestration is creating significant problems in many arenas but no more important than in the area of our Army and defense. The concern is that in the process of downsizing the Army as a result of sequestration and other reductions in available funding, brigade combat teams would be eliminated. Senator VITTER's amendment, which I support and am a cosponsor of, would eliminate that as an option.

The PRESIDING OFFICER (Mr. LEE). The Senator from Alabama.

AMENDMENT NO. 1986

Mr. SHELBY. What is the pending business?

The PRESIDING OFFICER. It is the Ayotte-Kirk amendment.

Mr. SHELBY. Mr. President, I rise today in opposition to the amendment, which is a long-term reauthorization of the Export-Import Bank. In my opinion, after evaluating this issue during a series of hearings in the Senate banking committee, there is no compelling case to reauthorize the bank.

After years of efforts to reform the Export-Import Bank, it has become clear to me that its problems are beyond repair and that the Bank's expiration is in the best interest of American taxpayers. Nearly 99 percent of all American exports—over $2 trillion—are financed without the Export-Import Bank's help, which demonstrates that the subsidies are more about corporate welfare than advancing our economy.

I believe the Export-Import Bank has outlived its usefulness and should be allowed to expire.

At this point, I move to table the Kirk amendment No. 1986 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) and the Senator from Nevada (Mr. REID) are necessarily absent.

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

The result was announced—yeas 31, nays 65, as follows:

[Rollcall Vote No. 206 Leg.]

YEAS—31

Barrasso	Fischer	Risch
Boozman	Flake	Sanders
Capito	Gardner	Sasse
Cassidy	Grassley	Sessions
Corker	Inhofe	Shelby
Cornyn	Isakson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McConnell	Vitter
Daines	Paul	
Enzi	Perdue	

NAYS—65

Alexander	Franken	Murkowski
Ayotte	Gillibrand	Murphy
Baldwin	Graham	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Peters
Blunt	Heitkamp	Portman
Booker	Heller	Reed
Boxer	Hirono	Roberts
Brown	Hoeven	Rounds
Burr	Johnson	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Scott
Carper	Kirk	Shaheen
Casey	Klobuchar	Stabenow
Coats	Leahy	Tester
Cochran	Manchin	Udall
Collins	Markey	Warner
Coons	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	Menendez	Wicker
Ernst	Mikulski	Wyden
Feinstein	Moran	

NOT VOTING—4

Merkley	Rubio
Reid	Toomey

The motion was rejected.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 1986 WITHDRAWN

Ms. AYOTTE. Mr. President, on behalf of Senator KIRK, I withdraw amendment No. 1986.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for amendment No. 1569, as modified.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 1569, as modified, to the McCain amendment No. 1463 to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, Lamar Alexander, John Cornyn, Orrin G. Hatch, David Perdue, Bob Corker, Michael B. Enzi, Susan M. Collins, Jeff Flake, Mike Rounds, Richard Burr, David Vitter, James M. Inhofe, Daniel Coats, John McCain, Deb Fischer, Tom Cotton.

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

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

The Senator from North Dakota.

Mr. COATS. Will the Senator yield for a unanimous consent request?

Ms. HEITKAMP. Sure.

MORNING BUSINESS

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COATS. I thank the Senator.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 1986

Ms. HEITKAMP. Mr. President, I am very excited about the Kirk-Heitkamp amendment getting an overwhelming show of support. The reality is that if we do not vote on the Kirk-Heitkamp bill itself and pass it out of this Chamber, at the end of this month, the charter for the Ex-Im Bank will expire.

This vote has nothing to do with the charter for the Ex-Im Bank. It does nothing to prevent the charter for the Ex-Im Bank from expiring. This is at a time when China and India are pumping billions of dollars into their export credit agency. This is at a time when we have $15 billion worth of credit waiting to move through the Ex-Im Bank so we create jobs here in our country—jobs for American workers—and we are stalling the Bank.

When we had this discussion during the TPA debate, we wanted to have a vote that would guarantee we would have an opportunity to prevent the charter for the Ex-Im Bank from expiring. That is not this vote today.

I am extraordinarily gratified by the show of support because what it really does tell us is if we bring up an Ex-Im Bank bill on its own—an extension bill on its own—we will be able to prevent something from happening that could have catastrophic economic results in this country. So I urge this body to find a path forward to prevent the Ex-Im Bank charter from expiring, to have a path forward to honor our commitments that were made during an earlier vote so we can have a vote and actually move this bill forward and not simply have a vote to show support but actually pass a bill.

Mr. DURBIN. Mr. President, will the Senator from North Dakota yield for a question?

Ms. HEITKAMP. Yes.

Mr. DURBIN. I thank the Senator for her comments and I ask her this question: So that we understand the procedure that just took place, there was an amendment offered that would have extended the Ex-Im Bank and then a motion to table it, and I believe 60 Members or more voted against the motion to table, which shows a positive sentiment about extending the Ex-Im Bank charter. After that vote, the sponsors of the amendment withdrew the amendment from this bill.

So at this moment in time, I wish to ask the Senator, for absolute clarity: We have nothing before us that would extend the Ex-Im Bank either in this bill or in any other manner before the end of June when it expires; is that correct?

Ms. HEITKAMP. That is absolutely correct.

Mr. DURBIN. And that creates a disadvantage for businesses in Illinois, and I am sure in North Dakota, in terms of exports and jobs, and unless we do take this seriously and quickly, they will be jeopardized.

Ms. HEITKAMP. I think the other thing it does also is it is a signal to all of those companies we are competing with, whether it is China or India, that we are out of the business, and that opens a wide path for them to be in the business of exports. So this takes us out of the business of financing exports, which is going to have and will have catastrophic results. We don't have a path forward, and the charter of the Bank expires at the end of this month. Without a path forward, we are opening an opportunity for our competitors to take those exports and to take away our opportunity to have those jobs.

So I am very gratified by the result of this vote because I think it signals support for Ex-Im Bank. When we get this kind of support from the U.S. Senate—almost veto-proof support—maybe we ought to move the bill. People will say there isn't an opportunity to do that; there is no path forward. Let me tell my colleagues that there is no one in the country who believes that is true. If there is a will, there is a way.

We have to have a vote on the Export-Import Bank by the end of the month and get it over to the House so the House can support it and move this forward or we will be playing chicken with the exports of the United States of America.

Mrs. SHAHEEN. Will the Senator yield for another question?

Ms. HEITKAMP. Yes.

Mrs. SHAHEEN. Senator AYOTTE, in offering this amendment, talked about a forum in New Hampshire at General Electric where a number of small businesses participated. Senator CANTWELL and I were at that forum. We heard testimony from an employee of a company called Goss International, which makes large printing presses and competes mostly with Germany but with countries around the world. One of the issues she spoke about is that they have $10 million in deals that are sitting on the table at Ex-Im that they need to have approved before the end of June when the authorization expires. If those don't get approved, they are not going to be able to create 45 new jobs they are talking about being able to create as part of that deal.

So if the authorization for Ex-Im expires, not only is Goss going to have trouble with those jobs, but companies across this country are going to lose jobs that would be created if those financing deals could go through; isn't that the case?

Ms. HEITKAMP. In fact, the case is nearly $16 billion worth of American business and American exports that create American jobs will languish in the pipeline at the Ex-Im Bank because we foolishly let a charter expire at a time when we are in competition for exports, a competition for commerce throughout the world.

When we debated trade promotion—and a lot of us took some tough votes on TPA—we were promised a vote that would be mutually agreed upon here so we could advance the Ex-Im Bank by the end of June. We haven't gotten that vote because today all we did was show—I think rightfully so—that we have tremendous support in this body for the Ex-Im Bank and we shouldn't be held hostage to the narrow ideology of a few.

Ms. CANTWELL. Mr. President, will the Senator yield for a question?

Ms. HEITKAMP. Yes.

Ms. CANTWELL. The Senator from North Dakota has obviously been working so hard on this in the Banking Committee, and she understands, I believe, that when the Bank expires on June 30, there is about $12 billion of approved deals that are in the process, and they will not be approved while the Bank is not operating; is that correct?

Ms. HEITKAMP. That is correct. The last number I was given, I say to my friend, the Senator from Washington, was almost $5.5 billion.

Ms. CANTWELL. So today's vote is a symbolic vote but does nothing to help us resolve the issue for getting this approved before June 30.

Ms. HEITKAMP. Unfortunately, too often we have symbolic votes that don't have real consequences in the real world. Our wonderful businesses that are outcompeting and outmanufacturing and outdeveloping and outresearching the rest of the world are now with their hands tied behind their backs and losing credits as we stand.

Ms. CANTWELL. Are there a lot of small businesses in South Dakota that are a part of this export economy?

I say that because I think a lot of people get the impression that this is about big manufacturers. I have always said those guys will take care of themselves; they have lots of people here to take care of them. But the small people who will actually lose business on June 30 don't have people here and that is why we are fighting so hard to get a vote before June 30 that actually will go over to the House on a vehicle.

Ms. HEITKAMP. We have companies in Wahpeton, ND, where bankruptcy has been prevented because they have been able to find their way to the Ex-Im Bank and actually find their way to a credit relationship with their importers.

We have a company in West Fargo that builds portable wheelchair ramps and they have saturated the market here and they are marketing these all

over the country. They will tell us today and tell anyone who will listen that the only reason they are as successful as they are is because of the credit agency, the Export-Import Bank.

Ms. CANTWELL. I thank the Senator for her leadership in committee. As she said, with 65 votes, we can do a lot of things to get this legislation out of here, so we will certainly be looking for those opportunities.

Mrs. BOXER. Will the Senator yield for a question?

Ms. HEITKAMP. I will.

Mrs. BOXER. First, before I ask my question, I wish to thank Senator HEITKAMP and Senator CANTWELL and Senator SHAHEEN. These three women have been just stalwart on this. We were on different sides on the trade vote, and I remember how hard they pushed for a real commitment, which I think in good faith they believed they got.

I am afraid what we saw here tonight is quite cynical. It doesn't do anything. I don't get what the point was.

Wouldn't it be far better if we got a commitment from the majority leader to set aside some time right after this bill—certainly before the end of this month, because as Senator CANTWELL always tells us, the end of the month is the end of the Bank.

So if we could get a commitment, I am asking my friend, would she be willing to agree to a time agreement so we wouldn't have to take up days and days and days to get this reauthorization done?

Ms. HEITKAMP. Absolutely. I think we have a vehicle, as we can say, for the Kirk-Heitkamp bill, which was, in fact, this amendment we just voted on. We have overwhelming support in the Senate. We will do anything we can to move this authorization forward because without it we are costing American jobs.

Mrs. BOXER. Another point I wish to make to my friend is I don't know if she is aware, but California has well over $1 billion of projects on the line. Even in our State, that is significant.

I just wanted to thank her and Senators CANTWELL and SHAHEEN and others who have worked so hard. I have been here a long time, and I know a cynical ploy when I see it. I just saw it.

I know how easy it is to resolve this problem. You have an overwhelming, filibuster-proof number of people who want this Bank reauthorized. All you probably need is an hour or so. Anytime night or day, we will come in. I would hope and I would ask my friend if she and her colleagues will pursue a meeting or ask directly at some point in time for a commitment to take this up and, within a reasonable time limit, get it done.

In my State, many jobs are dependent on this, and all across the Nation, as you have eloquently pointed out, as well as Senators CANTWELL and SHAHEEN. I thank you for your leadership.

Ms. HEITKAMP. I thank my friend from California.

I would say that as much as relationships here matter, what matters more to me is Americans working. What matters more to me are the jobs that will be lost and the opportunities that will be lost, as these manufacturing facilities and as these great innovative manufacturers have worked so hard. Think about all the work that is behind almost $16 billion worth of credit, all the relationships. All of a sudden, they have to say to their customer: Guess what. I am not there.

I would suggest that one of the most heart-wrenching stories I have heard about the loss already of a big deal came out of California—a 100-percent disabled vet who told us he has already lost $57 million and he is on a path to lose a $200 million deal out of the Philippines, and that means jobs, jobs, jobs.

In California, jobs matter. In North Dakota, jobs matter. All across this country, jobs matter. If we can start putting the focus on jobs and the American worker first instead of ideology and politics, if we stop playing games, we can get things done here.

What was interesting to me is people say: Well, there is no path forward.

Really? I think that if we needed a bill passed, if, in fact, we were in a spot where in 2 weeks or 2-plus weeks we were going to lose the charter of the Ex-Im Bank—and we are in that spot. If you really care about the Ex-Im Bank, if you really care about American jobs, you would figure out a way to pass this bill out of the Senate for which we have 65 votes.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 1548 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WHITEHOUSE. Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO JANET BURRELL

Mr. CARPER. Mr. President, I wish to honor and thank Janet Burrell for her 37 years of talented and dedicated public service upon her retirement from the Senate. Her career in the Senate spans an impressive array of issues and responsibilities—all of which she met with grace, skill, and good cheer. For the last 16 years, Janet has served as the office administrator for the Democratic staff of the Senate Committee on Homeland Security and Governmental Affairs.

Janet started her career in the Senate on the Committee on Finance in 1985 as a staff assistant. She and her colleagues worked around the clock—taking shifts, day and night—to help enact the mammoth and historic Tax Reform Act of 1986. From the Committee on Finance, she moved to the Committee on Environment and Public Works and, finally, to the Committee on Governmental Affairs, which is now the Committee on Homeland Security and Governmental Affairs.

Over her 30 years of service in the Senate, Janet worked on teams tackling a wide range of legislation, moving from the Tax Reform Act of 1986 to the Clean Air Act Amendments of 1990 to the creation of the Department of Homeland Security in 2003. She has worked for six Senators over the years, including both Republicans and Democrats, in both the majority and the minority, and even in a Senate evenly split between Democrats and Republicans.

Along the way in her Senate career, Janet learned and mastered a broad array of new skills from managing human resources to operating computers to learning the intricacies of how to make a committee run smoothly. She was the office administrator of the now-Committee on Homeland Security and Governmental Affairs during the 9/11 terrorist attacks, when anthrax was discovered in the Senate, and even during an earthquake. The challenges were difficult and diverse but Janet rose to every task. Among other things, at the time of the anthrax incident, Janet supervised the young staff who opened the mail. In that capacity, it was among her responsibilities to calm the fears of the staff and their worried parents. She was also responsible for figuring out evacuation drills for scenarios like a biological attack, terrorist attack, or active shooter—risks that few could have envisioned when she started with the committee 16 years ago. Janet also helped shape Senate history. Beginning in 2004, she played an instrumental role in orchestrating the committee's transition from the Governmental Affairs Committee to the Committee on Homeland Security and Governmental Affairs.

Prior to serving in the Senate, Janet worked in the House of Representatives for my former colleague, Ralph H. Regula of Ohio, and she served 7 years in the executive branch at the U.S. Office of Government Ethics and at the U.S. General Services Administration.

In every office that she was a part of, Janet acted as a force of calm and generosity at the center of chaotic day-to-day, week-to-week schedules. Her colleagues are quick to share stories of times when Janet went above and beyond the call of duty to make someone's day smoother. In fact, they tell me that her selflessness and kindness was reflected in every task she took on. One of Janet's former staff directors said that Janet, ''always did whatever had to be done to make sure that

others felt and understood how much they were appreciated.'' I couldn't agree more. She truly embodies the Golden Rule by always treating others as she would want to be treated. As she gracefully exits her lifelong career in public service, Janet leaves behind a family of colleagues that will miss her and long remember her.

As we speak of Janet's most significant accomplishments, I would be remiss if I did not mention Janet's daughter Ashley, the apple of her eye. Ashley got an early start in the Senate—as an infant in the Senate day care center. She went on to be one of the few students at her high school to earn a full international baccalaureate diploma. From there, Ashley earned an advanced degree in counseling and is now fully licensed, helping numerous young adults and families as they cope with life's challenges. Clearly, the apple did not fall far from the tree.

Upon her retirement, I thank Janet for the many invaluable contributions she has made to our committee, the Senate, the Federal Government, and our Nation. I congratulate her on a truly remarkable career. On behalf of all of us in the Senate, I want to wish her and her family the very best in all that lies ahead for each of them. Godspeed.

ADDITIONAL STATEMENTS

CONGRATULATING B. GREEN & COMPANY ON ITS 100TH ANNIVERSARY

• Mr. CARDIN. Mr. President, I wish to take this opportunity to recognize a special Baltimore company—B. Green & Company—on its 100th anniversary, which will be celebrated this Saturday, June 13. Benjamin Green founded this great Baltimore company one century ago. He was an immigrant from Lithuania who worked as a street peddler before starting a wholesale grocery business in 1915 in a rowhouse located at 828 West Baltimore Street. He made deliveries to Baltimore-area grocery stores by horse-drawn carts and later by ''tin lizzy'' type trucks.

One hundred years ago, warehouses were multistoried buildings, recordkeeping, inventories, and billing were done by hand, and most items—even commodities like butter—were sold in bulk. Today, we have sprawling one-story warehouses accessible by tractor-trailer trucks. ''Just in time'' inventories are tracked by barcode. Computer software has automated much of the book-keeping and billing. And products of all types are sold in more convenient packages.

B. Green & Company was—and remains—a family business. All of Benjamin Green's children—his sons Sam and Bernie and his daughters Rose, Anna, Sarah, and Dora ''Duckye'' and their spouses joined in supporting the business, learning it from the ground up. As they developed their own areas of expertise, the size and nature and status of the company grew. The third generation of the family joined their parents in the business in the 1960s and 1970s. Today, the remaining family members in the business are chief executive officer Benjamin ''Benjy'' Green and his cousins Ben Sigman, chairman emeritus; and Bernice Sigman, a retired physician and board member.

For a company to survive and prosper for 100 years, it needs to evolve and change with the times. During World War II, the company started supplying food to military bases and grew into the largest military commissary supplier on the east coast. In 1948, B. Green & Company was one of the first food wholesalers to use data processing equipment. Also, that year, the company relocated to the first single-story warehouse in the area at 2200 Winchester Street. A catastrophic fire destroyed the entire warehouse and most of the corporate offices in 1959, but the company had such strong relations with its suppliers and customers that it was able to resume delivering groceries from a rented warehouse within a few days.

In 1966, B. Green & Company purchased Capital Wholesale Grocery Company, which allowed it to add the Cash & Carry business. The corporate offices were moved to 400 West Conway Street where the Cash & Carry was located. In 1968, the company acquired Colonial Foods Distributing Company to add gourmet and specialty foods and snack items to the main grocery products, and to add some national chains as customers. In 1972, the company acquired property at 3601 Washington Boulevard from Westinghouse to expand warehousing capacity, and the corporate offices relocated there in 1975. Three years later, the company acquired Southern Beef Company to expand its line of meat products.

B. Green & Company eventually became the largest grocery wholesaler on the east coast. In 1979, it helped pioneer warehouse-style, low-price, no-frills supermarkets by opening the York Warehouse Food Market. In 1983, using state-of-the-art technology, it became one of the first wholesalers to use a mechanized warehouse system. In 1989, the Maryland Stadium Authority, by the ''right of eminent domain'', condemned the 400 West Conway location to build Oriole Park at Camden Yards. Cash & Carry moved to its current location at 1300 South Monroe Street.

By 1991, with annual sales of $675 million, B. Green & Company ranked 263d on Forbes magazine's list of the Nation's largest private companies. But the company continued to evolve, shifting its focus from wholesaling to retailing. In 1992, it sold its military distribution business to Nash Finch, a Minnesota-based wholesale grocery distributer. In 1993, it sold its civilian distribution business to Richfood of Richmond, VA.

Today, B. Green & Company runs several different food operations. It still distributes groceries to food retailers who are too small for the big wholesalers. It continues to run Cash & Carry from the warehouse at 1300 South Monroe Street and another one located at 2401 Belair Road. Cash & Carry is a members-only warehouse where many corner grocers in the area can shop for goods. And it operates two ''everyday-low-price'' Food Depot stores in Baltimore at the Belair Road site, which opened in 1996, and at 2495 Frederick Avenue, which opened in 2008. These stores ushered in a new generation of urban full-service supermarkets, featuring a fresh seafood and fish department, one of the largest and most diversified produce departments in Baltimore City, a full-service deli and bakery, and a meat department with a great variety of products and cuts of meat. The stores succeed as independent grocers by customizing their products and services to the neighborhoods they serve. Store managers and associates are encouraged to suggest products and merchandising strategies. In 2011, the company expanded into Howard County with a new format, the Green Valley Marketplace at 7280 Montgomery Road in Elkridge, MD. Green Valley Marketplace is a new suburban supermarket.

I am proud that B. Green & Company launched a campaign to expand healthy food choices in the city's poorest neighborhoods in a partnership with the Johns Hopkins Bloomberg School of Public Health that encourages shoppers to buy healthier items and fewer highly processed foods. Many Food Depot customers rely on the Supplemental Nutrition Assistance Program. The stores have licensed dieticians on-site who teach customers how to shop for and prepare healthy meals on a budget.

Today, B. Green & Company employs nearly 500 associates, who are considered extended family. Benjy Green knows most of them by name and can recount their backgrounds. The company thrives 100 years after its creation because, as Benjy put it, ''we know the neighborhood we serve better than the other guy''. It thrives because it treats its employees and its customers with respect. It thrives because it fulfills a vital function in communities across Baltimore and the surrounding area. I would ask my colleagues to join me in congratulating B. Green & Company on its 100th anniversary and sending best wishes for the next 100 years.•

CONGRATULATING JAYDYN CHILD

• Mr. DAINES. Mr. President, I wish to recognize Jaydyn Child who was recently awarded the Girl Scouts' Gold Award, the highest possible award granted to Girl Scouts. Jaydyn is a dedicated Girl Scout and high school junior from Dillon, MT. She earned this prestigious honor for her service project entitled, ''Teen Suicide—Your Life is Worth Living.'' Through this project she spent 150 hours of her time working, fundraising, making bracelets and creating pamphlets to raise awareness. Additionally, she organized

events in local schools for an anti-bullying speaker to educate students about suicide prevention.

Montana currently has the highest suicide rate in the Nation, and a rate twice the national average for suicide amongst teenagers and young adults. Jaydyn is doing a tremendous job informing her peers and the community and she is right to be commended. Jaydyn is exemplifying the best of Montana through her selflessness and dedication to others.●

TRIBUTE TO DR. LEODREY WILLIAMS

● Mr. VITTER. Mr. President, I honor Dr. Leodrey Williams, chancellor of the Southern University Agricultural Research and Extension Center, on his retirement after 50 years of public service.

Dr. Williams is a 1961 graduate of Southern University of Louisiana in vocational agriculture education. Immediately upon graduation, he began his distinguished career by joining the U.S. Army and training as an oral x-ray technician and hygienist. He then began working for cooperative extension, where he helped to build the new curriculum by assisting and launching the program throughout the State of Louisiana. He earned a master of science degree in 1970 and doctor of education degree in 1975 from Louisiana State University. After 5 years as an agriculture specialist, Dr. Williams returned to Louisiana State University as an associate professor and director of equal employment opportunity and civil rights. In 1991, Dr. Williams co-chaired a national task force that studied America's cooperative extension system. He was subsequently appointed Special Assistant to the U.S. Department of Agriculture Extension Administrator, and he was later named the National Director of Extension.

Besides his active involvement in agriculture, Dr. Williams has served as a consultant to the governments of Ethiopia, Sierra Leone, and Republic of South Africa in the areas of extension administration and adult and continuing education. During his visits to China, Honduras, and Liberia, he assisted in developing strategies for university collaboration and exchange, along with addressing concerns and issues facing urban populations.

For the past 14 years, Dr. Williams has been the first chancellor for the Southern University Agricultural Research and Extension Center. He has served the citizens of Louisiana, Louisiana State University, and the Southern University System with his knowledge, skill, enthusiasm, and leadership.

I am pleased to honor the esteemed career of Dr. Leodrey Williams. I thank him for his years of service to our state and country and wish him the best in his future endeavors.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS—PM 19

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2015.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA.

THE WHITE HOUSE, *June 10, 2015*.

MESSAGE FROM THE HOUSE

At 4:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 235. An act to permanently extend the Internet Tax Freedom Act.

H.R. 889. An act to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

H.R. 2051. An act to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

H.R. 2088. An act to amend the United States Grain Standards Act to improve inspection services performed at export elevators at export port locations, to reauthorize certain authorities of the Secretary of Agriculture under such Act, and for other purposes.

H.R. 2289. An act to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes.

H.R. 2394. An act to reauthorize the National Forest Foundation Act, and for other purposes.

H.R. 2577. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

MEASURES REFERRED

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

H.R. 235. An act to permanently extend the Internet Tax Freedom Act; to the Committee on Finance.

H.R. 2051. An act to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2088. An act to amend the United States Grain Standards Act to improve inspection services performed at export elevators at export port locations, to reauthorize certain authorities of the Secretary of Agriculture under such Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2289. An act to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2394. An act to reauthorize the National Forest Foundation Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2577. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled ''Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016'' (Rept. No. 114–61).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment:

S. 552. A bill to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 957. A bill to increase access to capital for veteran entrepreneurs to help create jobs.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 958. A bill to amend the Small Business Act to provide for team and joint venture offers for certain contracts.

S. 966. A bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 967. A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes.

S. 999. A bill to amend the Small Business Act to provide for improvements to small business development centers.

S. 1000. A bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 1001. A bill to establish authorization levels for general business loans for fiscal years 2015 and 2016.

S. 1292. A bill to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 1470. A bill to amend the Small Business Act to provide additional assistance to small business concerns for disaster recovery, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HATCH for the Committee on Finance.

*Anne Elizabeth Wall, of Illinois, to be a Deputy Under Secretary of the Treasury.

By Mr. CORKER for the Committee on Foreign Relations.

*Azita Raji, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Sweden.

*Nancy Bikoff Pettit, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Latvia.

*Gregory T. Delawie, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kosovo.

*Ian C. Kelly, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia.

*Julieta Valls Noyes, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia.

*Sunil Sabharwal, of California, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators .

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

Foreign Service nominations beginning with Daniel L. Angermiller and ending with Laura Merritt Stone, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 2015. (minus 1 nominee: Stuart MacKenzie Hatcher)

Foreign Service nominations beginning with Bruce Matthews and ending with Brian Stephen Zelakiewicz, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 2015.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HELLER (for himself and Mr. MARKEY):

S. 1535. A bill to amend title 49, United States Code, with respect to passenger motor vehicle crash avoidance information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER (for himself, Mr. RISCH, Mr. ENZI, Mr. RUBIO, Mrs. ERNST, and Mr. GARDNER):

S. 1536. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. UDALL (for himself, Mr. HEINRICH, and Mrs. GILLIBRAND):

S. 1537. A bill to establish grant programs to improve the health of border area residents and for all hazards preparedness in the border area including bioterrorism, infectious disease, and noncommunicable emerging threats, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Ms. BALDWIN, Mrs. BOXER, Mr. BROWN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. SANDERS, Mrs. SHAHEEN, Mr. UDALL, and Ms. WARREN):

S. 1538. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 1539. A bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. MCCASKILL (for herself and Ms. COLLINS):

S. 1540. A bill to improve the enforcement of prohibitions on robocalls, including fraudulent robocalls; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself, Mr. RUBIO, Mr. CRUZ, Mr. FLAKE, Mr. VITTER, and Mr. CRAPO):

S. 1541. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Finance.

By Mr. COONS (for himself and Ms. AYOTTE):

S. 1542. A bill to establish a program that promotes reforms in workforce education and skill training for manufacturing in States and metropolitan areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mr. KING):

S. 1543. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE:

S. 1544. A bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes; to the Committee on Appropriations.

By Mr. VITTER:

S. 1545. A bill to require a quarterly report by the Federal Communications Commission on the Lifeline program funded by the Universal Service Fund; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER:

S. 1546. A bill to establish an export credit insurance program in the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. ISAKSON (for himself, Mr. WARNER, and Mr. SCHATZ):

S. 1547. A bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITEHOUSE (for himself and Mr. SCHATZ):

S. 1548. A bill to amend the Internal Revenue Code of 1986 to provide for carbon dioxide and other greenhouse gas emission fees, reduce the rate of the corporate income tax, provide tax credits to workers, deliver additional benefits to retired and disabled Americans, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. ISAKSON, Ms. BALDWIN, Mrs. CAPITO, Ms. COLLINS, and Ms. KLOBUCHAR):

S. 1549. A bill to amend title XVIII of the Social Security Act to provide for advanced illness care coordination services for Medicare beneficiaries, and for other purposes; to the Committee on Finance.

By Mrs. ERNST (for herself and Ms. HEITKAMP):

S. 1550. A bill to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for

other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY (for himself and Mr. LEE):

S. Res. 198. A resolution commemorating the 150th anniversaries of the ratification of the 13th, 14th, and 15th Amendments to the Constitution of the United States, often referred to as the ''Second Founding'' of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 375

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 375, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 512

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 512, a bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 650

At the request of Mr. NELSON, his name was withdrawn as a cosponsor of S. 650, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 682

At the request of Mr. TOOMEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 751

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 751, a bill to improve the establishment of any lower ground-level ozone standards, and for other purposes.

S. 786

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 786, a bill to provide paid and family medical leave benefits to certain individuals, and for other purposes.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 901

At the request of Mr. MORAN, the names of the Senator from Ohio (Mr. BROWN), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1054

At the request of Mrs. SHAHEEN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1054, a bill to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, and for other purposes.

S. 1099

At the request of Mr. SCOTT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1099, a bill to amend the Patient Protection and Affordable Care Act to provide States with flexibility in determining the size of employers in the small group market.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1193

At the request of Ms. CANTWELL, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1256

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1256, a bill to require the Secretary of Energy to establish an energy storage research program, loan program, and technical assistance and grant program, and for other purposes.

S. 1312

At the request of Ms. MURKOWSKI, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1312, a bill to modernize Federal policies regarding the supply and distribution of energy in the United States, and for other purposes.

S. 1324

At the request of Mrs. CAPITO, the name of the Senator from Wisconsin

(Mr. JOHNSON) was added as a cosponsor of S. 1324, a bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1385

At the request of Mr. BLUNT, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1385, a bill to prohibit the Federal Government from requiring race or ethnicity to be disclosed in connection with the transfer of a firearm.

S. 1398

At the request of Mr. ALEXANDER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1398, a bill to extend, improve, and consolidate energy research and development programs, and for other purposes.

S. 1407

At the request of Mr. HELLER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1407, a bill to promote the development of renewable energy on public land, and for other purposes.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1458

At the request of Mr. COATS, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1466

At the request of Mr. KIRK, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1466, a bill to amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 194

At the request of Mr. GARDNER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 194, a resolution welcoming the President of the Republic of Korea on her official visit to the United States and celebrating the United States-Republic of Korea relationship, and for other purposes.

AMENDMENT NO. 1474

At the request of Mr. COONS, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Colorado (Mr. BENNET), the Senator from California (Mrs. BOXER), the Senator from West Virginia (Mrs. CAPITO), the Senator from Pennsylvania (Mr. CASEY), the Senator from Iowa (Mrs. ERNST), the Senator from Colorado (Mr. GARDNER), the Senator from New York (Mrs. GILLIBRAND), the Senator from South Carolina (Mr. GRAHAM), the Senator from Hawaii (Ms. HIRONO), the Senator from Georgia (Mr. ISAKSON), the Senator from Vermont (Mr. LEAHY), the Senator from Georgia (Mr. PERDUE), the Senator from Michigan (Mr. PETERS), the Senator from South Dakota (Mr. ROUNDS), the Senator from Hawaii (Mr. SCHATZ), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. TESTER), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Virginia (Mr. WARNER), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 1474 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1500

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1500 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1569

At the request of Mr. MCCAIN, his name was added as a cosponsor of amendment No. 1569 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1578

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 1578 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1615

At the request of Mr. CASEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 1615 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1622

At the request of Mr. MORAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1622 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1628

At the request of Ms. AYOTTE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 1628 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1647

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 1647 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1650

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 1650 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1684

At the request of Mrs. MURRAY, the names of the Senator from California (Mrs. BOXER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 1684 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1704

At the request of Mr. DURBIN, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Connecticut (Mr. MURPHY), the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of amendment No. 1704 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1710

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of amendment No. 1710 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1748

At the request of Mr. PETERS, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 1748 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1760

At the request of Mrs. CAPITO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 1760 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1783

At the request of Mrs. MCCASKILL, her name was added as a cosponsor of amendment No. 1783 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1798

At the request of Mrs. BOXER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1798 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1853

At the request of Mr. LEE, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of amendment No. 1853 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1874

At the request of Mr. BLUNT, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1874 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1889

At the request of Mr. MCCAIN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of amendment No. 1889 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1898

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 1898 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1916

At the request of Mr. BENNET, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of amendment No. 1916 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1941

At the request of Mr. BLUNT, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1941 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1944

At the request of Mr. TESTER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of amendment No. 1944 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1945

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1945 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1948

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 1948 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1958

At the request of Mr. BOOKER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 1958 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1961

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 1961 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1962

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 1962 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1966

At the request of Ms. STABENOW, the names of the Senator from Maine (Ms. COLLINS), the Senator from Massachusetts (Mr. MARKEY), the Senator from West Virginia (Mrs. CAPITO), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Virginia (Mr. WARNER), the Senator from Michigan (Mr. PETERS) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of amendment No. 1966 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Ms. BALDWIN, Mrs. BOXER, Mr. BROWN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. SANDERS, Mrs. SHAHEEN, Mr. UDALL, and Ms. WARREN):

S. 1538. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fair Elections Now Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS
Subtitle A—Fair Elections Financing Program
Sec. 101. Findings and declarations.
Sec. 102. Eligibility requirements and benefits of Fair Elections financing of Senate election campaigns.
Sec. 103. Prohibition on joint fundraising committees.
Sec. 104. Exception to limitation on coordinated expenditures by political party committees with participating candidates.
TITLE II—IMPROVING VOTER INFORMATION
Sec. 201. Broadcasts relating to all Senate candidates.
Sec. 202. Broadcast rates for participating candidates.
Sec. 203. FCC to prescribe standardized form for reporting candidate campaign ads.
TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION
Sec. 301. Petition for certiorari.
Sec. 302. Filing by Senate candidates with Commission.
Sec. 303. Electronic filing of FEC reports.
TITLE IV—PARTICIPATION IN FUNDING OF ELECTIONS
Sec. 401. Refundable tax credit for Senate campaign contributions.
TITLE V—REVENUE PROVISIONS
Sec. 501. Fair Elections Fund revenue.
TITLE VI—MISCELLANEOUS PROVISIONS
Sec. 601. Severability.
Sec. 602. Effective date.

TITLE I—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

Subtitle A—Fair Elections Financing Program

SEC. 101. FINDINGS AND DECLARATIONS.

(a) UNDERMINING OF DEMOCRACY BY CAMPAIGN CONTRIBUTIONS FROM PRIVATE SOURCES.—The Senate finds and declares that the current system of privately financed campaigns for election to the United States Senate has the capacity, and is often perceived by the public, to undermine democracy in the United States by—

(1) creating a culture that fosters actual or perceived conflicts of interest by encouraging Senators to accept large campaign contributions from private interests that are directly affected by Federal legislation;

(2) diminishing or appearing to diminish Senators' accountability to constituents by compelling legislators to be accountable to the major contributors who finance their election campaigns;

(3) undermining the meaning of the right to vote by allowing monied interests to have a disproportionate and unfair influence within the political process;

(4) imposing large, unwarranted costs on taxpayers through legislative and regulatory distortions caused by unequal access to lawmakers for campaign contributors;

(5) making it difficult for some qualified candidates to mount competitive Senate election campaigns;

(6) disadvantaging challengers and discouraging competitive elections; and

(7) burdening incumbents with a preoccupation with fundraising and thus decreasing the time available to carry out their public responsibilities.

(b) ENHANCEMENT OF DEMOCRACY BY PROVIDING ALLOCATIONS FROM THE FAIR ELECTIONS FUND.—The Senate finds and declares that providing the option of the replacement of large private campaign contributions with allocations from the Fair Elections Fund for all primary, runoff, and general elections to the Senate would enhance American democracy by—

(1) reducing the actual or perceived conflicts of interest created by fully private financing of the election campaigns of public officials and restoring public confidence in the integrity and fairness of the electoral and legislative processes through a program which allows participating candidates to adhere to substantially lower contribution limits for contributors with an assurance that there will be sufficient funds for such candidates to run viable electoral campaigns;

(2) increasing the public's confidence in the accountability of Senators to the constituents who elect them, which derives from the program's qualifying criteria to participate in the voluntary program and the conclusions that constituents may draw regarding candidates who qualify and participate in the program;

(3) helping to reduce the ability to make large campaign contributions as a determinant of a citizen's influence within the political process by facilitating the expression of support by voters at every level of wealth, encouraging political participation, and incentivizing participation on the part of Senators through the matching of small dollar contributions;

(4) potentially saving taxpayers billions of dollars that may be (or that are perceived to be) currently allocated based upon legislative and regulatory agendas skewed by the influence of campaign contributions;

(5) creating genuine opportunities for all Americans to run for the Senate and encouraging more competitive elections;

(6) encouraging participation in the electoral process by citizens of every level of wealth; and

(7) freeing Senators from the incessant preoccupation with raising money, and allowing them more time to carry out their public responsibilities.

SEC. 102. ELIGIBILITY REQUIREMENTS AND BENEFITS OF FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS.

The Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following:

"TITLE V—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

"Subtitle A—General Provisions

"SEC. 501. DEFINITIONS.

''In this title:

''(1) ALLOCATION FROM THE FUND.—The term 'allocation from the Fund' means an allocation of money from the Fair Elections Fund to a participating candidate pursuant to section 522.

''(2) BOARD.—The term 'Board' means the Fair Elections Oversight Board established under section 531.

''(3) FAIR ELECTIONS QUALIFYING PERIOD.—The term 'Fair Elections qualifying period' means, with respect to any candidate for Senator, the period—

''(A) beginning on the date on which the candidate files a statement of intent under section 511(a)(1); and

''(B) ending on the date that is 30 days before—

''(i) the date of the primary election; or

''(ii) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

''(4) FAIR ELECTIONS START DATE.—The term 'Fair Elections start date' means, with respect to any candidate, the date that is 180 days before—

''(A) the date of the primary election; or

''(B) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

''(5) FUND.—The term 'Fund' means the Fair Elections Fund established by section 502.

''(6) IMMEDIATE FAMILY.—The term 'immediate family' means, with respect to any candidate—

''(A) the candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(7) MATCHING CONTRIBUTION.—The term 'matching contribution' means a matching payment provided to a participating candidate for qualified small dollar contributions, as provided under section 523.

''(8) NONPARTICIPATING CANDIDATE.—The term 'nonparticipating candidate' means a candidate for Senator who is not a participating candidate.

''(9) PARTICIPATING CANDIDATE.—The term 'participating candidate' means a candidate for Senator who is certified under section 515 as being eligible to receive an allocation from the Fund.

''(10) QUALIFYING CONTRIBUTION.—The term 'qualifying contribution' means, with respect to a candidate, a contribution that—

''(A) is in an amount that is—

''(i) not less than the greater of $5 or the amount determined by the Commission under section 531; and

''(ii) not more than the greater of $150 or the amount determined by the Commission under section 531;

''(B) is made by an individual—

''(i) who is a resident of the State in which such candidate is seeking election; and

''(ii) who is not otherwise prohibited from making a contribution under this Act;

''(C) is made during the Fair Elections qualifying period; and

''(D) meets the requirements of section 512(b).

''(11) QUALIFIED SMALL DOLLAR CONTRIBUTION.—The term 'qualified small dollar contribution' means, with respect to a candidate, any contribution (or series of contributions)—

''(A) which is not a qualifying contribution (or does not include a qualifying contribution);

''(B) which is made by an individual who is not prohibited from making a contribution under this Act; and

''(C) the aggregate amount of which does not exceed the greater of—

''(i) $150 per election; or

''(ii) the amount per election determined by the Commission under section 531.

''(12) QUALIFYING MULTICANDIDATE POLITICAL COMMITTEE CONTRIBUTION.—

''(A) IN GENERAL.—The term 'qualifying multicandidate political committee contribution' means any contribution to a candidate that is made from a qualified account of a multicandidate political committee (within the meaning of section 315(a)(2)).

''(B) QUALIFIED ACCOUNT.—For purposes of subparagraph (A), the term 'qualified account' means, with respect to a multicandidate political committee, a separate, segregated account of the committee that consists solely of contributions which meet the following requirements:

''(i) All contributions to such account are made by individuals who are not prohibited from making contributions under this Act.

''(ii) The aggregate amount of contributions from each individual to such account and all other accounts of the political committee do not exceed the amount described in paragraph (11)(C).

"SEC. 502. FAIR ELECTIONS FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the 'Fair Elections Fund'.

''(b) AMOUNTS HELD BY FUND.—The Fund shall consist of the following amounts:

''(1) APPROPRIATED AMOUNTS.—

''(A) IN GENERAL.—Amounts appropriated to the Fund.

''(B) SENSE OF THE SENATE REGARDING APPROPRIATIONS.—It is the sense of the Senate that—

''(i) there should be imposed on any payment made to any person (other than a State or local government or a foreign nation) who has contracts with the Government of the United States in excess of $10,000,000 a tax equal to 0.50 percent of amount paid pursuant to such contracts, except that the aggregate tax for any person for any taxable year shall not exceed $500,000; and

''(ii) the revenue from such tax should be appropriated to the Fund.

''(2) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions to the Fund.

''(3) OTHER DEPOSITS.—Amounts deposited into the Fund under—

''(A) section 513(c) (relating to exceptions to contribution requirements);

''(B) section 521(c) (relating to remittance of allocations from the Fund);

''(C) section 533 (relating to violations); and

''(D) any other section of this Act.

''(4) INVESTMENT RETURNS.—Interest on, and the proceeds from, the sale or redemption of, any obligations held by the Fund under subsection (c).

''(c) INVESTMENT.—The Commission shall invest portions of the Fund in obligations of the United States in the same manner as provided under section 9602(b) of the Internal Revenue Code of 1986.

''(d) USE OF FUND.—

''(1) IN GENERAL.—The sums in the Fund shall be used to provide benefits to participating candidates as provided in subtitle C.

''(2) INSUFFICIENT AMOUNTS.—Under regulations established by the Commission, rules similar to the rules of section 9006(c) of the Internal Revenue Code shall apply.

"Subtitle B—Eligibility and Certification

"SEC. 511. ELIGIBILITY.

''(a) IN GENERAL.—A candidate for Senator is eligible to receive an allocation from the Fund for any election if the candidate meets the following requirements:

''(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate under this title during the period beginning on the Fair Elections start date and ending on the last day of the Fair Elections qualifying period.

''(2) The candidate meets the qualifying contribution requirements of section 512.

''(3) Not later than the last day of the Fair Elections qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

''(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 513;

''(B) if certified, will comply with the debate requirements of section 514;

''(C) if certified, will not run as a nonparticipating candidate during such year in any election for the office that such candidate is seeking; and

''(D) has either qualified or will take steps to qualify under State law to be on the ballot.

''(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to receive an allocation from the Fund for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate otherwise qualified to be on the ballot under State law.

"SEC. 512. QUALIFYING CONTRIBUTION REQUIREMENT.

''(a) IN GENERAL.—A candidate for Senator meets the requirement of this section if, during the Fair Elections qualifying period, the candidate obtains—

''(1) a number of qualifying contributions equal to the greater of—

''(A) the sum of—

''(i) 2,000; plus

''(ii) 500 for each congressional district in the State with respect to which the candidate is seeking election; or

''(B) the amount determined by the Commission under section 531; and

''(2) a total dollar amount of qualifying contributions equal to the greater of—

''(A) 10 percent of the amount of the allocation such candidate would be entitled to receive for the primary election under section 522(c)(1) (determined without regard to paragraph (5) thereof) if such candidate were a participating candidate; or

''(B) the amount determined by the Commission under section 531.

''(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFYING CONTRIBUTION.—Each qualifying contribution—

''(1) may be made by means of a personal check, money order, debit card, credit card, or electronic payment account;

''(2) shall be accompanied by a signed statement containing—

''(A) the contributor's name and the contributor's address in the State in which the contributor is registered to vote; and

''(B) an oath declaring that the contributor—

''(i) understands that the purpose of the qualifying contribution is to show support for the candidate so that the candidate may qualify for Fair Elections financing;

''(ii) is making the contribution in his or her own name and from his or her own funds;

''(iii) has made the contribution willingly; and

''(iv) has not received anything of value in return for the contribution; and

''(3) shall be acknowledged by a receipt that is sent to the contributor with a copy kept by the candidate for the Commission and a copy kept by the candidate for the election authorities in the State with respect to which the candidate is seeking election.

''(c) VERIFICATION OF QUALIFYING CONTRIBUTIONS.—The Commission shall establish procedures for the auditing and verification of qualifying contributions to ensure that such contributions meet the requirements of this section.

"SEC. 513. CONTRIBUTION AND EXPENDITURE REQUIREMENTS.

''(a) GENERAL RULE.—A candidate for Senator meets the requirements of this section

if, during the election cycle of the candidate, the candidate—

''(1) except as provided in subsection (b), accepts no contributions other than—

''(A) qualifying contributions;

''(B) qualified small dollar contributions;

''(C) qualifying multicandidate political committee contributions;

''(D) allocations from the Fund under section 522;

''(E) matching contributions under section 523; and

''(F) vouchers provided to the candidate under section 524;

''(2) makes no expenditures from any amounts other than from—

''(A) qualifying contributions;

''(B) qualified small dollar contributions;

''(C) qualifying multicandidate political committee contributions;

''(D) allocations from the Fund under section 522;

''(E) matching contributions under section 523; and

''(F) vouchers provided to the candidate under section 524; and

''(3) makes no expenditures from personal funds or the funds of any immediate family member (other than funds received through qualified small dollar contributions and qualifying contributions).

For purposes of this subsection, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

''(b) CONTRIBUTIONS FOR LEADERSHIP PACS, ETC.—A political committee of a participating candidate which is not an authorized committee of such candidate may accept contributions other than contributions described in subsection (a)(1) from any person if—

''(1) the aggregate contributions from such person for any calendar year do not exceed $150; and

''(2) no portion of such contributions is disbursed in connection with the campaign of the participating candidate.

''(c) EXCEPTION.—Notwithstanding subsection (a), a candidate shall not be treated as having failed to meet the requirements of this section if any contributions that are not qualified small dollar contributions, qualifying contributions, qualifying multicandidate political committee contributions, or contributions that meet the requirements of subsection (b) and that are accepted before the date the candidate files a statement of intent under section 511(a)(1) are—

''(1) returned to the contributor; or

''(2) submitted to the Commission for deposit in the Fund.

''SEC. 514. DEBATE REQUIREMENT.

''A candidate for Senator meets the requirements of this section if the candidate participates in at least—

''(1) 1 public debate before the primary election with other participating candidates and other willing candidates from the same party and seeking the same nomination as such candidate; and

''(2) 2 public debates before the general election with other participating candidates and other willing candidates seeking the same office as such candidate.

''SEC. 515. CERTIFICATION.

''(a) IN GENERAL.—Not later than 5 days after a candidate for Senator files an affidavit under section 511(a)(3), the Commission shall—

''(1) certify whether or not the candidate is a participating candidate; and

''(2) notify the candidate of the Commission's determination.

''(b) REVOCATION OF CERTIFICATION.—

''(1) IN GENERAL.—The Commission may revoke a certification under subsection (a) if—

''(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification; or

''(B) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

''(2) REPAYMENT OF BENEFITS.—If certification is revoked under paragraph (1), the candidate shall repay to the Fund an amount equal to the value of benefits received under this title plus interest (at a rate determined by the Commission) on any such amount received.

''Subtitle C—Benefits

''SEC. 521. BENEFITS FOR PARTICIPATING CANDIDATES.

''(a) IN GENERAL.—For each election with respect to which a candidate is certified as a participating candidate, such candidate shall be entitled to—

''(1) an allocation from the Fund to make or obligate to make expenditures with respect to such election, as provided in section 522;

''(2) matching contributions, as provided in section 523; and

''(3) for the general election, vouchers for broadcasts of political advertisements, as provided in section 524.

''(b) RESTRICTION ON USES OF ALLOCATIONS FROM THE FUND.—Allocations from the Fund received by a participating candidate under section 522 and matching contributions under section 523 may only be used for campaign-related costs.

''(c) REMITTING ALLOCATIONS FROM THE FUND.—

''(1) IN GENERAL.—Not later than the date that is 45 days after an election in which the participating candidate appeared on the ballot, such participating candidate shall remit to the Commission for deposit in the Fund an amount equal to the lesser of—

''(A) the amount of money in the candidate's campaign account; or

''(B) the sum of the allocations from the Fund received by the candidate under section 522 and the matching contributions received by the candidate under section 523.

''(2) EXCEPTION.—In the case of a candidate who qualifies to be on the ballot for a primary runoff election, a general election, or a general runoff election, the amounts described in paragraph (1) may be retained by the candidate and used in such subsequent election.

''SEC. 522. ALLOCATIONS FROM THE FUND.

''(a) IN GENERAL.—The Commission shall make allocations from the Fund under section 521(a)(1) to a participating candidate—

''(1) in the case of amounts provided under subsection (c)(1), not later than 48 hours after the date on which such candidate is certified as a participating candidate under section 515;

''(2) in the case of a general election, not later than 48 hours after—

''(A) the date of the certification of the results of the primary election or the primary runoff election; or

''(B) in any case in which there is no primary election, the date the candidate qualifies to be placed on the ballot; and

''(3) in the case of a primary runoff election or a general runoff election, not later than 48 hours after the certification of the results of the primary election or the general election, as the case may be.

''(b) METHOD OF PAYMENT.—The Commission shall distribute funds available to participating candidates under this section through the use of an electronic funds exchange or a debit card.

''(c) AMOUNTS.—

''(1) PRIMARY ELECTION ALLOCATION; INITIAL ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a primary election to a participating candidate in an amount equal to 67 percent of the base amount with respect to such participating candidate.

''(2) PRIMARY RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a primary runoff election to a participating candidate in an amount equal to 25 percent of the amount the participating candidate was eligible to receive under this section for the primary election.

''(3) GENERAL ELECTION ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a general election to a participating candidate in an amount equal to the base amount with respect to such candidate.

''(4) GENERAL RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a general runoff election to a participating candidate in an amount equal to 25 percent of the base amount with respect to such candidate.

''(5) UNCONTESTED ELECTIONS.—

''(A) IN GENERAL.—In the case of a primary or general election that is an uncontested election, the Commission shall make an allocation from the Fund to a participating candidate for such election in an amount equal to 25 percent of the allocation which such candidate would be entitled to under this section for such election if this paragraph did not apply.

''(B) UNCONTESTED ELECTION DEFINED.—For purposes of this subparagraph, an election is uncontested if not more than 1 candidate has campaign funds (including payments from the Fund) in an amount equal to or greater than 10 percent of the allocation a participating candidate would be entitled to receive under this section for such election if this paragraph did not apply.

''(d) BASE AMOUNT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the base amount for any candidate is an amount equal to the greater of—

''(A) the sum of—

''(i) $750,000; plus

''(ii) $150,000 for each congressional district in the State with respect to which the candidate is seeking election; or

''(B) the amount determined by the Commission under section 531.

''(2) INDEXING.—In each even-numbered year after 2019—

''(A) each dollar amount under paragraph (1)(A) shall be increased by the percent difference between the price index (as defined in section 315(c)(2)(A)) for the 12 months preceding the beginning of such calendar year and the price index for calendar year 2018;

''(B) each dollar amount so increased shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election; and

''(C) if any amount after adjustment under subparagraph (A) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''SEC. 523. MATCHING PAYMENTS FOR QUALIFIED SMALL DOLLAR CONTRIBUTIONS.

''(a) IN GENERAL.—The Commission shall pay to each participating candidate an amount equal to 600 percent of the amount of qualified small dollar contributions received by the candidate from individuals who are residents of the State in which such participating candidate is seeking election after the date on which such candidate is certified under section 515.

''(b) LIMITATION.—The aggregate payments under subsection (a) with respect to any candidate shall not exceed the greater of—

''(1) 400 percent of the allocation such candidate is entitled to receive for such election under section 522 (determined without regard to subsection (c)(5) thereof); or

''(2) the percentage of such allocation determined by the Commission under section 531.

''(c) TIME OF PAYMENT.—The Commission shall make payments under this section not later than 2 business days after the receipt of a report made under subsection (d).

''(d) REPORTS.—

''(1) IN GENERAL.—Each participating candidate shall file reports of receipts of qualified small dollar contributions at such times and in such manner as the Commission may by regulations prescribe.

''(2) CONTENTS OF REPORTS.—Each report under this subsection shall disclose—

''(A) the amount of each qualified small dollar contribution received by the candidate;

''(B) the amount of each qualified small dollar contribution received by the candidate from a resident of the State in which the candidate is seeking election; and

''(C) the name, address, and occupation of each individual who made a qualified small dollar contribution to the candidate.

''(3) FREQUENCY OF REPORTS.—Reports under this subsection shall be made no more frequently than—

''(A) once every month until the date that is 90 days before the date of the election;

''(B) once every week after the period described in subparagraph (A) and until the date that is 21 days before the election; and

''(C) once every day after the period described in subparagraph (B).

''(4) LIMITATION ON REGULATIONS.—The Commission may not prescribe any regulations with respect to reporting under this subsection with respect to any election after the date that is 180 days before the date of such election.

''(e) APPEALS.—The Commission shall provide a written explanation with respect to any denial of any payment under this section and shall provide the opportunity for review and reconsideration within 5 business days of such denial.

''SEC. 524. POLITICAL ADVERTISING VOUCHERS.

''(a) IN GENERAL.—The Commission shall establish and administer a voucher program for the purchase of airtime on broadcasting stations for political advertisements in accordance with the provisions of this section.

''(b) CANDIDATES.—The Commission shall only disburse vouchers under the program established under subsection (a) to participants certified pursuant to section 515 who have agreed in writing to keep and furnish to the Commission such records, books, and other information as it may require.

''(c) AMOUNTS.—The Commission shall disburse vouchers to each candidate certified under subsection (b) in an aggregate amount equal to the greater of—

''(1) $100,000 multiplied by the number of congressional districts in the State with respect to which such candidate is running for office; or

''(2) the amount determined by the Commission under section 531.

''(d) USE.—

''(1) EXCLUSIVE USE.—Vouchers disbursed by the Commission under this section may be used only for the purchase of broadcast airtime for political advertisements relating to a general election for the office of Senate by the participating candidate to which the vouchers were disbursed, except that—

''(A) a candidate may exchange vouchers with a political party under paragraph (2); and

''(B) a political party may use vouchers only to purchase broadcast airtime for political advertisements for generic party advertising (as defined by the Commission in regulations), to support candidates for State or local office in a general election, or to support participating candidates of the party in a general election for Federal office, but only if it discloses the value of the voucher used as an expenditure under section 315(d).

''(2) EXCHANGE WITH POLITICAL PARTY COMMITTEE.—

''(A) IN GENERAL.—A participating candidate who receives a voucher under this section may transfer the right to use all or a portion of the value of the voucher to a committee of the political party of which the individual is a candidate (or, in the case of a participating candidate who is not a member of any political party, to a committee of the political party of that candidate's choice) in exchange for money in an amount equal to the cash value of the voucher or portion exchanged.

''(B) CONTINUATION OF CANDIDATE OBLIGATIONS.—The transfer of a voucher, in whole or in part, to a political party committee under this paragraph does not release the candidate from any obligation under the agreement made under subsection (b) or otherwise modify that agreement or its application to that candidate.

''(C) PARTY COMMITTEE OBLIGATIONS.—Any political party committee to which a voucher or portion thereof is transferred under subparagraph (A)—

''(i) shall account fully, in accordance with such requirements as the Commission may establish, for the receipt of the voucher; and

''(ii) may not use the transferred voucher or portion thereof for any purpose other than a purpose described in paragraph (1)(B).

''(D) VOUCHER AS A CONTRIBUTION UNDER FECA.—If a candidate transfers a voucher or any portion thereof to a political party committee under subparagraph (A)—

''(i) the value of the voucher or portion thereof transferred shall be treated as a contribution from the candidate to the committee, and from the committee to the candidate, for purposes of sections 302 and 304;

''(ii) the committee may, in exchange, provide to the candidate only funds subject to the prohibitions, limitations, and reporting requirements of title III of this Act; and

''(iii) the amount, if identified as a 'voucher exchange', shall not be considered a contribution for the purposes of sections 315 and 513.

''(e) VALUE; ACCEPTANCE; REDEMPTION.—

''(1) VOUCHER.—Each voucher disbursed by the Commission under this section shall have a value in dollars, redeemable upon presentation to the Commission, together with such documentation and other information as the Commission may require, for the purchase of broadcast airtime for political advertisements in accordance with this section.

''(2) ACCEPTANCE.—A broadcasting station shall accept vouchers in payment for the purchase of broadcast airtime for political advertisements in accordance with this section.

''(3) REDEMPTION.—The Commission shall redeem vouchers accepted by broadcasting stations under paragraph (2) upon presentation, subject to such documentation, verification, accounting, and application requirements as the Commission may impose to ensure the accuracy and integrity of the voucher redemption system.

''(4) EXPIRATION.—

''(A) CANDIDATES.—A voucher may only be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on the day before the date of the Federal election in connection with which it was issued and shall be null and void for any other use or purpose.

''(B) EXCEPTION FOR POLITICAL PARTY COMMITTEES.—A voucher held by a political party committee may be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on December 31st of the odd-numbered year following the year in which the voucher was issued by the Commission.

''(5) VOUCHER AS EXPENDITURE UNDER FECA.—The use of a voucher to purchase broadcast airtime constitutes an expenditure as defined in section 301(9)(A).

''(f) DEFINITIONS.—In this section:

''(1) BROADCASTING STATION.—The term 'broadcasting station' has the meaning given that term by section 315(f)(1) of the Communications Act of 1934.

''(2) POLITICAL PARTY.—The term 'political party' means a major party or a minor party as defined in section 9002 (3) or (4) of the Internal Revenue Code of 1986 (26 U.S.C. 9002 (3) or (4)).

''Subtitle D—Administrative Provisions

''SEC. 531. FAIR ELECTIONS OVERSIGHT BOARD.

''(a) ESTABLISHMENT.—There is established within the Federal Election Commission an entity to be known as the 'Fair Elections Oversight Board'.

''(b) STRUCTURE AND MEMBERSHIP.—

''(1) IN GENERAL.—The Board shall be composed of 5 members appointed by the President by and with the advice and consent of the Senate, of whom—

''(A) 2 shall be appointed after consultation with the majority leader of the Senate;

''(B) 2 shall be appointed after consultation with the minority leader of the Senate; and

''(C) 1 shall be appointed upon the recommendation of the members appointed under subparagraphs (A) and (B).

''(2) QUALIFICATIONS.—

''(A) IN GENERAL.—The members shall be individuals who are nonpartisan and, by reason of their education, experience, and attainments, exceptionally qualified to perform the duties of members of the Board.

''(B) PROHIBITION.—No member of the Board may be—

''(i) an employee of the Federal Government;

''(ii) a registered lobbyist; or

''(iii) an officer or employee of a political party or political campaign.

''(3) DATE.—Members of the Board shall be appointed not later than 60 days after the date of the enactment of this Act.

''(4) TERMS.—A member of the Board shall be appointed for a term of 5 years.

''(5) VACANCIES.—A vacancy on the Board shall be filled not later than 30 calendar days after the date on which the Board is given notice of the vacancy, in the same manner as the original appointment. The individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

''(6) CHAIRPERSON.—The Board shall designate a Chairperson from among the members of the Board.

''(c) DUTIES AND POWERS.—

''(1) ADMINISTRATION.—

''(A) IN GENERAL.—The Board shall have such duties and powers as the Commission may prescribe, including the power to administer the provisions of this title.

''(2) REVIEW OF FAIR ELECTIONS FINANCING.—

''(A) IN GENERAL.—After each general election for Federal office, the Board shall conduct a comprehensive review of the Fair Elections financing program under this title, including—

''(i) the maximum dollar amount of qualified small dollar contributions under section 501(11);

''(ii) the maximum and minimum dollar amounts for qualifying contributions under section 501(10);

''(iii) the number and value of qualifying contributions a candidate is required to obtain under section 512 to qualify for allocations from the Fund;

''(iv) the amount of allocations from the Fund that candidates may receive under section 522;

''(v) the maximum amount of matching contributions a candidate may receive under section 523;

''(vi) the amount and usage of vouchers under section 524;

''(vii) the overall satisfaction of participating candidates and the American public with the program; and

''(viii) such other matters relating to financing of Senate campaigns as the Board determines are appropriate.

''(B) CRITERIA FOR REVIEW.—In conducting the review under subparagraph (A), the Board shall consider the following:

''(i) QUALIFYING CONTRIBUTIONS AND QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—The Board shall consider whether the number and dollar amount of qualifying contributions required and maximum dollar amount for such qualifying contributions and qualified small dollar contributions strikes a balance regarding the importance of voter involvement, the need to assure adequate incentives for participating, and fiscal responsibility, taking into consideration the number of primary and general election participating candidates, the electoral performance of those candidates, program cost, and any other information the Board determines is appropriate.

''(ii) REVIEW OF PROGRAM BENEFITS.—The Board shall consider whether the totality of the amount of funds allowed to be raised by participating candidates (including through qualifying contributions and small dollar contributions), allocations from the Fund under section 522, matching contributions under section 523, and vouchers under section 524 are sufficient for voters in each State to learn about the candidates to cast an informed vote, taking into account the historic amount of spending by winning candidates, media costs, primary election dates, and any other information the Board determines is appropriate.

''(C) ADJUSTMENT OF AMOUNTS.—

''(i) IN GENERAL.—Based on the review conducted under subparagraph (A), the Board shall provide for the adjustments of the following amounts:

''(I) the maximum dollar amount of qualified small dollar contributions under section 501(11)(C);

''(II) the maximum and minimum dollar amounts for qualifying contributions under section 501(10)(A);

''(III) the number and value of qualifying contributions a candidate is required to obtain under section 512(a)(1);

''(IV) the base amount for candidates under section 522(d);

''(V) the maximum amount of matching contributions a candidate may receive under section 523(b); and

''(VI) the dollar amount for vouchers under section 524(c).

''(ii) REGULATIONS.—The Commission shall promulgate regulations providing for the adjustments made by the Board under clause (i).

''(D) REPORT.—Not later than March 30 following any general election for Federal office, the Board shall submit a report to Congress on the review conducted under paragraph (1). Such report shall contain a detailed statement of the findings, conclusions, and recommendations of the Board based on such review.

''(d) MEETINGS AND HEARINGS.—

''(1) MEETINGS.—The Board may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Board considers advisable to carry out the purposes of this Act.

''(2) QUORUM.—Three members of the Board shall constitute a quorum for purposes of voting, but a quorum is not required for members to meet and hold hearings.

''(e) REPORTS.—Not later than March 30, 2018, and every 2 years thereafter, the Board shall submit to the Senate Committee on Rules and Administration a report documenting, evaluating, and making recommendations relating to the administrative implementation and enforcement of the provisions of this title.

''(f) ADMINISTRATION.—

''(1) COMPENSATION OF MEMBERS.—

''(A) IN GENERAL.—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(B) CHAIRPERSON.—The Chairperson shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code.

''(2) PERSONNEL.—

''(A) DIRECTOR.—The Board shall have a staff headed by an Executive Director. The Executive Director shall be paid at a rate equivalent to a rate established for the Senior Executive Service under section 5382 of title 5, United States Code.

''(B) STAFF APPOINTMENT.—With the approval of the Chairperson, the Executive Director may appoint such personnel as the Executive Director and the Board determines to be appropriate.

''(C) ACTUARIAL EXPERTS AND CONSULTANTS.—With the approval of the Chairperson, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

''(D) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Chairperson, the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Board to assist in carrying out the duties of the Board. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

''(E) OTHER RESOURCES.—The Board shall have reasonable access to materials, resources, statistical data, and other information from the Library of Congress and other agencies of the executive and legislative branches of the Federal Government. The Chairperson of the Board shall make requests for such access in writing when necessary.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subtitle.

''SEC. 532. ADMINISTRATION PROVISIONS.

''The Commission shall prescribe regulations to carry out the purposes of this title, including regulations—

''(1) to establish procedures for—

''(A) verifying the amount of valid qualifying contributions with respect to a candidate;

''(B) effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

''(C) monitoring the raising of qualifying multicandidate political committee contributions through effectively and efficiently monitoring and enforcing the limits on individual contributions to qualified accounts of multicandidate political committees;

''(D) effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates;

''(E) monitoring the use of allocations from the Fund and matching contributions under this title through audits or other mechanisms; and

''(F) the administration of the voucher program under section 524; and

''(2) regarding the conduct of debates in a manner consistent with the best practices of States that provide public financing for elections.

''SEC. 533. VIOLATIONS AND PENALTIES.

''(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate under section 515(a) accepts a contribution or makes an expenditure that is prohibited under section 513, the Commission shall assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be deposited into the Fund.

''(b) REPAYMENT FOR IMPROPER USE OF FAIR ELECTIONS FUND.—

''(1) IN GENERAL.—If the Commission determines that any benefit made available to a participating candidate under this title was not used as provided for in this title or that a participating candidate has violated any of the dates for remission of funds contained in this title, the Commission shall so notify the candidate and the candidate shall pay to the Fund an amount equal to—

''(A) the amount of benefits so used or not remitted, as appropriate; and

''(B) interest on any such amounts (at a rate determined by the Commission).

''(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.''.

SEC. 103. PROHIBITION ON JOINT FUNDRAISING COMMITTEES.

Section 302(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(e)) is amended by adding at the end the following new paragraph:

''(6) No authorized committee of a participating candidate (as defined in section 501) may establish a joint fundraising committee with a political committee other than an authorized committee of a candidate.''.

SEC. 104. EXCEPTION TO LIMITATION ON COORDINATED EXPENDITURES BY POLITICAL PARTY COMMITTEES WITH PARTICIPATING CANDIDATES.

Section 315(d) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(d)) is amended—

(1) in paragraph (3)(A), by striking ''in the case of'' and inserting ''except as provided in paragraph (5), in the case of''; and

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

''(6)(A) The limitation under paragraph (3)(A) shall not apply with respect to any expenditure from a qualified political party-participating candidate coordinated expenditure fund.

''(B) In this paragraph, the term 'qualified political party-participating candidate coordinated expenditure fund' means a fund established by the national committee of a political party, or a State committee of a political party, including any subordinate committee of a State committee, for purposes of making expenditures in connection with the general election campaign of a candidate for election to the office of Senator who is a participating candidate (as defined in section

501), that only accepts qualified coordinated expenditure contributions.

''(C) In this paragraph, the term 'qualified coordinated expenditure contribution' means, with respect to the general election campaign of a candidate for election to the office of Senator who is a participating candidate (as defined in section 501), any contribution (or series of contributions)—

''(i) which is made by an individual who is not prohibited from making a contribution under this Act; and

''(ii) the aggregate amount of which does not exceed $500 per election.''.

TITLE II—IMPROVING VOTER INFORMATION

SEC. 201. BROADCASTS RELATING TO ALL SENATE CANDIDATES.

(a) LOWEST UNIT CHARGE; NATIONAL COMMITTEES.—Section 315(b)(1) of the Communications Act of 1934 (47 U.S.C. 315(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''to such office'' and inserting the following: ''to such office, or by a national committee of a political party on behalf of such candidate in connection with such campaign,''; and

(2) in subparagraph (A), by inserting ''for preemptible use thereof'' after ''station''.

(b) PREEMPTION; AUDITS.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) by redesignating subsections (c) and (d) as subsections (f) and (g), respectively and moving them to follow the existing subsection (e);

(2) by redesignating the existing subsection (e) as subsection (c); and

(3) by inserting after subsection (c) (as redesignated by paragraph (2)) the following:

''(d) PREEMPTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), and notwithstanding the requirements of subsection (b)(1)(A), a licensee shall not preempt the use of a broadcasting station by a legally qualified candidate for Senate who has purchased and paid for such use.

''(2) CIRCUMSTANCES BEYOND CONTROL OF LICENSEE.—If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the station, any candidate or party advertising spot scheduled to be broadcast during that program shall be treated in the same fashion as a comparable commercial advertising spot.

''(e) AUDITS.—During the 30-day period preceding a primary election and the 60-day period preceding a general election, the Commission shall conduct such audits as it deems necessary to ensure that each broadcaster to which this section applies is allocating television broadcast advertising time in accordance with this section and section 312.''.

(c) REVOCATION OF LICENSE FOR FAILURE TO PERMIT ACCESS.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

(1) by striking ''or repeated'';

(2) by inserting ''or cable system'' after ''broadcasting station''; and

(3) by striking ''his candidacy'' and inserting ''the candidacy of the candidate, under the same terms, conditions, and business practices as apply to the most favored advertiser of the licensee''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in subsection (f), as redesignated by subsection (b)(1)—

(A) in the matter preceding paragraph (1), by striking ''For purposes of this section—'' and inserting the following: ''DEFINITIONS.—For purposes of this section:'';

(B) in paragraph (1)—

(i) by striking ''the term'' and inserting ''BROADCASTING STATION.—The term''; and

(ii) by striking ''; and'' and inserting a period; and

(C) in paragraph (2), by striking ''the terms'' and inserting ''LICENSEE; STATION LICENSEE.—The terms''; and

(2) in subsection (g), as redesignated by subsection (b)(1), by striking ''The Commission'' and inserting ''REGULATIONS.—The Commission''.

SEC. 202. BROADCAST RATES FOR PARTICIPATING CANDIDATES.

Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)), as amended by section 201, is amended—

(1) in paragraph (1)(A), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following:

''(3) PARTICIPATING CANDIDATES.—In the case of a participating candidate (as defined in section 501(9) of the Federal Election Campaign Act of 1971), the charges made for the use of any broadcasting station for a television broadcast shall not exceed 80 percent of the lowest charge described in paragraph (1)(A) during—

''(A) the 45 days preceding the date of a primary or primary runoff election in which the candidate is opposed; and

''(B) the 60 days preceding the date of a general or special election in which the candidate is opposed.

''(4) RATE CARDS.—A licensee shall provide to a candidate for Senate a rate card that discloses—

''(A) the rate charged under this subsection; and

''(B) the method that the licensee uses to determine the rate charged under this subsection.''.

SEC. 203. FCC TO PRESCRIBE STANDARDIZED FORM FOR REPORTING CANDIDATE CAMPAIGN ADS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a rulemaking proceeding to establish a standardized form to be used by each broadcasting station, as defined in section 315(f) of the Communications Act of 1934 (47 U.S.C. 315(f)) (as redesignated by section 201(b)(1)), to record and report the purchase of advertising time by or on behalf of a candidate for nomination for election, or for election, to Federal elective office.

(b) CONTENTS.—The form prescribed by the Commission under subsection (a) shall require a broadcasting station to report to the Commission and to the Federal Election Commission, at a minimum—

(1) the station call letters and mailing address;

(2) the name and telephone number of the station's sales manager (or individual with responsibility for advertising sales);

(3) the name of the candidate who purchased the advertising time, or on whose behalf the advertising time was purchased, and the Federal elective office for which he or she is a candidate;

(4) the name, mailing address, and telephone number of the person responsible for purchasing broadcast political advertising for the candidate;

(5) notation as to whether the purchase agreement for which the information is being reported is a draft or final version; and

(6) with respect to the advertisement—

(A) the date and time of the broadcast;

(B) the program in which the advertisement was broadcast; and

(C) the length of the broadcast airtime.

(c) INTERNET ACCESS.—In its rulemaking under subsection (a), the Commission shall require any broadcasting station required to file a report under this section that maintains an Internet website to make available a link to each such report on that website.

TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION

SEC. 301. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 302. FILING BY SENATE CANDIDATES WITH COMMISSION.

Section 302(g) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(g)) is amended to read as follows:

''(g) FILING WITH THE COMMISSION.—All designations, statements, and reports required to be filed under this Act shall be filed with the Commission.''.

SEC. 303. ELECTRONIC FILING OF FEC REPORTS.

Section 304(a)(11) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(a)(11)) is amended—

(1) in subparagraph (A), by striking ''under this Act—'' and all that follows and inserting ''under this Act shall be required to maintain and file such designation, statement, or report in electronic form accessible by computers.'';

(2) in subparagraph (B), by striking ''48 hours'' and all that follows through ''filed electronically)'' and inserting ''24 hours''; and

(3) by striking subparagraph (D).

TITLE IV—PARTICIPATION IN FUNDING OF ELECTIONS

SEC. 401. REFUNDABLE TAX CREDIT FOR SENATE CAMPAIGN CONTRIBUTIONS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by inserting after section 36B the following new section:

''SEC. 36C. CREDIT FOR SENATE CAMPAIGN CONTRIBUTIONS.

''(a) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to 50 percent of the qualified My Voice Federal Senate campaign contributions paid or incurred by the taxpayer during the taxable year.

''(b) LIMITATIONS.—

''(1) DOLLAR LIMITATION.—The amount of qualified My Voice Federal Senate campaign contributions taken into account under subsection (a) for the taxable year shall not exceed $50 (twice such amount in the case of a joint return).

''(2) LIMITATION ON CONTRIBUTIONS TO FEDERAL SENATE CANDIDATES.—No credit shall be allowed under this section to any taxpayer for any taxable year if such taxpayer made aggregate contributions in excess of $300 during the taxable year to—

''(A) any single Federal Senate candidate, or

''(B) any political committee established and maintained by a national political party.

''(3) PROVISION OF INFORMATION.—No credit shall be allowed under this section to any taxpayer unless the taxpayer provides the Secretary with such information as the Secretary may require to verify the taxpayer's eligibility for the credit and the amount of the credit for the taxpayer.

''(c) QUALIFIED MY VOICE FEDERAL SENATE CONTRIBUTIONS.—For purposes of this section, the term 'My Voice Federal Senate campaign contribution' means any contribution of cash by an individual to a Federal Senate candidate or to a political committee established and maintained by a national political party if such contribution is not prohibited under the Federal Election Campaign Act of 1971.

''(d) FEDERAL SENATE CANDIDATE.—For purposes of this section—

''(1) IN GENERAL.—The term 'Federal Senate candidate' means any candidate for election to the office of Senator.

''(2) TREATMENT OF AUTHORIZED COMMITTEES.—Any contribution made to an authorized committee of a Federal Senate candidate shall be treated as made to such candidate.

''(e) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of a taxable year beginning after 2018, the $50 amount under subsection (b)(1) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2017' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $5, such amount shall be rounded to the nearest multiple of $5.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6211(b)(4)(A) of such Code is amended by inserting ''36C,'' after ''36B,''.

(2) Section 1324(b)(2) of title 31, United States Code, is amended by inserting ''36C,'' after ''36B,''.

(3) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 36B the following new item:

''Sec. 36C. Credit for Senate campaign contributions.''.

(c) FORMS.—The Secretary of the Treasury, or his designee, shall ensure that the credit for contributions to Federal Senate candidates allowed under section 36C of the Internal Revenue Code of 1986, as added by this section, may be claimed on Forms 1040EZ and 1040A.

(d) ADMINISTRATION.—At the request of the Secretary of the Treasury, the Federal Election Commission shall provide the Secretary of the Treasury with such information and other assistance as the Secretary may reasonably require to administer the credit allowed under section 36C of the Internal Revenue Code of 1986, as added by this section.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

TITLE V—REVENUE PROVISIONS

SEC. 501. FAIR ELECTIONS FUND REVENUE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by inserting after chapter 36 the following new chapter:

''CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS

''Sec. 4501. Imposition of tax.

''SEC. 4501. IMPOSITION OF TAX.

''(a) TAX IMPOSED.—There is hereby imposed on any payment made to a qualified person pursuant to a contract with the Government of the United States a tax equal to 0.50 percent of the amount paid.

''(b) LIMITATION.—The aggregate amount of tax imposed under subsection (a) for any calendar year shall not exceed $500,000.

''(c) QUALIFIED PERSON.—For purposes of this section, the term 'qualified person' means any person which—

''(1) is not a State or local government, a foreign nation, or an organization described in section 501(c)(3) which is exempt from taxation under section 501(a), and

''(2) has contracts with the Government of the United States with a value in excess of $10,000,000.

''(d) PAYMENT OF TAX.—The tax imposed by this section shall be paid by the person receiving such payment.

''(e) USE OF REVENUE GENERATED BY TAX.—It is the sense of the Senate that amounts equivalent to the revenue generated by the tax imposed under this chapter should be appropriated for the financing of a Fair Elections Fund and used for the public financing of Senate elections.''.

(b) CONFORMING AMENDMENT.—The table of chapters of the Internal Revenue Code of 1986 is amended by inserting after the item relating to chapter 36 the following:

''CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into after the date of the enactment of this Act.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 602. EFFECTIVE DATE.

Except as otherwise provided for in this Act, this Act and the amendments made by this Act shall take effect on January 1, 2018.

By Mr. WHITEHOUSE (for himself and Mr. SCHATZ):

S. 1548. A bill to amend the Internal Revenue Code of 1986 to provide for carbon dioxide and other greenhouse gas emission fees, reduce the rate of the corporate income tax, provide tax credits to workers, deliver additional benefits to retired and disabled Americans, and for other purposes; to the Committee on Finance.

Mr. WHITEHOUSE. Mr. President, I rise this evening to introduce, along with my lead cosponsor, Senator SCHATZ of Hawaii, the American Opportunity Carbon Fee Act of 2015.

We announced this legislation this afternoon at an event hosted by the American Enterprise Institute, and I want to thank the American Enterprise Institute for their hospitality. I think their interest in this idea clearly reflects the difference between core conservative economic principles and simply being pushed around by the hectoring of the fossil fuel industry. There is a difference between the two, and this bill meets legitimate conservative economic principles.

I will start by saying the obvious, which is that climate change is real. It is virtually universal in peer-reviewed science that climate change is real, that carbon pollution from burning fossil fuels is causing unprecedented climate and oceanic changes. Every major scientific society in our country has said so. Our brightest scientists at NOAA and at NASA are unequivocal. The fundamental science of climate change is, indeed, settled.

In the details of local application and the extent to which a particular storm is caused by or exacerbated by climate change, in the vagaries of prediction about how things are going to be 10 or 15 years out at those margins, yes—there is always room for conversation and debate at the margins, but the core science of climate change is beyond legitimate debate. It is known science, like debating gravity.

Americans get it. In poll after poll, Americans understand that climate change is real, know that humans are the cause, and want their government to do something about it.

Climate change is not our only national challenge. The Federal Tax Code, for example, is a mess, with one of the highest corporate tax rates in the developed world, while some take advantage of loopholes to pay far less than others and, indeed, some pay nothing at all. We have an economic recovery that has left far too many Americans behind, and we have a job market that has still not fully rebounded.

What if our answer to climate change helped address those other concerns as well? What if that approach was firmly grounded in core conservative economic principles, values such as property rights, market efficiency, and personal liberty?

Aparna Mathur of the free-market think tank the American Enterprise Institute conducted an analysis with a colleague from the Brookings Institution showing that a carbon fee could reduce emissions, shore up the country's fiscal outlook, and play an important part in broader tax reform. AEI's Kevin Hassett, Steven Hayward, and Kenneth Greene have pointed out that a carbon fee could obviate some environmental regulations. The idea behind it is extremely simple. You levy a price on the thing you don't want—carbon pollution—and you use the revenue to help with things you do want.

Whether they are called neighborhood effects or negative externalities, the effects of carbon pollution harm us all. Conservative economist Milton Friedman wrote that the government exists in part to reduce such harms. When the costs of such externalities don't get factored into the price of a product, conservative economic doctrine—indeed, all economic doctrine—classifies that as a subsidy—a market failure. Right now for fossil fuel producers, that subsidy is immense, giving them artificial advantage over cleaner energy sources. The International Monetary Fund just postulated that the annual subsidy just in America to the fossil fuel industry is $700 billion. We tend to talk around here in budget cycles of 10 years. That means it is $7 trillion in a budget cycle. That is a subsidy, all right.

A carbon fee can repair that market failure by incorporating unpriced damage into the costs of fossil fuels. Then the free market—not industry, not government—can drive the best energy mix for the country, with everyone competing on level ground.

That is how Nixon's Treasury Secretary and Reagan's Secretary of State George Shultz sees it. He and the late Nobel laureate Gary S. Becker made the case for a carbon fee in the Wall Street Journal. They wrote:

Americans like to compete on a level playing field. All players should have an equal opportunity to win based on their competitive merits, not on some artificial imbalance that gives someone or some group a special advantage.

Such as a $700 billion-a-year special advantage.

Just last week, even the CEOs of Europe's major oil companies called on governments to institute national prices on carbon.

This could be a big economic win. George W. Bush's Treasury Secretary Hank Paulson said, ''A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy, and create jobs, as we and other nations develop new energy products and infrastructure.''

It is in that spirit that I am introducing the American Opportunity Carbon Fee Act—a framework I hope both Republicans and Democrats can embrace. The bill would establish an economy-wide carbon fee on carbon dioxide and other greenhouse gas emissions. The fee would be assessed way upstream where it is easiest to administer, minimizing the universe of taxpayers and the compliance burden—at the coal mine, at the natural gas processing station, and at the petroleum refinery.

Other sources of greenhouse gas emissions would be charged at existing reporting requirements that are rate tied to the carbon dioxide equivalency of each gas. Fluorocarbons are assessed at a special rate that accounts for their high greenhouse potency. Sequestering, utilizing, or encapsulating carbon dioxide earns you a credit.

My bill sets the fee per ton of carbon emitted at $45 for 2016. That is the central range of the social cost of carbon as estimated by the Office of Management and Budget. That fee would increase each year at a real 2 percent. When emissions fall 80 percent below 2005 levels, the annual adjustment falls to inflation.

Border adjustments for the trade of energy-intensive goods include tariffs on such goods imported from countries with weaker or no carbon pricing—to make sure we protect our industries at home—and rebates for U.S. exporters of energy-intensive goods. We took care to design the border adjustments to achieve harmony with World Trade Organization rules.

According to the nonpartisan group Resources for the Future, this carbon fee proposal would reduce U.S. CO_2 emissions by more than 40 percent by 2025.

In addition to the environmental benefits, of course, a carbon fee also generates revenue. In this case, it would generate over $2 trillion in revenue over 10 years. We intend to return every dime of that to the American people. Here is how.

First, the bill lowers the top marginal corporate income tax rate from 35 percent to 29 percent. This would cut American corporate taxes by almost $600 billion over the first decade.

Second, it provides workers with a $500 refundable tax credit—$1,000 for a couple—to offset the first $500 paid each year in Social Security payroll taxes. The credit would grow with inflation. The tax credits would return over $750 billion to American households over the first 10 years.

Third, it would give benefits to Social Security recipients, veterans program beneficiaries, and certain other groups of retirees at the same level as the tax credit. These benefits would total more than $400 billion over 10 years.

Finally, the bill would establish a block grant for States, totalling $20 billion in 2016 and growing with inflation, to help with low-income needs, rural households, and transitioning workers. Governors in these States will know best what to do with the funds. In West Virginia, for example, they could use the money to transition coal workers into the technology jobs of the future or to shore up the beleaguered pension plans of coal miners. Rhode Island, on the other hand, might choose to make homes more energy efficient. And we have a reporting mechanism for the public to transparently track where the money is going to assure that it is all going back to the American people.

The entire bill is 37 pages long—short, simple, straightforward. It would cut back on the pollution that threatens dramatic changes to our home planet. It would cut taxes. It would end a grievous market distortion. It would start a wave of investment and innovation.

With this bill, Senator SCHATZ and I extend an open hand, or as one Republican former Congressman who cares about the climate change problem said: It extends an olive limb to conservatives everywhere.

Whether you want to pursue tax reform or support the free market for energy, or as Senator GRAHAM suggested this week, honestly address the real effects of climate change, this can be a vehicle. I hope my colleagues will agree with me that this is a discussion that we can continue. I look forward to trying to find a way forward that is better than simply ignoring this problem, pretending that it does not exist, and sleepwalking through our moment in history.

It is time to wake up. I have an attachment here that summarizes some of the support from conservatives and business leaders for a carbon fee. I ask unanimous consent that this document be printed in the RECORD.

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

CONSERVATIVES AND BUSINESS LEADERS SUPPORT A CARBON FEE

FORMER REPUBLICAN APPOINTEES

''A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy and create jobs as we and other nations develop new energy products and infrastructure.''—Henry M. Paulson, Treasury Secretary under President George W Bush

''How can you possibly create a level playing field? By taking a step that makes all forms of energy bear not only their immediate costs of energy, but also the costs of the pollution they emit . . . So my proposal is to have a revenue-neutral carbon tax.''—George P. Schultz, Secretary of Labor under President Nixon, Treasury Secretary under Presidents Nixon and Ford, and Secretary of State under President Reagan

''A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions . . . Rather than argue against [President Obama's] proposals, our leaders in Congress should endorse them and start the overdue debate about what bigger steps are needed and how to achieve them.''—William D. Ruckelshaus, EPA Administrator under Presidents Nixon and Reagan; Lee M. Thomas, EPA Administrator under President Reagan; William K. Reilly, EPA Administrator under President George H. W. Bush; and Christine Todd Whitman, EPA Administrator under President George W. Bush

CONSERVATIVE MEMBERS OF CONGRESS

''I am no scientist, but I've traveled throughout the world with Senator McCain and others, and seen the effects of a warming planet. . . . I've been told by a lot of business leaders in South Carolina, 'Senator Graham, once you price carbon in a reasonable way, this green economy that we're hoping for really will begin to flourish.''—Senator Lindsey Graham (R–SC)

''I wish we would just talk about a carbon tax, 100 percent of which would be returned to the American people.''—Senator Bob Corker (R–TN)

''If there's one economic axiom, it's that if you want less of something, you tax it. Clearly, it's in our interest to move away from carbon.''— Senator Jeff Flake (R–AZ)

''We should eliminate all the subsidies. No more Solyndras. No more production tax credits for wind. No more credits for electric vehicles. No more special tax provisions for oil and gas. Level the playing field. The big challenge is reaching fellow conservatives and convincing them that the biggest subsidy of all may be to belch and burn into the trash dump in the sky—for free. That lack of accountability may be the biggest subsidy of them all.''—former Representative Bob Inglis (R–SC)

FORMER REPUBLICAN AIDES

''The scientists tell us that world temperatures are rising because humans are emitting carbon into the atmosphere. Basic economics tells us that when you tax something, you normally get less of it. So if we want to reduce global emissions of carbon, we need a global carbon tax.''—N. Gregory Mankiw, economic advisor to Mitt Romney's presidential campaign and Harvard economist

Using a carbon tax to fund a payroll tax cut ''would be very good for the economy and as an adjunct, it would reduce also carbon emissions into the environment.''—Arthur B. Laffer, economic advisor to President Reagan

''Although a general carbon fuel tax is moot for the moment, the idea will not go away. If carbon dioxide emissions are to be reduced further in the U.S., such a tax will achieve the goal with less economic waste than new bureaucratic hurdles.''—Martin Feldstein, former Chairman of President Reagan's Council of Economic Advisors

CONSERVATIVE THOUGHT-LEADERS AND ECONOMISTS

[Why a carbon tax?] ''First, it is a less expensive, more efficient and more effective

policy than the status quo. . . . Second, greenhouse gas emissions impose risk. . . . Third, it is the principled conservative position. Government's role is to protect the rights to life, liberty, property and the pursuit of happiness.''—Jerry Taylor, former vice president at the Cato Institute and cofounder of the Niskanen Center

''We have a unique opportunity to end the rancorous debate about climate change, a debate that is poisoning the air—the political air, that is—and inhibiting progress on two fronts: progress on addressing the possibility that we are on the road to a catastrophic warming of the globe, and progress on reforming our anti-growth tax structure, which is so inequitable that it is straining the public's belief in the fairness of capitalism and what we like to call 'the American Dream.' All we need do is stop pretending that the cost of carbon emissions is certainly zero, and that regulation provides a more efficient solution than the Market.''—Irwin M. Stelzer, senior fellow at the Hudson Institute

CORPORATIONS

This month, the top executives for six major oil and gas companies penned a letter to the United Nations Framework Convention on Climate Change calling for a worldwide price on carbon:

BP, Statoil, Shell, Eni SpA, Total, BG Group.

Many other major companies have integrated an ''internal carbon fee'' as part of their long-term financial planning. Companies that have reportedly adopted an internal carbon price include:

Wal-Mart Stores; Delphi Automotive; Devon Energy Corporation; Total; Delta Airlines; Jabil Circuit Inc.; American Electric Power Co.; Entergy Corporation; Xcel Energy Inc.; Microsoft; Chevron Corporation; Hess Corporation; Wells Fargo & Company; General Electric Company; E.I. du Pont de Nemours & Co.; CMS Energy Corporation; Integrys Energy Group; Walt Disney World; ConocoPhillips; Royal Dutch Shell; Cummins Inc.; Google Inc.; Ameren Corporation; Duke Energy Corporation; PG&E Corporation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 198—COMMEMORATING THE 150TH ANNIVERSARIES OF THE RATIFICATION OF THE 13TH, 14TH, AND 15TH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES, OFTEN REFERRED TO AS THE ''SECOND FOUNDING'' OF THE UNITED STATES

Mr. LEAHY (for himself and Mr. LEE) submitted the following resolution; which was considered and agreed to:

S. RES. 198

Whereas, in 1787, delegates from the original 13 States gathered in Philadelphia to propose and ratify a new guiding charter, the Constitution of the United States, for the young republic;

Whereas George Washington, James Madison, and the other delegates managed to craft the most durable form of government in world history, one that provided for its own revision and, therefore, allowed future generations to continue to build a ''more perfect Union'';

Whereas following the Civil War, President Lincoln and his generation did just that, ratifying a series of transformational amendments that gave the United States what Lincoln promised at Gettysburg, ''a new birth of freedom'';

Whereas the Second Founding of the United States began in earnest on January 31, 1865, when Congress passed the 13th Amendment to the Constitution of the United States and sent it to the States for ratification;

Whereas the next day, President Lincoln signed the 13th Amendment to the Constitution of the United States, calling it a ''King's cure'' for the evil of slavery;

Whereas the people of the United States ratified the 13th Amendment to the Constitution of the United States on December 6, 1865, banning slavery and forced labor;

Whereas the people of the United States next ratified the 14th Amendment to the Constitution of the United States on July 9, 1868, enshrining a host of new constitutional guarantees;

Whereas the 14th Amendment to the Constitution of the United States granted United States citizenship to everyone born on the soil of, and subject to the jurisdiction of, the United States, protected fundamental rights like free speech from State abuses, ensured due process of law for the people of the United States, and guaranteed equality for all of the people of the United States;

Whereas the people of the United States ratified the 15th Amendment to the Constitution of the United States on February 3, 1870, guaranteeing the right to vote free from racial discrimination;

Whereas the ratification of this series of amendments truly constituted a ''Second Founding'' for the United States; and

Whereas the 150th anniversary of the Second Founding occurs over the course of the next 5 years: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 150th anniversaries of the ratification of the 13th, 14th, and 15th Amendments to the Constitution of the United States—the Second Founding of the United States;

(2) designates the year of 2015 as the ''Sesquicentennial of Our Nation's Second Founding, New Birth of Freedom: Commemorating the Thirteenth, Fourteenth, and Fifteenth Amendments'';

(3) encourages State and local governments to join in the Sesquicentennial celebration by organizing appropriate ceremonies, activities, and educational outreach; and

(4) encourages the people of the United States to explore the history and significance of the Second Founding and to celebrate the continuing importance to our Constitution and to the United States of the 13th, 14th, and 15th Amendments to the Constitution of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1974. Mr. MCCAIN (for himself and Mr. BLUNT) 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.

SA 1975. Mr. FLAKE 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 1976. Mr. KIRK (for himself and Mrs. GILLIBRAND) 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 1977. Mr. WHITEHOUSE (for himself and Mrs. SHAHEEN) 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 1978. Mr. DONNELLY 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 1979. Mr. CARDIN (for himself, Mr. CORNYN, Ms. MIKULSKI, Mrs. SHAHEEN, and 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 1980. Mr. MCCAIN (for himself and Mr. ISAKSON) 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 1981. Mr. REED 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 1982. Mr. GARDNER (for himself and Mr. COONS) 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 1983. Mr. CORKER (for himself and Mr. CARDIN) 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 1984. Ms. COLLINS 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 1985. Mr. CORNYN 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 1986. Ms. AYOTTE (for Mr. KIRK) proposed an amendment to the bill H.R. 1735, supra.

SA 1987. Mr. MURPHY (for himself, Mr. SCHATZ, Mr. UDALL, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. TESTER , Mr. MERKLEY, Ms. BALDWIN, and Mrs. BOXER) 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 1988. Mr. BLUNT (for himself and Mr. BROWN) 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 1989. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1983 submitted by Mr. CORKER (for himself and Mr. CARDIN) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1990. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1983 submitted by Mr. CORKER (for himself and Mr. CARDIN) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1991. Mr. SCHUMER 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 1992. Mrs. FEINSTEIN 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 1993. Mr. REED 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 1994. Mrs. MCCASKILL 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 1995. Mr. BLUNT 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 1996. Mr. VITTER 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 1974. Mr. MCCAIN (for himself and Mr. BLUNT) 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 XII, add the following:

SEC. 1230. SENSE OF CONGRESS ON THE SECURITY AND PROTECTION OF IRANIAN DISSIDENTS LIVING IN CAMP LIBERTY, IRAQ.

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

(1) The residents of Camp Liberty, Iraq, renounced violence and unilaterally disarmed more than a decade ago.

(2) The United States recognized the residents of the former Camp Ashraf who now reside in Camp Liberty as ''protected persons'' under the Fourth Geneva Convention and committed itself to protect the residents.

(3) The deterioration in the overall security situation in Iraq has increased the vulnerability of Camp Liberty residents to attacks from proxies of the Iranian Revolutionary Guards Corps and Sunni extremists associated with the Islamic State of Iraq and the Levant (ISIL).

(4) The increased vulnerability underscores the need for an expedited relocation process and that these Iranian dissidents will neither be safe nor secure in Camp Liberty.

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

(1) take prompt and appropriate steps in accordance with international agreements to promote the physical security and protection of Camp Liberty residents;

(2) urge the Government of Iraq to uphold its commitments to the United States to ensure the safety and well-being of those living in Camp Liberty;

(3) urge the Government of Iraq to ensure continued and reliable access to food, clean water, medical assistance, electricity and other energy needs, and any other equipment and supplies necessary to sustain the residents during periods of attack or siege by external forces;

(4) oppose the extradition of Camp Liberty residents to Iran;

(5) implement a strategy to provide for the safe, secure, and permanent relocation of Camp Liberty residents that includes the steps that would need to be taken by the United States, the United Nations High Commissioner for Refugees (UNHCR), and the Camp Liberty residents to potentially relocate some residents to the United States;

(6) encourage continued close cooperation between the residents of Camp Liberty and the authorities in the relocation process; and

(7) assist the United Nations High Commissioner for Refugees in expediting the ongoing resettlement of all residents of Camp Liberty to safe locations outside Iraq.

SA 1975. Mr. FLAKE 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 XV, add the following:

SEC. 1523. TREATMENT OF CERTAIN UNOBLIGATED FUNDS AVAILABLE TO CONSTRUCT, RENOVATE, REPAIR, OR EXPAND ELEMENTARY AND SECONDARY PUBLIC SCHOOLS ON MILITARY INSTALLATIONS TO ADDRESS CAPACITY OR FACILITY CONDITION DEFICIENCIES.

(a) CESSATION OF AVAILABILITY.—Any amount of the $464,017,143 of unobligated funds in the Operation and Maintenance, Defense-wide, account and available for the Office of Economic Adjustment, or for transfer to the Secretary of Education, to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools as of the date of the enactment of this Act that remain unobligated as of September 30, 2016, shall no longer be available for obligation for that purpose as of October 1, 2016.

(b) AUTHORITY TO REPROGRAM FOR OCO PURPOSES.—

(1) IN GENERAL.—The Secretary of Defense may reprogram amounts no longer available for obligation for the purpose described in subsection (a) as of October 1, 2016, by reason of subsection (a) for such programs, projects, and activities in connection with overseas contingency operations as the Secretary considers appropriate.

(2) CONSTRUCTION.—The authority to reprogram funds under paragraph (1) is in addition to any other authority available to the Secretary to transfer or reprogram funds in this Act or otherwise provided by law.

SA 1976. Mr. KIRK (for himself 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 appropriate place, insert the following:

SEC. ____. APPREHENSION AND PROSECUTION OF INTERNATIONAL CYBER CRIMINALS.

(a) INTERNATIONAL CYBER CRIMINAL DEFINED.—In this section, the term ''international cyber criminal'' means an individual—

(1) who is physically present within a country with which the United States does not have a mutual legal assistance treaty or an extradition treaty;

(2) who is believed to have committed a cybercrime or intellectual property crime against the interests of the United States or its citizens; and

(3) for whom—

(A) an arrest warrant has been issued by a judge in the United States; or

(B) an international wanted notice (commonly referred to as a ''Red Notice'') has been circulated by Interpol.

(b) BILATERAL CONSULTATIONS.—The Secretary of State, or designee, shall consult with the appropriate government official of each country in which one or more international cyber criminals are physically present to determine what actions the government of such country has taken—

(1) to apprehend and prosecute such criminals; and

(2) to prevent such criminals from carrying out cybercrimes or intellectual property crimes against the interests of the United States or its citizens.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees an annual report that identifies—

(A) the number of international cyber criminals who are located in countries that do not have an extradition treaty or mutual legal assistance treaty with the United States, broken down by country;

(B) the dates on which an official of the Department of State, as a result of this Act, discussed ways to thwart or prosecute international cyber criminals in a bilateral conversation with an official of another country, including the name of each such country; and

(C) for each international cyber criminal who was extradited into the United States during the most recently completed calendar year—

(i) his or her name;

(ii) the crimes for which he or she was charged;

(iii) his or her previous country of residence; and

(iv) the country from which he or she was extradited into the United States.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

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

(D) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

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

(H) the Committee on Financial Services of the House of Representatives.

SA 1977. Mr. WHITEHOUSE (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1227, before the end quote and final period, insert the following:

''(17) REPORT INFORMING THE PROCESSING TIME FOR APPLICANTS.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of State, in consultation with the Secretary of Homeland Security, to shall submit a report to the Committee on Armed Services of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Appropriations of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the House of Representatives, and the Committee on Appropriations of the House of Representatives that includes—

''(A) the number of applicants in the 'administrative processing' phase of the Afghan Special Immigrant Visa application process, broken down by month, during the most recent 12-month period;

''(B) the shortest and longest period that an application described in subparagraph (A) has been in such phase; and

''(C) a description of the steps that the Department of State and the Department of Homeland Security have taken to reduce the length of the administrative processing phase, while maintaining adequate security review and screening of such applications.

SA 1978. Mr. DONNELLY 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 718, strike ''has emerged'' on line 15 and all that follows through ''such competition'' on line 17.

SA 1979. Mr. CARDIN (for himself, Mr. CORNYN, Ms. MIKULSKI, Mrs. SHAHEEN, and 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 G of title X, add the following:

SEC. 1085. INTERAGENCY HOSTAGE RECOVERY COORDINATOR.

(a) INTERAGENCY HOSTAGE RECOVERY COORDINATOR.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall designate an existing Federal officer to coordinate efforts to secure the release of United States persons who are hostages of hostile groups or state sponsors of terrorism. For purposes of carrying out the duties described in paragraph (2), such officer shall have the title of ''Interagency Hostage Recovery Coordinator''.

(2) DUTIES.—The Interagency Hostage Recovery Coordinator shall have the following duties:

(A) Coordinate and direct all activities of the Federal Government relating to each hostage situation described in paragraph (1) to ensure efforts to secure the release of all hostages in a hostage situation are properly resourced and correct lines of authority are established and maintained.

(B) Establish and direct a fusion cell consisting of appropriate personnel of the Federal Government with purview over each hostage situation described in paragraph (1).

(C) Develop a strategy to keep family members of hostages described in paragraph (1) informed of the status of such hostages and inform such family members of updates, procedures, and policies that do not compromise the national security of the United States.

(b) LIMITATION ON AUTHORITY.—The authority of the Interagency Hostage Recovery Coordinator shall be limited to hostage cases outside the United States.

(c) QUARTERLY REPORT.—

(1) IN GENERAL.—On a quarterly basis, the Interagency Hostage Recovery Coordinator shall submit to the appropriate congressional committees and the members of Congress described in paragraph (2) a report that includes a summary of each hostage situation described in subsection (a)(1) and efforts to secure the release of all hostages in such hostage situation.

(2) MEMBERS OF CONGRESS DESCRIBED.—The members of Congress described in this paragraph are, with respect to a United States person hostage covered by a report under paragraph (1), the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subsection (a)(1) resides.

(3) FORM OF REPORT.—Each report under this subsection may be submitted in classified or unclassified form.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Federal Government to negotiate with a state sponsor of terrorism or an organization that the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or any other hostage-takers.

(e) DEFINITIONS.—In this section:

(1) HOSTILE GROUP.—The term ''hostile group'' means—

(A) a group that is designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) a group that is engaged in armed conflict with the United States; or

(C) any other group that the President determines to be a hostile group for purposes of this paragraph.

(2) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism''—

(A) means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism; and

(B) includes North Korea.

SA 1980. Mr. MCCAIN (for himself and Mr. ISAKSON) 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. REPORT ON SUFFICIENCY OF MILITARY BASIC PAY TO COMPENSATE MILITARY PERSONNEL.

Not later than January 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the extent to which rates of military basic pay are sufficient to compensate military personnel. The assessment shall include the following:

(1) An analysis of the extent to which rates of military basic pay are sufficient to compensate members of the Armed Forces when compared with pay available for their civilian counterparts.

(2) A description and assessment of modifications to the structure of military basic pay in order to adequately compensate members of the Armed Forces for their skill sets and educational competencies rather than the current system of rates of military basic pay based primarily on grade and time in grade.

(3) An assessment of replacing the current payment of basic allowance for housing (BAH) with payment of an increased amount of military basic pay adjusted to account for differences in costs among localities.

SA 1981. Mr. REED 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 VIII, add the following:

SEC. 884. REPORT ON EFFORTS TO ENGAGE UNITED STATES MANUFACTURERS IN PROCUREMENT OPPORTUNITIES RELATED TO EQUIPPING THE AFGHAN NATIONAL SECURITY FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to Congress a report on the efforts of the Secretaries to engage United States manufacturers in procurement opportunities related to equipping the Afghan National Security Forces.

SA 1982. Mr. GARDNER (for himself and Mr. COONS) 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. USE OF ENERGY AND WATER EFFICIENCY MEASURES IN DEPARTMENT OF DEFENSE FACILITIES.

(a) ENERGY MANAGEMENT REQUIREMENTS.—Section 543(f)(4) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking ''Not later than'' and inserting the following:

''(A) IN GENERAL.—Not later than''; and

(3) by adding at the end the following:

''(B) MEASURES NOT IMPLEMENTED IN DEPARTMENT OF DEFENSE FACILITIES.—Each energy manager of a Department of Defense facility, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall provide an explanation regarding any life-cycle cost-effective measures described in subparagraph (A)(i) that have not been implemented with respect to the Department of Defense facility.''.

(b) REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8258(b)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) in the case of Department of Defense facilities—

''(A) the status of the energy savings performance contracts and utility energy service contracts of each agency;

''(B) the investment value of the contracts;

''(C) the guaranteed energy savings for the previous year as compared to the actual energy savings for the previous year;

''(D) the plan for entering into the contracts in the coming year; and

''(E) information explaining why any previously submitted plans for the contracts were not implemented.''.

(c) DEFINITION OF ENERGY CONSERVATION MEASURES.—Section 551(4) of the National Energy Conservation Policy Act (42 U.S.C. 8259(4)) is amended by striking ''or retrofit activities'' and inserting ''retrofit activities, or, in the case of Department of Defense facilities, energy consuming devices and required support structures''.

(d) AUTHORITY TO ENTER INTO CONTRACTS.—Section 801(a)(2)(F) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)(F)) is amended—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(iii) in the case of the Department of Defense, limit the recognition of operation and maintenance savings associated with systems modernized or replaced with the implementation of energy conservation measures, water conservation measures, or any combination of energy conservation measures and water conservation measures.''.

(e) MISCELLANEOUS AUTHORITY.—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)) is amended by adding at the end the following:

''(H) MISCELLANEOUS AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Defense may sell or transfer energy savings and apply the proceeds of the sale or transfer to fund a contract under this title.''.

(f) PAYMENT OF COSTS.—Section 802 of the National Energy Conservation Policy Act (42 U.S.C. 8287a) is amended by striking ''(and related operation and maintenance expenses)'' and inserting '', including, in the case of the Department of Defense, related operations and maintenance expenses''.

(g) DEFINITION OF ENERGY SAVINGS.—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) in subparagraph (A), by striking ''federally owned building or buildings or other federally owned facilities'' and inserting ''Federal building (as defined in section 551)'' each place it appears;

(2) in subparagraph (C) , by striking ''; and'' and inserting a semicolon;

(3) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(E) in the case of the Department of Defense—

''(i) the use, sale, or transfer of energy incentives, rebates, or credits (including renewable energy credits) from Federal, State, or local governments or utilities; and

''(ii) any revenue generated from a reduction in energy or water use, more efficient waste recycling, or additional energy generated from more efficient equipment.''.

SA 1983. Mr. CORKER (for himself and 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 appropriate place, insert the following:

DIVISION E—DEPARTMENT OF STATE

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016''.

SEC. 5002. DEFINITIONS.

In this division:

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

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) PEACEKEEPING CREDITS.—The term ''peacekeeping credits'' means the amounts by which United States assessed peacekeeping contributions exceed actual expenditures, apportioned to the United States, of peacekeeping operations by the United Nations during a United Nations peacekeeping fiscal year.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE I—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 5101. AMERICAN SPACES REVIEW.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) the full costs incurred by the Department to provide American Spaces, including—

(A) American Centers, American Corners, Binational Centers, Information Resource Centers, and Science Centers; and

(B) the total costs of all associated—

(i) employee salaries, including foreign service, American civilian, and locally employed staff;

(ii) programming expenses;

(iii) operating expenses;

(iv) contracting expenses; and

(v) security expenses;

(2) a breakdown of the total costs described in paragraph (1) by each space and type of space;

(3) the total fees collected for entry to, or the use of, American Spaces and related resources, including a breakdown by the type of fee for each space and type of space; and

(4) the total usage rates, including by type of service, for each space and type of space.

SEC. 5102. IDENTIFYING BILATERAL INVESTMENT TREATY OPPORTUNITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the United States Trade Representative, shall submit a report to the appropriate congressional committees that includes a detailed description of—

(1) the status of all ongoing investment treaty negotiations, including a strategy and timetable for concluding each such negotiation;

(2) a strategy to expand the investment treaty agenda, including through—

(A) launching new investment treaty negotiations with foreign partners that are currently capable of entering into such negotiations; and

(B) building the capacity of foreign partners to enter into such negotiations, including by encouraging the adoption of best practices with respect to investment; and

(3) an estimate of any resources that will be needed, including anticipated staffing levels—

(A) to conclude all ongoing negotiations described in paragraph (1);

(B) to launch new investment treaty negotiations, as described in paragraph (2)(A); and

(C) to build the capacity of foreign partners, as described in paragraph (2)(B).

SEC. 5103. REINSTATEMENT OF HONG KONG REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter through 2020, the Secretary shall submit the report required under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731) to the appropriate congressional committees.

(b) PUBLIC DISCLOSURE.—The report submitted under subsection (a) should be unclassified and made publicly available, including through the Department's public website.

(c) TREATMENT OF HONG KONG UNDER UNITED STATES LAW.—

(1) SECRETARY OF STATE CERTIFICATION REQUIREMENT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall certify to Congress whether Hong Kong Special Administrative Region is sufficiently autonomous to justify different treatment for its citizens from the treatment accorded to other citizens of the People's Republic of China in any new laws, agreements, treaties, or arrangements entered into between the United States and Hong Kong after the date of the enactment of this Act.

(B) FACTOR FOR CONSIDERATION.—In making a certification under subparagraph (A), the Secretary should consider the terms, obligations, and expectations expressed in the Joint Declaration with respect to Hong Kong.

(C) EXCEPTION.—A certification shall not be required under this subsection with respect to any new laws, agreements, treaties, or arrangements that support human rights, rule of law, or democracy in the Hong Kong Special Administrative Region.

(2) WAIVER AUTHORITY.—The Secretary may waive the application of paragraph (1) if the Secretary—

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

(B) on or before the date on which such waiver would take effect, submits a notice of, and justification for, the waiver to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 5104. INTERAGENCY HOSTAGE RECOVERY COORDINATOR.

(a) IN GENERAL.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall designate an existing Federal officer to coordinate efforts to secure the release of United States persons who are hostages of hostile groups or state sponsors of terrorism. For purposes of carrying out the duties described in paragraph (2), such officer shall have the title of ''Interagency Hostage Recovery Coordinator''.

(2) DUTIES.—The Coordinator shall have the following duties:

(A) Coordinate and direct all activities of the Federal Government relating to each hostage situation described in paragraph (1) to ensure efforts to secure the release of all hostages in the hostage situation are properly resourced and correct lines of authority are established and maintained.

(B) Establish and direct a fusion cell consisting of appropriate personnel of the Federal Government with purview over each hostage situation described in paragraph (1).

(C) Develop a strategy to keep family members of hostages described in paragraph (1) informed of the status of such hostages and inform such family members of updates, procedures, and policies that do not compromise the national security of the United States.

(b) LIMITATION ON AUTHORITY.—The authority of the Interagency Hostage Recovery Coordinator shall be limited to hostage cases outside the United States.

(c) QUARTERLY REPORT.—

(1) IN GENERAL.—On a quarterly basis, the Coordinator shall submit to the appropriate congressional committees and the members of Congress described in paragraph (2) a report that includes a summary of each hostage situation described in sub-section (a)(1) and efforts to secure the release of all hostages in such hostage situation.

(2) MEMBERS OF CONGRESS DESCRIBED.—The members of Congress described in this subparagraph are, with respect to a United States person hostage covered by a report under paragraph (1), the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subjection (a)(1) resides.

(3) FORM OF REPORT.—Each report under this subsection may be submitted in classified or unclassified form.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Federal Government to negotiate with a state sponsor of terrorism or an organization that the Secretary has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or any other hostage-takers.

(e) DEFINITIONS.—In this section:

(1) HOSTILE GROUP.—The term ''hostile group'' means—

(A) a group that is designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) a group that is engaged in armed conflict with the United States; or

(C) any other group that the President determines to be a hostile group for purposes of this paragraph.

(2) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism''—

(A) means a country the government of which the Secretary has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism; and

(B) includes North Korea.

SEC. 5105. UNITED STATES-CHINA STRATEGIC AND ECONOMIC DIALOGUE REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury, and in consultation with other departments and agencies, as appropriate, shall—

(1) conduct a review of the United States-China Strategic and Economic Dialogue (referred to in this section as the ''Dialogue''); and

(2) submit a report to the appropriate congressional committees that contains the findings of such review.

(b) CONTENTS.—The report described in subsection (a) shall include—

(1) a list of all commitments agreed to by the United States and China at each of the first 6 rounds of meetings;

(2) an assessment of the status of each commitment agreed to by the United States and China at each of the first 6 rounds of meetings, including a detailed description of—

(A) any actions that have been taken with respect to such commitments;

(B) any aspects of such commitments that remain unfulfilled; and

(C) any actions that remain necessary to fulfill any unfulfilled commitments described in subparagraph (B);

(3) an assessment of the effectiveness of the Dialogue in achieving and fulfilling significant commitments on United States priorities in the bilateral relationship, including—

(A) the security situation in the East and South China Seas, including a peaceful resolution of maritime disputes in the region;

(B) denuclearization of the Korean Peninsula;

(C) cybertheft of United States intellectual property;

(D) the treatment of political dissidents, media representatives, and ethnic and religious minorities;

(E) reciprocal treatment of United States journalists and academics in China, including issuance of visas;

(F) expanding investment and trade opportunities for United States businesses;

(G) repatriation of North Korean refugees from China to North Korea; and

(H) promoting and protecting rule of law and democratic institutions in Hong Kong; and

(4) recommendations for enhancing the effectiveness of the Dialogue in achieving and fulfilling significant commitments on United States priorities described in paragraph (3), including consideration of the use of predetermined benchmarks for assessing whether the commitments achieved are significantly furthering such priorities.

SEC. 5106. REPORT ON HUMAN RIGHTS VIOLATIONS IN BURMA.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that—

(1) describes in detail all known widespread or systematic civil or political rights violations, including violations that may constitute crimes against humanity against ethnic, racial, or religious minorities in Burma, including the Rohingya people; and

(2) provides recommendations for holding perpetrators of the violations described in paragraph (1) accountable for their actions.

SEC. 5107. COMBATING ANTI-SEMITISM.

Of the amount authorized to be appropriated for Diplomatic and Consular Programs, $500,000 shall be made available to the Bureau for Democracy, Human Rights, and Labor, to be used in support of efforts by American and European Jewish and other civil society organizations, focusing on youth, to combat anti-Semitism and other forms of religious, ethnic, or racial intolerance in Europe.

SEC. 5108. BIOTECHNOLOGY GRANTS.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.), is amended by adding at the end the following:

''SEC. 63. BIOTECHNOLOGY GRANTS AUTHORIZED.

''(a) IN GENERAL.—The Secretary of State is authorized to support, through grants, cooperative agreements, contracts, outreach, and public diplomacy activities, activities promoting the benefits of agricultural biotechnology, biofuels, science-based regulatory systems, and the application of such technologies for trade and development.

''(b) LIMITATION.—The total amount of grants provided pursuant to subsection (a) shall not exceed $500,000 in any fiscal year.''.

SEC. 5109. DEFINITION OF ''USE'' IN PASSPORT AND VISA OFFENSES.

(a) IN GENERAL.—Chapter 75 of title 18, United States Code, is amended by inserting before section 1541 the following:

''SEC. 1540. DEFINITION OF 'USE' AND 'USES'.

''In this chapter, the terms 'use' and 'uses' shall be given their plain meaning, which shall include use for identification purposes.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended by inserting before the item relating to section 1541 the following:

''1540. Definition of 'use' and 'uses'.''.

SEC. 5110. SCIENCE AND TECHNOLOGY FELLOWSHIPS.

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d) is amended by adding at the end the following:

''(e) GRANTS AND COOPERATIVE AGREEMENTS RELATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAMS.—

''(1) IN GENERAL.—The Secretary is authorized to provide grants or enter into cooperative agreements for science and technology fellowship programs of the Department of State.

''(2) RECRUITMENT; STIPENDS.—Assistance authorized under paragraph (1) may be used—

''(A) to recruit fellows; and

''(B) to pay stipends, travel, and other appropriate expenses to fellows.

''(3) CLASSIFICATION OF STIPENDS.—Stipends paid under paragraph (2)(B) shall not be considered compensation for purposes of section 209 of title 18, United States Code.

''(4) LIMITATION.—The total amount of assistance provided under this subsection may not exceed $500,000 in any fiscal year.''.

SEC. 5111. NAME CHANGES.

(a) PUBLIC LAW 87–195.—Section 607(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2357(d)) is amended by striking ''Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs'' and inserting ''Assistant Secretary of State for Oceans, Environment, and Science''.

(b) PUBLIC LAW 88–206.—Section 617(a) of the Clean Air Act (42 U.S.C. 7671p(a)) is amended by striking ''Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs'' and inserting ''Assistant Secretary of State for Oceans, Environment, and Science''.

(c) PUBLIC LAW 93–126.—Section 9(a) of the Department of State Appropriations Authorization Act of 1973 (22 U.S.C. 2655a) is amended—

(1) by striking ''Bureau of Oceans and International Environmental and Scientific Affairs'' and inserting ''Bureau of Oceans, Environment, and Science''; and

(2) by striking ''Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs'' and inserting ''Assistant Secretary of State for Oceans, Environment, and Science''.

(d) PUBLIC LAW 106–113.—Section 1112(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (22 U.S.C. 2652c(a)) is amended by striking ''Verification and Compliance.'' and inserting ''Arms Control, Verification, and Compliance (referred to in this section as the 'Assistant Secretary').''.

SEC. 5112. ANTI-PIRACY INFORMATION SHARING.

The Secretary is authorized to provide for the participation of the United States in the Information Sharing Centre located in Singapore, as established by the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia, done at Singapore November 11, 2004.

SEC. 5113. REPORT REFORM.

(a) HUMAN RIGHTS REPORT.—Section 549 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347h) is repealed.

(b) ROUGH DIAMONDS ANNUAL REPORT.—Section 12 of the Clean Diamond Trade Act (19 U.S.C. 3911) is amended to read as follows:

''SEC. 12. REPORTS.

''For each country that, during the preceding 12-month period, exported rough diamonds to the United States, the exportation of which was not controlled through the Kimberley Process Certification Scheme, and if the failure to do so has significantly increased the likelihood that those diamonds not so controlled are being imported into the United States, the President shall submit a semi-annual report to Congress that explains what actions have been taken by the United States or such country since the previous report to ensure that diamonds, the exportation of which was not controlled through the Kimberley Process Certification Scheme, are not being imported from that country into the United States. A country shall be included in the report required under this section until the country is controlling the importation and exportation of rough diamonds through the Kimberley Process Certification Scheme.''.

SEC. 5114. SENSE OF CONGRESS ON THE UNITED STATES ALLIANCE WITH JAPAN.

It is the sense of Congress that—

(1) the alliance between the United States and Japan is a cornerstone of peace, security, and stability in the Asia-Pacific region and around the world;

(2) Prime Minister Shiuzo Abe's visit to the United States in April 2015 and historic address to a Joint Session of Congress symbolized the strength and importance of ties between the United States and Japan;

(3) in 2015, which marks 70 years since the end of World War II, the United States and Japan continue to strengthen the alliance and work together to ensure a peaceful and prosperous future for the Asia-Pacific region and the world;

(4) the Governments and people of the United States and Japan share values, interests, and capabilities that have helped to build a strong rules-based international order, based on a commitment to rules, norms and institutions;

(5) the revised Guidelines for United States-Japan Defense Cooperation and Japan's policy of ''Proactive Contribution to Peace'' will reinforce deterrence, update the roles and missions of the United States and Japan, enable Japan to expand its contributions to regional and global security, and allow the United States Government and the Government of Japan to enhance cooperation on security issues in the region and beyond;

(6) the United States remain resolute in its commitments under the Treaty of Mutual Cooperation and Security to respond to any armed attack in the territories under the administration of Japan;

(7) although the United States Government does not take a position on the ultimate sovereignty of the Senkaku Islands, the United States Government acknowledges that they are under the administration of Japan and opposes any unilateral actions that would seek to undermine such administration;

(8) the United States Government reaffirms that the unilateral actions of a third party will not affect the United States acknowledgment of the administration of Japan over the Senkaku Islands;

(9) the United States Government and the Government of Japan continue to work together on common security interests, including to confront the threat posed by the nuclear and ballistic missile programs of the Democratic People's Republic of Korea;

(10) the United States Government and the Government of Japan remain committed to ensuring maritime security and respect for international law, including freedom of navigation and overflight; and

(11) the United States Government and the Government of Japan continue to oppose the use of coercion, intimidation, or force to change the status quo, including in the East and South China Seas.

SEC. 5115. SENSE OF CONGRESS ON THE DEFENSE RELATIONSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF INDIA.

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

(1) The United States has an upgraded, strategic-plus relationship with India based on regional cooperation, space science cooperation, and defense cooperation.

(2) The defense relationship between the United States and the Republic of India is strengthened by the common commitment of both countries to democracy.

(3) The United States and the Republic of India share a common and long-standing commitment to civilian control of the military.

(4) The United States and the Republic of India have increasingly worked together on defense cooperation across a range of activities, exercises, initiatives, and research.

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

(1) continue to expand defense cooperation with the Republic of India;

(2) welcome the role of the Republic of India in providing security and stability in the Indo-Pacific region and beyond;

(3) work cooperatively with the Republic of India on matters relating to our common defense;

(4) vigorously support the implementation of the United States-India Defense Framework Agreement; and

(5) support the India Defense Trade and Technology Initiative.

SEC. 5116. SENSE OF CONGRESS ON THE UNITED STATES ALLIANCE WITH THE REPUBLIC OF KOREA.

It is the sense of Congress that—

(1) the alliance between the United States and the Republic of Korea has served as an anchor for stability, security, and prosperity on the Korean Peninsula, in the Asia-Pacific region, and around the world;

(2) the United States and the Republic of Korea continue to strengthen and adapt the bilateral, regional, and global scope of the comprehensive strategic alliance between the 2 nations, to serve as a linchpin of peace and stability in the Asia-Pacific region, recognizing the shared values of democracy, human rights, free and open markets, and the rule of law, as reaffirmed in the May 2013 ''Joint Declaration in Commemoration of the 60th Anniversary of the Alliance between the Republic of Korea and the United States of America'';

(3) the United States and the Republic of Korea continue to broaden and deepen the alliance by strengthening the combined defense posture on the Korean Peninsula, enhancing mutual security based on the Republic of Korea-United States Mutual Defense Treaty, and promoting cooperation for regional and global security in the 21st century;

(4) the United States and the Republic of Korea share deep concerns that the nuclear, cyber, and ballistic missiles programs of North Korea and its repeated provocations pose grave threats to peace and stability on the Korean Peninsula and Northeast Asia and recognize that both nations are determined to achieve the peaceful denuclearization of North Korea and remain fully committed to continuing close cooperation on the full range of issues related to North Korea;

(5) the United States and the Republic of Korea are particularly concerned that the nuclear and ballistic missile programs of North Korea, including North Korean efforts to miniaturize their nuclear technology and improve the mobility of their ballistic missiles, have gathered significant momentum and are poised to expand in the coming years;

(6) the Republic of Korea has made progress in enhancing future warfighting and interoperability capabilities by taking steps toward procuring Patriot Advanced Capability missiles, F–35 Joint Strike Fighter Aircraft, and RQ–4 Global Hawk Surveillance Aircraft;

(7) the United States supports the vision of a Korean Peninsula free of nuclear weapons, free from the fear of war, and peacefully reunited on the basis of democratic and free market principles, as articulated in President Park's address in Dresden, Germany; and

(8) the United States and the Republic of Korea share the future interests of both nations in securing peace and stability on the Korean Peninsula and in Northeast Asia.

SEC. 5117. SENSE OF CONGRESS ON THE RELATIONSHIP BETWEEN THE UNITED STATES AND TAIWAN.

It is the sense of the Congress that—

(1) the United States policy toward Taiwan is based upon the Taiwan Relations Act (Public Law 96–8), which was enacted in 1979, and the Six Assurances given by President Ronald Reagan in 1982;

(2) provision of defensive weapons to Taiwan should continue as mandated in the Taiwan Relations Act; and

(3) enhanced trade relations with Taiwan should be pursued to mutually benefit the citizens of both countries.

SEC. 5118. REPORT ON POLITICAL FREEDOM IN VENEZUELA.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) an assessment of the support provided by the United States to the people of Venezuela in their aspiration to live under conditions of peace and representative democracy (as defined by the Inter-American Democratic Charter of the Organization of American States, done at Lima September 11, 2001);

(2) an assessment of work carried out by the United States, in cooperation with the other member states of the Organization of American States and countries of the European Union, to ensure—

(A) the peaceful resolution of the current political situation in Venezuela; and

(B) the immediate cessation of violence against antigovernment protestors;

(3) a list of the government and security officials in Venezuela who—

(A) are responsible for, or complicit in, the use of force in relation to antigovernment protests and similar acts of violence; and

(B) have had their financial assets in the United States frozen or been placed on a visa ban by the United States; and

(4) an assessment of United States support for the development of democratic political processes and independent civil society in Venezuela.

SEC. 5119. STRATEGY FOR THE MIDDLE EAST IN THE EVENT OF A COMPREHENSIVE NUCLEAR AGREEMENT WITH IRAN.

(a) STRATEGY REQUIRED.—The Secretary of State shall, in coordination with the Secretary of Defense, 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) SUBMISSION TO CONGRESS.—Not later than 60 days after entering into a comprehensive nuclear agreement with Iran, the Secretary shall submit the strategy developed under subsection (a) 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.

SEC. 5120. DEPARTMENT OF STATE INTERNATIONAL CYBERSPACE POLICY STRATEGY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall produce a comprehensive strategy, with a classified annex if necessary, relating to United States international policy with regard to cyberspace.

(b) ELEMENTS.—The strategy required in subsection (a) shall include:

(1) A review of actions and activities undertaken by the Secretary of State to date to support the goal of the President's International Strategy for Cyberspace, released in May 2011, to ''work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation''.

(2) A plan of action to guide the Secretary's diplomacy with regard to nation-states, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and status review of existing discussions in multilateral fora to obtain agreements on international norms in cyberspace.

(3) A review of the alternative concepts with regard to international norms in cyberspace offered by other prominent nation-state actors, including China, Russia, Brazil, and India.

(4) A detailed description of threats to United States national security in cyberspace from other nation-states, state-sponsored actors and private actors, to United States Federal and private sector infrastructure, United States intellectual property, and the privacy of United States citizens.

(5) A review of policy tools available to the President of United States to deter nation-states, state-sponsored actors, and private actors, including, but not limited to, those outlined in Executive Order 13694, released on April 1, 2015.

(6) A review of resources required by the Secretary, including the Office of the Coordinator for Cyber Issues, to conduct activities to build responsible norms of international cyber behavior.

(c) CONSULTATION.—The Secretary shall consult, as appropriate, with other United States Government agencies, the United States private sector, and United States nongovernmental organizations with recognized credentials and expertise in foreign policy, national security, and cybersecurity.

(d) RELEASE.—The Secretary shall publicly release the strategy required in subsection (a) and brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives upon its release, including on the classified annex, should the strategy include such an annex.

SEC. 5121. WAIVER OF FEES FOR RENEWAL OF IMMIGRANT VISA FOR ADOPTED CHILD IN CERTAIN SITUATIONS.

Section 221(c) of the Immigration and Nationality Act (8 U.S.C. 1201(c)) is amended to read as follows:

''(c) PERIOD OF VALIDITY; RENEWAL OR REPLACEMENT.—

''(1) IMMIGRANT VISAS.—An immigrant visa shall be valid for such period, not exceeding 6 months, as shall be by regulations prescribed, except that any visa issued to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed 3 years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.

''(2) NONIMMIGRANT VISAS.—A nonimmigrant visa shall be valid for such periods as shall be prescribed by regulations. In prescribing the period of validity of a nonimmigrant visa in the case of nationals of any foreign country who are eligible for such visas, the Secretary of State shall, insofar as practicable, accord to such nationals the same treatment upon a reciprocal basis as such foreign country accords to nationals of the United States who are within a similar class, except that in the case of aliens who are nationals of a foreign country and who either are granted refugee status and firmly resettled in another foreign country or are granted permanent residence and residing in another foreign country, the Secretary of State may prescribe the period of validity of such a visa based upon the treatment granted by that other foreign country to alien refugees and permanent residents, respectively, in the United States.

''(3) VISA REPLACEMENT.—An immigrant visa may be replaced under the original number during the fiscal year in which the original visa was issued for an immigrant who establishes to the satisfaction of the consular officer that the immigrant—

''(A) was unable to use the original immigrant visa during the period of its validity because of reasons beyond his control and for which he was not responsible;

''(B) is found by a consular officer to be eligible for an immigrant visa; and

''(C) pays again the statutory fees for an application and an immigrant visa.

''(4) FEE WAIVER.—If an immigrant visa was issued, on or after March 27, 2013, for a child who has been lawfully adopted, or who is coming to the United States to be adopted, by a United States citizen, any statutory immigrant visa fees relating to a renewal or replacement of such visa may be waived or, if already paid, may be refunded upon request, subject to such criteria as the Secretary of State may prescribe, if—

''(A) the immigrant child was unable to use the original immigrant visa during the period of its validity as a direct result of extraordinary circumstances, including the denial of an exit permit; and

''(B) if such inability was attributable to factors beyond the control of the adopting parent or parents and of the immigrant.''.

SEC. 5122. AMERICAN HOSTAGES IN IRAN COMPENSATION FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that ensuring justice for United States victims of acts of terrorism by Iran who hold legal judgments against Iran relating to such acts is of paramount importance and should be expeditiously addressed.

(b) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the ''American Hostages in Iran Compensation Fund'' (in this section referred to as the ''Fund'') for the purposes of—

(1) making payments to the Americans held hostage in Iran and their spouses who are identified as members of the proposed class in case number 1:00–CV–03110 (EGS) of the United States District Court for the District of Columbia; and

(2) satisfying claims against Iran relating to the taking of hostages and treatment of personnel of the United States embassy in Tehran, Iran, between November 3, 1979, and January 20, 1981.

(c) FUNDING.—

(1) IMPOSITION OF SURCHARGE.—

(A) IN GENERAL.—There is imposed a surcharge equal to 30 percent of the amount of—

(i) any fine or monetary penalty imposed, in whole or in part, for a violation of a law or regulation specified in subparagraph (B) committed on or after the date of the enactment of this Act; or

(ii) the monetary amount of a settlement entered into by a person with respect to a suspected violation of a law or regulation specified in subparagraph (B) related to activities undertaken on or after such date of enactment.

(B) LAWS AND REGULATIONS SPECIFIED.—A law or regulation specified in this subparagraph is any law or regulation that provides for a civil or criminal fine or monetary penalty for any economic activity relating to Iran that is administered by the Department of State, the Department of the Treasury, the Department of Justice, the Department of Commerce, or the Department of Energy.

(C) TERMINATION OF DEPOSITS.—The imposition of the surcharge under subparagraph (A) shall terminate on the date on which all amounts described in subsection (d)(2) have been distributed to all recipients described in that subsection.

(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require a person that is found to have violated a law or regulation specified in subparagraph (B) to pay a surcharge under subparagraph (A) if that person has not been assessed a fine or monetary penalty described in clause (i) of subparagraph (A) or entered into a settlement described in clause (ii) of that subparagraph for that violation.

(2) DEPOSITS INTO FUND; AVAILABILITY OF AMOUNTS.—

(A) DEPOSITS.—The Secretary of the Treasury shall deposit in the Fund all surcharges collected pursuant to paragraph (1)(A), all contributions collected pursuant to paragraph (3), and any other funds made available pursuant to paragraph (4).

(B) PAYMENT OF SURCHARGE TO SECRETARY OF THE TREASURY.—A person upon which a surcharge is imposed under paragraph (1)(A) shall pay the surcharge to the Secretary without regard to whether the fine or penalty with respect to which the surcharge is imposed—

(i) is paid directly to the Federal agency that administers the law or regulation pursuant to which the fine or penalty is imposed; or

(ii) is deemed satisfied by a payment to another Federal agency.

(C) AVAILABILITY OF AMOUNTS IN FUND.—Amounts in the Fund shall be available, without further appropriation, to make payments under subsection (d).

(3) CONTRIBUTIONS.—The President may accept such amounts as may be contributed by individuals, business concerns, governments, or other entities for payments under this section and deposit such amounts into the Fund.

(4) OTHER RESOURCES.—The President may identify and use other funds available for compensating claims under this section and deposit such amounts into the Fund.

(d) DISTRIBUTION OF FUNDS.—

(1) ADMINISTRATION OF FUND.—Payments from the Fund shall be administered by the Secretary of State in accordance with such rules and procedures as the Secretary may prescribe.

(2) PAYMENTS.—Subject to paragraphs (3) and (4), payments shall be made from the Fund to the following recipients in the following amounts:

(A) To each living former hostage identified as a member of the proposed class described in subsection (b)(1), $6,750 for each day of captivity of the former hostage.

(B) To the estate of each deceased former hostage identified as a member of the proposed class described in subsection (b)(1), $6,750 for each day of captivity of the former hostage.

(C) To each spouse of a former hostage identified as a member of the proposed class described in subsection (b)(1) if the spouse is identified as a member of that proposed class, $600,000.

(3) PRIORITY.—Payments from the Fund shall be distributed under paragraph (2) in the following order:

(A) First, to each living former hostage described in paragraph (2)(A).

(B) Second, to the estate of each deceased former hostage described in paragraph (2)(B).

(C) Third, to each spouse of a former hostage described in paragraph (2)(C).

(4) CONSENT OF RECIPIENT.—A payment to a recipient from the Fund under paragraph (2) shall be made only after receiving the consent of the recipient.

(e) PRECLUSION OF FUTURE ACTIONS AND RELEASE OF CLAIMS.—

(1) PRECLUSION OF FUTURE ACTIONS.—A recipient of a payment under subsection (d) may not file or maintain an action against Iran in any Federal or State court for any claim relating to the events described in subsection (b)(2).

(2) RELEASE OF ALL CLAIMS.—Upon the payment of all amounts described in subsection (d)(2) to all recipients described in that subsection, all claims against Iran relating to the events described in subsection (b)(2) shall be deemed waived and forever released.

(f) DEPOSIT OF REMAINING FUNDS INTO THE TREASURY.—

(1) IN GENERAL.—Any amounts remaining in the Fund after the date specified in paragraph (2) shall be deposited in the general fund of the Treasury.

(2) DATE SPECIFIED.—The date specified in this paragraph is the later of—

(A) the date on which all amounts described in subsection (d)(2) have been made to all recipients described in that subsection; or

(B) the date that is 5 years after the date of the enactment of this Act.

(g) NO JUDICIAL REVIEW.—Decisions made under this section shall not be subject to review in any judicial, administrative, or other proceeding.

(h) REPORT TO CONGRESS ON COMPLETION OF PAYMENTS.—Not later than 60 days after determining that a law or regulation specified in subsection (c)(1)(B) is terminated or suspended or that amounts in the Fund will be insufficient for the payment of all amounts described in subsection (d)(2) to all recipients described in that subsection by the date that is 444 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress recommendations to expedite the completion of the payment of those amounts.

SEC. 5123. SENSE OF CONGRESS ON ANTI-ISRAEL AND ANTI-SEMITIC INCITEMENT WITHIN THE PALESTINIAN AUTHORITY.

(a) FINDINGS.—Congress finds that the 1995 Interim Agreement on the West Bank and the Gaza Strip, commonly referred to as Oslo II, specifically details that Israel and the Palestinian Authority shall ''abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction''.

(b) SENSE OF CONGRESS.—Congress—

(1) expresses support and admiration for individuals and organizations working to encourage cooperation between Israeli Jews and Palestinians, including—

(A) Professor Mohammed Dajani Daoudi, who took students from al-Quds University in Jerusalem to visit Auschwitz in March 2014 only to return to death threats by fellow Palestinians and expulsion from his teacher's union;

(B) the Israel Palestine Center for Research and Information, the only joint Israeli-Palestinian public policy think-tank,

(C) United Hatzalah, a nonprofit, fully volunteer Emergency Medical Services organization that, mobilizing volunteers who are religious or secular Jews, Arabs, Muslims, and Christians, provides EMS services to all people in Israel regardless of race, religion, or national origin; and

(D) Breaking the Impasse, an apolitical initiative of Palestinian and Israeli business and civil society leaders who advocate for a two-state solution and an urgent diplomatic solution to the conflict;

(2) reiterates strong condemnation of anti-Israel and anti-Semitic incitement in the Palestinian Authority as antithetical to the stated desire to achieve a just, lasting, and comprehensive peace settlement; and

(3) urges President Abbas and Palestinian Authority officials to discontinue all official incitement that runs contrary to the determination to put an end to decades of confrontation.

SEC. 5124. SUPPORT FOR THE SOVEREIGNTY, INDEPENDENCE, TERRITORIAL INTEGRITY, AND INVIOLABILITY OF POST-SOVIET COUNTRIES IN LIGHT OF RUSSIAN AGGRESSION AND INTERFERENCE.

It is the sense of Congress that Congress—

(1) supports the sovereignty, independence, territorial integrity, and inviolability of post-Soviet countries within their internationally recognized borders;

(2) expresses deep concern over increasingly aggressive actions by the Russian Federation;

(3) is committed to providing sufficient funding for the Bureau of European and Eurasian Affairs of the Department of State to address subversive and destabilizing activities by the Russian Federation within post-Soviet countries;

(4) supports robust engagement between the United States and post-Soviet countries through—

(A) the promotion of strengthened people-to-people ties, including through educational and cultural exchange programs;

(B) anticorruption assistance;

(C) public diplomacy;

(D) economic diplomacy; and

(E) other democratic reform efforts;

(5) encourages the President to further enhance nondefense cooperation and diplomatic engagement with post-Soviet countries;

(6) condemns the subversive and destabilizing activities undertaken by the Russian Federation within post-Soviet countries;

(7) encourages enhanced cooperation between the United States and the European Union to promote greater Euro-Atlantic integration, including through—

(A) the enlargement of the European Union; and

(B) the Open Door policy of the North Atlantic Treaty Organization;

(8) urges continued cooperation between the United States and the European Union to maintain sanctions against the Russian Federation until the Government of Russia has—

(A) fully implemented all provisions of the Minsk agreements, done at Minsk September 5, 2014 and February 12, 2015; and

(B) demonstrated respect for the territorial sovereignty of Ukraine;

(9) calls on the member states of the European Union to extend the current sanctions regime against the Russian Federation; and

(10) urges the consideration of additional sanctions if the Russian Federation continue to engage in subversive and destabilizing activities within post-Soviet countries.

SEC. 5125. RUSSIAN PROPAGANDA REPORT.

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

(1) the Russian Federation is waging a propaganda war against the United States and our allies; and

(2) a successful strategy must be implemented to counter the threat posed by Russian propaganda.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, and annually for the following 3 years, the Secretary, in consultation with appropriate Federal officials, shall submit an unclassified report, with a classified annex, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains a detailed analysis of—

(1) the recent use of propaganda by the Government of Russia, including—

(A) the forms of propaganda used, including types of media and programming;

(B) the principal countries and regions targeted by Russian propaganda; and

(C) the impact of Russian propaganda on such targets;

(2) the response by United States allies, particularly European allies, to counter the threat of Russian propaganda;

(3) the response by the United States to the threat of Russian propaganda;

(4) the extent of the effectiveness of programs currently in use to counter Russian propaganda;

(5) a strategy for improving the effectiveness of such programs;

(6) any additional authority needed to counter the threat of Russian propaganda; and

(7) the additional funding needed to successfully implement the strategy referred to in paragraph (5).

SEC. 5126. APPROVAL OF EXPORT LICENCES AND LETTERS OF REQUEST TO ASSIST THE GOVERNMENT OF UKRAINE.

(a) IN GENERAL.—

(1) EXPORT LICENSE APPLICATIONS.—

(A) SUBMISSION TO CONGRESS.—The Secretary shall submit to the specified congressional committees a detailed list of all export license applications, including requests for marketing licenses, for the sale of defense articles and defense services to Ukraine.

(B) CONTENTS.—The list submitted under subparagraph (A) shall include—

(i) the date on which the application or request was first submitted;

(ii) the current status of each application or request; and

(iii) the estimated timeline for adjudication of such applications or requests.

(C) PRIORITY.—The Secretary should give priority to processing the applications and requests included on the list submitted under subparagraph (A).

(2) LETTERS OF REQUEST.—The Secretary shall submit to the specified congressional committees a detailed list of all pending Letters of Request for Foreign Military Sales to Ukraine, including—

(A) the date on which each such letter was first submitted;

(B) the current status of each such letter; and

(C) the estimated timeline for the adjudication of each such letter.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter until the date set forth in paragraph (2), the Secretary shall submit a report to the specified congressional committees that describes the status of the applications, requests for marketing licenses, and Letters of Request described in subsection (a).

(2) TERMINATION DATE.—The date set forth in this paragraph is the earlier of—

(A) the date on which the President certifies to Congress that the sovereignty and territorial integrity of the Government of Ukraine has been restored; or

(B) the date that is 5 years after the date of the enactment of this Act.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''specified congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Foreign Affairs of the House of Representatives;

(3) the Committee on Armed Services of the Senate; and

(4) the Committee on Armed Services of the House of Representatives.

Subtitle B—Additional Matters

SEC. 5131. ATROCITIES PREVENTION BOARD.

(a) ESTABLISHMENT.—The President is authorized to establish, within the Executive Office of the President, an Interagency Atrocities Prevention Board (referred to in this section as the ''Board'').

(b) DUTIES.—The Board is authorized—

(1) to coordinate an interagency approach to preventing mass atrocities;

(2) to propose policies to integrate the early warning systems of national security agencies, including intelligence agencies, with respect to incidents of mass atrocities and to coordinate the policy response to such incidents;

(3) to identify relevant Federal agencies, which shall track and report on Federal funding spent on atrocity prevention efforts;

(4) to oversee the development and implementation of comprehensive atrocities prevention and response strategies;

(5) to identify available resources and policy options necessary to prevent the emergence or escalation of mass atrocities;

(6) to identify and propose policies to close gaps in expertise, readiness, and planning for atrocities prevention and early action across Federal agencies, including training for employees at relevant Federal agencies;

(7) to engage relevant civil society and nongovernmental organization stakeholders in regular consultations to solicit current information on countries of concern; and

(8) to conduct an atrocity-specific expert review of policy and programming of all countries at risk for mass atrocities.

(c) LEADERSHIP.—

(1) IN GENERAL.—The Board shall be headed by a Senior Director, who—

(A) shall be appointed by the President; and

(B) shall report to the Assistant to the President for National Security Affairs.

(2) RESPONSIBILITIES.—The Senior Director is authorized to have primary responsibility for—

(A) recommending and, if adopted, promoting United States Government policies on preventing mass atrocities; and

(B) carrying out the duties described in subsection (b).

(d) COMPOSITION.—The Board shall be composed of—

(1) representatives from—

(A) the Department of State;

(B) the United States Agency for International Development;

(C) the Department of Defense;

(D) the Department of Justice;

(E) the Department of the Treasury;

(F) the Department of Homeland Security;

(G) the Central Intelligence Agency;

(H) the Office of the Director of National Intelligence;

(I) the United States Mission to the United Nations; and

(J) the Federal Bureau of Investigation; and

(2) such other individuals as the President may appoint.

(e) COORDINATION.—The Board is authorized to coordinate with relevant officials and government agencies responsible for foreign policy with respect to particular regions and countries to help provide a cohesive, whole of government response and policy direction to emerging and ongoing atrocities.

(f) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a classified report, with an unclassified annex, which shall include—

(1) an update on the interagency review mandated by Presidential Study Directive 10 that includes—

(A) an evaluation of current mechanisms and capacities for government-wide detection, early warning, information-sharing, contingency planning, and coordination of efforts to prevent and respond to situations of genocide, mass atrocities, and other mass violence, including such mass gender- and ethnicity-based violence;

(B) an assessment of the funding spent by relevant Federal agencies on atrocity prevention activities;

(C) current annual global assessments of sources of conflict and instability;

(D) recommendations to further strengthen United States capabilities to improve the mechanisms described in subparagraph (A); and

(E) evaluations of the various approaches to enhancing capabilities and improving the mechanisms described in subparagraph (A);

(2) recommendations to ensure burden sharing by—

(A) improving international cooperation and coordination to enhance multilateral mechanisms for preventing genocide and atrocities, including improving the role of regional and international organizations in conflict prevention, mitigation, and response; and

(B) strengthening regional organizations; and

(3) the implementation status of the recommendations contained in the interagency review described in paragraph (1).

(g) MATERIALS AND BRIEFINGS.—The Senior Director and the members of the Board shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives at least annually.

(h) SUNSET.—This section shall cease to be effective on June 30, 2017.

SEC. 5132. UNITED STATES ENGAGEMENT IN THE INDO-PACIFIC.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a comprehensive assessment to the Chairmen and Ranking Members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives of the United States engagement in the Indo-Pacific, including with partners across the Indo-Pacific region.

(b) ELEMENTS.—The assessment submitted under subsection (a) shall include—

(1) a review of current and emerging United States diplomatic, national security, and economic interests and trends in the Indo-Pacific region;

(2) a review of resources devoted to United States diplomatic, economic, trade, development, and cultural engagement and plans in the Indo-Pacific region during the 10-year period ending on the date of the enactment of this Act;

(3) options for the realignment of United States engagement in the Indo-Pacific region to respond to new opportunities and challenges, including linking United States strategy more broadly across the Indo-Pacific region; and

(4) the views of noted policy leaders and regional experts, including leaders and experts

in the Indo-Pacific region, on the opportunities and challenges to United States engagement across the Indo-Pacific region.

(c) CONSULTATION.—The Secretary, as appropriate, shall consult with—

(1) other United States Government agencies; and

(2) independent, nongovernmental organizations with recognized credentials and expertise in foreign policy, national security, and international economic affairs that have access to policy experts throughout the United States and from the Indo-Pacific region.

SEC. 5133. JOINT ACTION PLAN TO COMBAT PREJUDICE AND DISCRIMINATION AND TO FOSTER INCLUSION.

(a) IN GENERAL.—The Secretary is authorized to enter into a bilateral joint action plan with the European Union to combat prejudice and discrimination and to foster inclusion (referred to in this section as the ''Joint Action Plan'').

(b) CONTENTS OF JOINT ACTION PLAN.—The Joint Action Plan shall—

(1) address anti-Semitism;

(2) address prejudice against, and the discriminatory treatment of, racial, ethnic, and religious minorities;

(3) promote equality of opportunity for access to quality education and economic opportunities; and

(4) promote equal treatment by the justice system.

(c) COOPERATION.—In developing the Joint Action Plan, the Secretary shall—

(1) leverage interagency policy expertise in the United States and Europe;

(2) develop partnerships among civil society and private sector stakeholders; and

(3) draw upon the extensive work done by the Organization for Security and Co-operation in Europe to address anti-Semitism.

(d) INITIATIVES.—The Joint Action Plan may include initiatives for promoting equality of opportunity and methods of eliminating prejudice and discrimination based on religion, race, or ethnicity, including—

(1) training programs;

(2) regional initiatives to promote equality of opportunity through the strengthening of democratic institutions;

(3) public-private partnerships with enterprises and nongovernmental organizations;

(4) exchanges of technical experts;

(5) scholarships and fellowships; and

(6) political empowerment and leadership initiatives.

(e) DEPUTY ASSISTANT SECRETARY.—The Secretary shall task an existing Deputy Assistant Secretary with the responsibility for coordinating the implementation of the Joint Action Plan with his or her European Union counterpart.

(f) LEGAL EFFECTS.—Any Joint Action Plan adopted under this section—

(1) shall not be legally binding; and

(2) shall create no rights or obligations under international or United States law.

(g) RULES OF CONSTRUCTION.—Nothing in this section may be construed to authorize—

(1) the Secretary to enter into a legally binding agreement or Joint Action Plan with the European Union; or

(2) any additional appropriations for the purposes and initiatives described in this section.

(h) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a progress report on the development of the Joint Action Plan to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 5134. REPORT ON DEVELOPING COUNTRY DEBT SUSTAINABILITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Treasury, shall submit a report containing an assessment of the current external debt environment for developing countries and identifying particular near-term risks to debt sustainability to—

(1) the appropriate congressional committees;

(2) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(3) the Committee on Financial Services of the House of Representatives.

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

(1) the impact of new lending relationships, including the role of new creditors;

(2) the adequacy of current multilateral surveillance mechanisms in guarding against debt distress in developing countries;

(3) the ability of developing countries to borrow on global capital markets; and

(4) the interaction between debt sustainability objectives of the developing world and the development-oriented investment agenda of the G–20, including the impact of—

(A) current debt sustainability objectives on investment in developing countries; and

(B) investment objectives proposed by the G–20 on the ability to meet the goals of—

(i) the Heavily Indebted Poor Country Initiative; and

(ii) the Multilateral Debt Relief Initiative.

SEC. 5135. UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.

(a) GLOBAL STRATEGY REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and biennially thereafter for 6 years, the Secretary of State shall develop or update a United States global strategy to prevent and respond to violence against women and girls. The strategy shall be transmitted to the appropriate congressional committees and made publicly available on the Internet.

(b) INITIAL STRATEGY.—For the purposes of this section, the ''United States Strategy to Prevent and Respond to Gender-Based Violence Globally'', issued in August 2012, shall be deemed to fulfill the initial requirement of subsection (a).

(c) COLLABORATION AND COORDINATION.—In developing the strategy under subsection (a), the Secretary of State shall consult with—

(1) the heads of relevant Federal agencies;

(2) the Senior Policy Operating Group on Trafficking in Persons; and

(3) representatives of civil society and multilateral organizations with demonstrated experience in addressing violence against women and girls or promoting gender equality internationally.

(d) PRIORITY COUNTRY SELECTION.—To further the objectives of the strategy described in subsection (a), the Secretary shall identify no less than 4 eligible low-income and lower-middle income countries with significant levels of violence against women and girls, including within displaced communities, that have the governmental or nongovernmental organizational capacity to manage and implement gender-based violence prevention and response program activities and should, when possible, be geographically, ethnically, and culturally diverse from one another.

(e) COUNTRY PLANS.—In each country identified under subsection (d) the Secretary shall develop comprehensive, multisectoral, and holistic individual country plans designed to address and respond to violence against women and girls that include—

(1) an assessment and description of the current or potential capacity of the government of each identified country and civil society organizations in each such identified country to address and respond to violence against women and girls;

(2) an identification of coordination mechanisms with Federal agencies that—

(A) have existing programs relevant to the strategy;

(B) will be involved in new program activities; and

(C) are engaged in broader United States strategies around development;

(3) a description of the monitoring and evaluation mechanisms established for each identified country, and their intended use in assessing overall progress in prevention and response;

(4) a projection of the general levels of resources needed to achieve the stated objectives in each identified country, including an accounting of—

(A) activities and funding already expended by the Department of State, the United States Agency for International Development, other Federal agencies, donor country governments, and multilateral institutions; and

(B) leveraged private sector resources; and

(5) strategies, as appropriate, designed to accommodate the needs of stateless, disabled, internally displaced, refugee, or religious or ethnic minority women and girls.

(f) REPORT ON PRIORITY COUNTRY SELECTION AND COUNTRY PLANS.—Not more than 90 days after selection of the priority countries required under subsection (d), and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing the priority country selection process, the development of specific country plans, and include an overview of all programming and specific activities being undertaken, the budget resources requested, and the specific activities to be supported by each Executive agency under the strategy if such resources are provided.

(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize any additional appropriations for the purposes and initiatives of this section.

SEC. 5136. INTERNATIONAL CORRUPTION AND ACCOUNTABILITY.

(a) ANNUAL REPORT.—Not later than June 1 of each year, the Secretary, in consultation with the Administrator of the United States Agency for International Development (referred to in this section as the ''USAID Administrator''), the Secretary of Defense, and the heads of appropriate intelligence agencies, shall submit to the appropriate congressional committees a Country Report on Corruption Practices, with a classified annex, which shall include information about countries for which a corruption analysis was conducted under subsection (b).

(b) CORRUPTION ANALYSIS ELEMENTS.—The corruption analysis conducted under this subsection should include, among other elements—

(1) an analysis of individuals and associations that comprise corruption networks in the country, including, as applicable—

(A) government officials;

(B) private sector actors;

(C) criminals; and

(D) members of illegal armed groups;

(2) the identification of the state functions that have been captured by corrupt networks in the country, including, as applicable functions of—

(A) the judicial branch;

(B) the taxing authority;

(C) the central bank; and

(D) specific military or police units;

(3) the identification of—

(A) the key economic activities, whether licit or illicit, which are dominated by members of the corrupt network; and

(B) other revenue streams that enrich such members; and

(4) the identification of enablers of corrupt practices, within the country and outside the country.

(c) PUBLICATION AND BRIEFINGS.—The Secretary shall—

(1) publish the Country Report on Corruption and Accountability submitted under subsection (a) on the website of the Department; and

(2) brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the information contained in the report published under paragraph (1).

SEC. 5137. QUADRENNIAL DIPLOMACY AND DEVELOPMENT REVIEW.

(a) REQUIREMENT.—

(1) QUADRENNIAL REVIEWS REQUIRED.—Under the direction of the President, the Secretary of State shall every 4 years, during a year following a year evenly divisible by 4, conduct a review of United States diplomacy and development (to be known as a ''quadrennial diplomacy and development review'').

(2) SCOPE OF REVIEWS.—Each quadrennial diplomacy and development review shall be a comprehensive examination of the national diplomacy and development policy and strategic framework of the United States for the next 4-year period until a subsequent review is due under paragraph (1). The review shall include—

(A) recommendations regarding the long-term diplomacy and development policy and strategic framework of the United States;

(B) priorities of the United States for diplomacy and development; and

(C) guidance on the related programs, assets, capabilities, budget, policies, and authorities of the Department of State and United States Agency for International Development.

(3) CONSULTATION.—In conducting each quadrennial diplomacy and development review, after consultation with Department of State and United States Agency for International Development officials, the Secretary of State should consult with—

(A) the heads of other relevant Federal agencies, including the Secretary of Defense, the Secretary of the Treasury, the Secretary of Homeland Security, the Attorney General, the Secretary of Health and Human Services, the Secretary of Agriculture, the Secretary of Commerce, the Chief Executive Officer of the Millennium Challenge Corporation, and the Director of National Intelligence;

(B) any other Federal agency that provides foreign assistance, including at a minimum the Export-Import Bank of the United States and the Overseas Private Investment Corporation;

(C) the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and, as appropriate, other members of Congress; and

(D) other relevant governmental and nongovernmental entities, including private sector representatives, academics, and other policy experts.

(b) CONTENTS OF REVIEW.—Each quadrennial diplomacy and development review shall—

(1) delineate, as appropriate, the national diplomacy and development policy and strategic framework of the United States, consistent with appropriate national, Department of State, and United States Agency for International Development strategies, strategic plans, and relevant presidential directives, including the national security strategy prescribed pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a);

(2) outline and prioritize the full range of critical national diplomacy and development areas, capabilities, and resources, including those implemented across agencies, and address the full range of challenges confronting the United States in this regard;

(3) describe the interagency cooperation, and preparedness of relevant Federal assets, and the infrastructure, budget plan, and other elements of the diplomacy and development policies and programs of the United States required to execute successfully the full range of mission priorities outlined under paragraph (2);

(4) describe the roles of international organizations and multilateral institutions in advancing United States diplomatic and development objectives, including the mechanisms for coordinating and harmonizing development policies and programs with partner countries and among donors;

(5) identify the budget plan required to provide sufficient resources to successfully execute the full range of mission priorities outlined under paragraph (2);

(6) include an assessment of the organizational alignment of the Department of State and the United States Agency for International Development with the national diplomacy and development policy and strategic framework referred to in paragraph (1) and the diplomacy and development mission priorities outlined under paragraph (2);

(7) review and assess the effectiveness of the management mechanisms of the Department of State and the United States Agency for International Development for executing the strategic priorities outlined in the quadrennial diplomacy and development review, including the extent to which such effectiveness has been enhanced since the previous report; and

(8) the relationship between the requirements of the quadrennial diplomacy and development review and the acquisition strategy and expenditure plan within the Department of State and the United States Agency for International Development.

(c) FOREIGN AFFAIRS POLICY BOARD REVIEW.—The Secretary of State should apprise the Foreign Affairs Policy Board on an ongoing basis of the work undertaken in the conduct of the quadrennial diplomacy and development review.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize any additional appropriations for the purposes and initiatives under this section.

SEC. 5138. DISAPPEARED PERSONS IN MEXICO, GUATEMALA, HONDURAS, AND EL SALVADOR.

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

(1) The United States—

(A) values governance, security, and the rule of law in Mexico and Central America; and

(B) has reemphasized its commitment to this region following the humanitarian crisis of unaccompanied children from these countries across the international border between the United States and Mexico in 2014.

(2) Individuals migrating from Central America to the United States face great peril during their journey. Many go missing along the way and are often never heard from again.

(b) REPORT OF DISAPPEARED PERSONS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary, in close consultation with the Administrator of the Drug Enforcement Agency, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the heads of other relevant Federal agencies, shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that includes—

(1) the number of cases of enforced disappearances in Mexico, Guatemala, Honduras, and El Salvador;

(2) an assessment of causes for the disappearances described in paragraph (1);

(3) the primary individuals and groups responsible for such disappearances; and

(4) the official government response in those countries to account for such disappeared persons.

SEC. 5139. REPORT ON IMPLEMENTATION BY THE GOVERNMENT OF BAHRAIN OF RECOMMENDATIONS FROM THE BAHRAIN INDEPENDENT COMMISSION OF INQUIRY.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit an unclassified report to the appropriate congressional committees that describes the implementation by the Government of Bahrain of the recommendations contained in the 2011 Report of the Bahrain Independent Commission of Inquiry (referred to in this section as the ''Bahrain Report'').

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a description of the specific steps taken by the Government of Bahrain to implement each of the 26 recommendations contained in the Bahrain Report;

(2) an assessment of whether the Government of Bahrain has ''fully complied with'', ''partially implemented'', or ''not meaningfully implemented'' each recommendation referred to in paragraph (1); and

(3) an assessment of the impact of the findings in the Bahrain Report for the United States security posture in the Arab Gulf and the area of responsibility of the United States Central Command.

SEC. 5140. REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE TO HAITI AND WHETHER RECENT ELECTIONS IN HAITI MEET INTERNATIONAL ELECTION STANDARDS.

(a) REAUTHORIZATION.—Section 5(a) of the Assessing Progress in Haiti Act of 2014 (22 U.S.C. 2151 note) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2022''.

(b) REPORT.—Section 5(b) of the Assessing Progress in Haiti Act of 2014 (22 U.S.C. 2151 note) is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(14) a determination of whether recent Haitian elections are free, fair and responsive to the people of Haiti; and

''(15) a description of any attempts to disqualify candidates for political officers in Haiti for political reasons.''.

SEC. 5141. SENSE OF CONGRESS WITH RESPECT TO THE IMPOSITION OF ADDITIONAL SANCTIONS AGAINST THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

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

(1) The Democratic People's Republic of Korea (in this section referred to as the ''DPRK'') tested nuclear weapons on 3 separate occasions, in October 2006, in May 2009, and in February 2013.

(2) Nuclear experts have reported that the DPRK may currently have as many as 20 nuclear warheads and has the potential to possess as many as 100 warheads within the next 5 years.

(3) According to the 2014 Department of Defense report, ''Military and Security Developments Involving the Democratic People's Republic of Korea'' (in this subsection referred to as the ''2014 DoD report''), the DPRK has proliferated nuclear technology to Libya via the proliferation network of Pakistani scientist A.Q. Khan.

(4) According to the 2014 DoD report, ''North Korea also provided Syria with nuclear reactor technology until 2007.''.

(5) On September 6, 2007, as part of ''Operation Orchard'', the Israeli Air Force destroyed the suspected nuclear facility in Syria.

(6) According to the 2014 DoD report, ''North Korea has exported conventional and ballistic missile-related equipment, components, materials, and technical assistance to countries in Africa, Asia, and the Middle East.''.

(7) On November 29, 1987, DPRK agents planted explosive devices onboard Korean Air flight 858, which killed all 115 passengers and crew on board.

(8) On March 26, 2010, the DPRK fired upon and sank the South Korean warship Cheonan, killing 46 of her crew.

(9) On November 23, 2010, the DPRK shelled South Korea's Yeonpyeong Island, killing 4 South Korean citizens.

(10) On February 7, 2014, the United Nations Commission of Inquiry on human rights in DPRK (in this subsection referred to as the ''Commission of Inquiry'') released a report detailing the atrocious human rights record of the DPRK.

(11) Dr. Michael Kirby, Chair of the Commission of Inquiry, stated on March 17, 2014, ''The Commission of Inquiry has found systematic, widespread, and grave human rights violations occurring in the Democratic People's Republic of Korea. It has also found a disturbing array of crimes against humanity. These crimes are committed against inmates of political and other prison camps; against starving populations; against religious believers; against persons who try to flee the country—including those forcibly repatriated by China.''.

(12) Dr. Michael Kirby also stated, ''These crimes arise from policies established at the highest level of the State. They have been committed, and continue to take place in the Democratic People's Republic of Korea, because the policies, institutions, and patterns of impunity that lie at their heart remain in place. The gravity, scale, duration, and nature of the unspeakable atrocities committed in the country reveal a totalitarian State that does not have any parallel in the contemporary world.''.

(13) The Commission of Inquiry also notes, ''Since 1950, the Democratic People's Republic of Korea has engaged in the systematic abduction, denial of repatriation, and subsequent enforced disappearance of persons from other countries on a large scale and as a matter of State policy. Well over 200,000 persons, including children, who were brought from other countries to the Democratic People's Republic of Korea may have become victims of enforced disappearance,'' and states that the DPRK has failed to account or address this injustice in any way.

(14) According to reports and analysis from organizations such as the International Network for the Human Rights of North Korean Overseas Labor, the Korea Policy Research Center, NK Watch, the Asian Institute for Policy Studies, the Center for International and Strategic Studies, and the George W. Bush Institute, there may currently be as many as 100,000 North Korean overseas laborers in various nations around the world.

(15) Such forced North Korean laborers are often subjected to harsh working conditions under the direct supervision of DPRK officials, and their salaries contribute to anywhere from $150,000,000 to $230,000,000 a year to the DPRK state coffers.

(16) According to the Director of National Intelligence's 2015 Worldwide Threat Assessment, ''North Korea's nuclear weapons and missile programs pose a serious threat to the United States and to the security environment in East Asia.''.

(17) The Worldwide Threat Assessment states, ''North Korea has also expanded the size and sophistication of its ballistic missile forces, ranging from close-range ballistic missiles to ICBMs, while continuing to conduct test launches. In 2014, North Korea launched an unprecedented number of ballistic missiles.''.

(18) On December 19, 2015, the Federal Bureau of Investigation declared that the DPRK was responsible for a cyberattack on Sony Pictures conducted on November 24, 2014.

(19) From 1988 to 2008, the DPRK was designated by the United States Government as a state sponsor of terrorism.

(20) The DPRK is currently in violation of United Nations Security Council Resolutions 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), and 2094 (2013).

(21) The DPRK repeatedly violated agreements with the United States and the other so-called Six-Party Talks partners (the Republic of Korea, Japan, the Russian Federation, and the People's Republic of China) designed to halt its nuclear weapons program, while receiving significant concessions, including fuel, oil, and food aid.

(22) The Six-Party Talks have not been held since December 2008.

(23) On May 9, 2015, the DPRK claimed that it has test-fired a ballistic missile from a submarine.

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

(1) the DPRK represents a serious threat to the national security of the United States and United States allies in East Asia and to international peace and stability, and grossly violates the human rights of its own people;

(2) the Secretary of State and the Secretary of the Treasury should impose additional sanctions against the DPRK, including targeting its financial assets around the world, specific designations relating to human rights abuses, and a redesignation of the DPRK as a state sponsor of terror; and

(3) the President should not resume the negotiations with the DPRK, either bilaterally or as part of the Six-Party Talks, without strict preconditions, including that the DPRK—

(A) adhere to its denuclearization commitments outlined in the 2005 Joint Statement of the Six-Party Talks;

(B) commit to halting its ballistic missile programs and its proliferation activities;

(C) cease military provocations; and

(D) measurably and significantly improve its human rights record.

TITLE II—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

SEC. 5201. RIGHTSIZING ACCOUNTABILITY.

(a) IN GENERAL.—Not later than 60 days after receiving rightsizing recommendations pursuant to a review conducted by the Office of Management, Policy, Rightsizing, and Innovation relating to overseas staffing levels at United States overseas posts, the relevant chief of mission, in coordination with the relevant regional bureau, shall submit a response to the Office of Management, Policy, Rightsizing, and Innovation that describes—

(1) any rightsizing recommendations that are accepted by such chief of mission and regional bureau;

(2) a detailed schedule for implementation of any such recommendations;

(3) any recommendations that are rejected; and

(4) a detailed justification providing the basis for the rejection of any such recommendations.

(b) ANNUAL REPORT.—On the date on which the President's annual budget request is submitted to Congress, the Secretary shall submit an annual report to the appropriate congressional committees that describes the status of all rightsizing recommendations and responses described in subsection (a) from the preceding 5 years, including—

(1) a list of all such rightsizing recommendations made, including whether each such recommendation was accepted or rejected by the relevant chief of mission and regional bureau;

(2) for each accepted recommendation, a detailed description of the current status of its implementation according to the schedule provided pursuant to subsection (a)(2), including an explanation for any departure from, or changes to, such schedule; and

(3) for any rejected recommendations, the justification provided pursuant to subsection (a)(4).

(c) REPORT ON REGIONAL BUREAU STAFFING.—In conjunction with each report required under subsection (b), the Secretary shall submit a supplemental report to the appropriate congressional committees that includes—

(1) an enumeration of the domestic staff positions in each regional bureau of the Department;

(2) a detailed explanation of the extent to which the staffing of each regional bureau reflects the overseas requirements of the United States within each such region;

(3) a detailed plan, including an implementation schedule, for how the Department will seek to rectify any significant imbalances in staffing among regional bureaus or between any regional bureau and the overseas requirements of the United States within such region if the Secretary determines that such staffing does not reflect—

(A) the foreign policy priorities of the United States; or

(B) the effective conduct of the foreign affairs of the United States; and

(4) a detailed description of the implementation status of any plan provided pursuant to paragraph (3), including an explanation for any departure from, or changes to, the implementation schedule provided with such plan.

SEC. 5202. INTEGRATION OF FOREIGN ECONOMIC POLICY.

(a) IN GENERAL.—The Secretary, in conjunction with the Under Secretary of Economic Growth, Energy, and the Environment, shall establish—

(1) foreign economic policy priorities for each regional bureau, including for individual countries, as appropriate; and

(2) policies and guidance for integrating such foreign economic policy priorities throughout the Department.

(b) DEPUTY ASSISTANT SECRETARY.—Within each regional bureau of the Department, the Secretary shall task an existing Deputy Assistant Secretary with appropriate training and background in economic and commercial affairs with the responsibility for economic matters and interests within the responsibilities of such regional bureau, including the integration of the foreign economic policy priorities established pursuant to subsection (a).

(c) COORDINATION.—The Deputy Assistant Secretary given the responsibility for economic matters and interests pursuant to subsection (b) within each bureau shall—

(1) at the direction of the relevant Assistant Secretary, review and report to the Assistant Secretary of such bureau on all economic matters and interests; and

(2) serve as liaison with the Office of the Under Secretary for Economic Growth, Energy, and the Environment.

SEC. 5203. REVIEW OF BUREAU OF AFRICAN AFFAIRS AND BUREAU OF NEAR EASTERN AFFAIRS JURISDICTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(1) conduct a review of the jurisdictional responsibility of the Bureau of African Affairs and that of the Bureau of Near Eastern Affairs relating to the North African countries of Morocco, Algeria, Tunisia, and Libya; and

(2) submit a report to the appropriate congressional committees that includes—

(A) the findings of the review conducted under paragraph (1); and

(B) recommendations on whether jurisdictional responsibility among the bureaus referred to in paragraph (1) should be adjusted.

(b) REVIEW.—The review conducted under subsection (a)(1) shall—

(1) identify regional strategic priorities;

(2) assess regional dynamics between the North Africa and Sub-Saharan Africa regions, including the degree to which the priorities identified pursuant to paragraph (1)—

(A) are distinct between each such region; or

(B) have similar application across such regions;

(3) identify current priorities and effectiveness of United States Government regional engagement in North Africa and Sub-Saharan Africa, including through security assistance, economic assistance, humanitarian assistance, and trade;

(4) assess the degree to which such engagement is—

(A) inefficient, duplicative, or uncoordinated between the North Africa and Sub-Saharan Africa regions; or

(B) otherwise harmed or limited as a result of the current division of jurisdictional responsibilities;

(5) assess the overall coherence and effectiveness of the current division of jurisdictional responsibilities in Africa between the Bureau of African Affairs and the Bureau of Near Eastern Affairs, including with regard to coordination with other United States departments or agencies; and

(6) assess any opportunities and costs of transferring jurisdictional responsibility of Morocco, Algeria, Tunisia and Libya from the Bureau of Near Eastern Affairs to the Bureau of African Affairs.

SEC. 5204. SPECIAL ENVOYS, REPRESENTATIVES, ADVISORS, AND COORDINATORS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on special envoys, representatives, advisors, and coordinators of the Department, which shall include—

(1) a tabulation of the current names, ranks, positions, and responsibilities of all special envoy, representative, advisor, and coordinator positions at the Department, with a separate accounting of all such positions at the level of Assistant Secretary (or equivalent) or above; and

(2) for each position identified pursuant to paragraph (1)—

(A) the date on which the position was created;

(B) the mechanism by which the position was created, including the authority under which the position was created;

(C) the positions authorized under section 1(d) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(d));

(D) a description of whether, and the extent to which, the responsibilities assigned to the position duplicate the responsibilities of other current officials within the Department, including other special envoys, representatives, and advisors;

(E) which current official within the Department would be assigned the responsibilities of the position in the absence of the position;

(F) to which current official within the Department the position directly reports;

(G) the total number of staff assigned to support the position; and

(H) with the exception of those created by statute, a detailed explanation of the necessity of the position to the effective conduct of the foreign affairs of the United States.

SEC. 5205. CONFLICT PREVENTION, MITIGATION AND RESOLUTION, AND THE INCLUSION AND PARTICIPATION OF WOMEN.

Section 704 of the Foreign Service Act of 1980 (22 U.S.C. 4024) is amended by adding at the end the following:

''(e) The Secretary, in conjunction with the Administrator of the United States Agency for International Development, shall ensure that all appropriate personnel, responsible for, or deploying to, countries or regions considered to be at risk of, undergoing, or emerging from violent conflict, including special envoys, members of mediation or negotiation teams, relevant members of the civil service or foreign service, and contractors, obtain training, as appropriate, in the following areas, each of which shall include a focus on women and ensuring women's meaningful inclusion and participation:

''(1) Conflict prevention, mitigation, and resolution.

''(2) Protecting civilians from violence, exploitation, and trafficking in persons.

''(3) International human rights law and international humanitarian law.''.

SEC. 5206. INFORMATION TECHNOLOGY SYSTEM SECURITY.

(a) IN GENERAL.—The Secretary shall regularly consult with the Director of the National Security Agency and any other departments or agencies the Secretary determines to be appropriate regarding the security of United States Government and nongovernment information technology systems and networks owned, operated, managed, or utilized by the Department, including any such systems or networks facilitating the use of sensitive or classified information.

(b) CONSULTATION.—In performing the consultations required under subsection (a), the Secretary shall make all such systems and networks available to the Director of the National Security Agency and any other such departments or agencies to carry out such tests and procedures as are necessary to ensure adequate policies and protections are in place to prevent penetrations or compromises of such systems and networks, including by malicious intrusions by any unauthorized individual or state actor or other entity.

(c) SECURITY BREACH REPORTING.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary, in consultation with the Director of the National Security Agency and any other departments or agencies the Secretary determines to be appropriate, shall submit a report to the appropriate congressional committees that describes in detail—

(1) all known or suspected penetrations or compromises of the systems or networks described in subsection (a) facilitating the use of classified information; and

(2) all known or suspected significant penetrations or compromises of any other such systems and networks that occurred since the submission of the prior report.

(d) CONTENT.—Each report submitted under subsection (c) shall include—

(1) a description of the relevant information technology system or network penetrated or compromised;

(2) an assessment of the date and time such penetration or compromise occurred;

(3) an assessment of the duration for which such system or network was penetrated or compromised, including whether such penetration or compromise is ongoing;

(4) an assessment of the amount and sensitivity of information accessed and available to have been accessed by such penetration or compromise, including any such information contained on systems and networks owned, operated, managed, or utilized by any other department or agency of the United States Government;

(5) an assessment of whether such system or network was penetrated by a malicious intrusion, including an assessment of—

(A) the known or suspected perpetrators, including state actors; and

(B) the methods used to conduct such penetration or compromise; and

(6) a description of the actions the Department has taken, or plans to take, to prevent future, similar penetrations or compromises of such systems and networks.

SEC. 5207. ANALYSIS OF EMBASSY COST SHARING.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that assesses the cost-effectiveness and performance of the International Cooperative Administrative Support Services system (referred to in this section as the ''ICASS system''), including by assessing—

(1) the general performance of the ICASS system in providing cost-effective, timely, efficient, appropriate, and reliable services that meet the needs of all departments and agencies served;

(2) the extent to which additional cost savings and greater performance can be achieved under the current ICASS system and rules;

(3) the standards applied in the selection of the ICASS provider and the extent to which such standards are consistently applied; and

(4) potential reforms to the ICASS system, including—

(A) the selection of more than 1 service provider under certain circumstances;

(B) options for all departments or agencies to opt out of ICASS entirely or to opt out of individual services, including by debundling service packages;

(C) increasing the reliance on locally employed staff or outsourcing to local firms, as appropriate; and

(D) other modifications to the current ICASS system and rules that would incentivize greater effectiveness and cost efficiency.

SEC. 5208. PARENT ADVISORY COMMITTEE TO THE INTERAGENCY WORKING GROUP TO PREVENT INTERNATIONAL PARENTAL CHILD ABDUCTION.

Section 433(b) of the Homeland Security Act of 2002 (6 U.S.C. 241(b)) is amended to read as follows:

''(b) INTERAGENCY COORDINATION.—

''(1) INTERAGENCY WORKING GROUP.—The Secretary of State shall convene and chair an interagency working group to prevent international parental child abduction, which shall be composed of presidentially appointed, Senate confirmed, officials from—

''(A) the Department of State;

''(B) the Department of Homeland Security, including U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

''(C) the Department of Justice, including the Federal Bureau of Investigation.

''(2) ADVISORY COMMITTEE.—The Secretary of State shall convene an advisory committee to the interagency working group established pursuant to paragraph (1), for the

duration of the working group's existence, which shall be composed of not less than 3 left-behind parents, serving for 2-year terms, who—

''(A) shall be selected by the Secretary; and

''(B) shall periodically consult with such advisory committee on all activities of the interagency working group, as appropriate.''.

SEC. 5209. IMPROVING RESEARCH AND EVALUATION OF PUBLIC DIPLOMACY.

(a) IN GENERAL.—The Secretary shall—

(1) conduct regular research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(2) make the findings of the research and evaluations conducted under paragraph (1) available to Congress.

(b) DIRECTOR OF RESEARCH AND EVALUATION.—

(1) APPOINTMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall appoint a Director of Research and Evaluation in the Office of Policy, Planning, and Resources for the Under Secretary for Public Diplomacy and Public Affairs.

(2) LIMITATION ON APPOINTMENT.—The appointment of a Director of Research and Evaluation pursuant to paragraph (1) shall not result in an increase in the overall full-time equivalent positions within the Department.

(3) RESPONSIBILITIES.—The Director of Research and Evaluation shall—

(A) coordinate and oversee the research and evaluation of public diplomacy programs of the Department—

(i) to improve public diplomacy strategies and tactics; and

(ii) to ensure that programs are increasing the knowledge, understanding, and trust of the United States by relevant target audiences;

(B) report to the Director of Policy and Planning;

(C) routinely organize and oversee audience research, digital analytics and impact evaluations across all public diplomacy bureaus and offices of the Department;

(D) support embassy public affairs sections;

(E) share appropriate public diplomacy research and evaluation information within the Department and with other Federal departments and agencies;

(F) regularly design and coordinate standardized research questions, methodologies, and procedures to ensure that public diplomacy activities across all public diplomacy bureaus and offices are designed to meet appropriate foreign policy objectives; and

(G) report quarterly to the United States Advisory Commission on Public Diplomacy, through the Commission's Subcommittee on Research and Evaluation established pursuant to subsection (e), regarding the research and evaluation of all public diplomacy bureaus and offices of the Department.

(4) GUIDANCE AND TRAINING.—Not later than 180 days after his or her appointment pursuant to paragraph (1), the Director of Research and Evaluation shall create guidance and training for all public diplomacy officers regarding the reading and interpretation of public diplomacy program evaluation findings to ensure that such findings and lessons learned are implemented in the planning and evaluation of all public diplomacy programs and activities throughout the Department.

(c) PRIORITIZING RESEARCH AND EVALUATION.—

(1) IN GENERAL.—The Director of Policy, Planning, and Resources shall ensure that research and evaluation, as coordinated and overseen by the Director of Research and Evaluation, supports strategic planning and resource allocation across all public diplomacy bureaus and offices of the Department.

(2) ALLOCATION OF RESOURCES.—Amounts allocated for the purposes of research and evaluation of public diplomacy programs and activities pursuant to subsection (a) shall be made available to be disbursed at the direction of the Director of Research and Evaluation among the research and evaluation staff across all public diplomacy bureaus and offices of the Department.

(3) SENSE OF CONGRESS.—It is the sense of Congress that the Department should allocate, for the purposes of research and evaluation of public diplomacy activities and programs pursuant to subsection (a)—

(A) 3 to 5 percent of program funds made available under the heading ''EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS''; and

(B) 3 to 5 percent of program funds allocated for public diplomacy programs under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS''.

(d) LIMITED EXEMPTION.—The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) shall not apply to collections of information directed at foreign individuals conducted by, or on behalf of, the Department for the purpose of audience research and impact evaluations, in accordance with the requirements under this section and in connection with the Department's activities conducted pursuant to the United States Information and Educational Exchange Act (22 U.S.C. 1431 et seq.) or the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.).

(e) ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

(1) SUBCOMMITTEE FOR RESEARCH AND EVALUATION.—The Advisory Commission on Public Diplomacy shall establish a Subcommittee for Research and Evaluation to monitor and advise on the research and evaluation activities of the Department and the Broadcasting Board of Governors.

(2) REPORT.—The Subcommittee for Research and Evaluation established pursuant to paragraph (1) shall submit an annual report to Congress in conjunction with the Commission on Public Diplomacy's Comprehensive Annual Report on the performance of the Department and the Broadcasting Board of Governors in carrying out research and evaluations of their respective public diplomacy programming.

(3) REAUTHORIZATION.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2015'' and inserting ''October 1, 2020''.

(f) DEFINITIONS.—In this section:

(1) AUDIENCE RESEARCH.—The term ''audience research'' means research conducted at the outset of public diplomacy program or campaign planning and design on specific audience segments to understand the attitudes, interests, knowledge and behaviors of such audience segments.

(2) DIGITAL ANALYTICS.—The term ''digital analytics'' means the analysis of qualitative and quantitative data, accumulated in digital format, to indicate the outputs and outcomes of a public diplomacy program or campaign.

(3) IMPACT EVALUATION.—The term ''impact evaluation'' means an assessment of the changes in the audience targeted by a public diplomacy program or campaign that can be attributed to such program or campaign.

SEC. 5210. ENHANCED INSTITUTIONAL CAPACITY OF THE BUREAU OF AFRICAN AFFAIRS.

(a) IN GENERAL.—The Secretary shall strengthen the institutional capacity of the Bureau of African Affairs to oversee programs and engage in strategic planning and crisis management by—

(1) establishing an office within the Bureau of African Affairs that is separate and distinct from the regional affairs office specifically charged with overseeing strategy development and program implementation related to security assistance;

(2) planning to facilitate the long-term planning process; and

(3) developing a concrete plan to rightsize the Bureau of African Affairs not later than 180 days after the date enactment of this Act.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that describes the actions that have been taken to carry out subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—Nothing in this section may be construed to authorize the appropriation of additional amounts to carry out this section, and the Secretary shall use existing resources to carry out the provisions of this section.

Subtitle B—Personnel Matters

SEC. 5211. REVIEW OF FOREIGN SERVICE OFFICER COMPENSATION.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall commission an independent assessment of Foreign Service Officer compensation to ensure that such compensation is achieving its purposes and the goals of the Department, including to recruit, retain, and maintain the world's premier diplomatic corps.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(A) the results of the independent assessment commissioned pursuant to paragraph (1); and

(B) the views of the Secretary regarding Foreign Service Officer compensation.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a list of all compensation received by Foreign Service Officers assigned domestically or overseas, including base salary and any other benefits, allowances, differentials, or other financial incentives;

(2) for each form of compensation described in paragraph (1)—

(A) an explanation of its stated purpose;

(B) a description of all relevant authorities, including statutory authority; and

(C) an assessment of the degree to which its historical and current use matches its stated purpose; and

(3) an assessment of the effectiveness of each form of compensation described in paragraph (1) in—

(A) achieving its stated purpose;

(B) achieving the recruiting and retention goals of the Department; and

(C) achieving the assignment placement needs of the Department.

SEC. 5212. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305 of the Foreign Service Act of 1980 (22 U.S.C. 3945) is amended by striking subsection (d).

SEC. 5213. COMPENSATORY TIME OFF FOR TRAVEL.

Section 5550b of title 5, United States Code, is amended by adding at the end the following:

''(c) The maximum amount of compensatory time off that may be earned under this section may not exceed 104 hours during any leave year (as defined in section 630.201(b) of title 5, Code of Federal Regulations).''.

SEC. 5214. CERTIFICATES OF DEMONSTRATED COMPETENCE.

Not later than 7 days after submitting the report required under section 304(a)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3944(a)(4)) to the Committee on Foreign Relations of the Senate, the President shall make the report available to the public, including by posting the on the website of the Department in a conspicuous manner and location.

SEC. 5215. FOREIGN SERVICE ASSIGNMENT RESTRICTIONS.

(a) APPEAL OF ASSIGNMENT RESTRICTION.—The Secretary shall establish a right and process for employees to appeal any assignment restriction or preclusion.

(b) CERTIFICATION.—Upon full implementation of a right and process for employees to appeal an assignment restriction or preclusion, the Secretary shall submit a report to the appropriate congressional committees that—

(1) certifies that such appeals process has been fully implemented; and

(2) includes a detailed description of such process.

(c) NOTICE.—The Secretary shall—

(1) publish the right and process established pursuant to subsection (a) in the Foreign Affairs Manual; and

(2) include a reference to such publication in the report required under subsection (b).

(d) PROHIBITING DISCRIMINATION.—Section 502(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 3982(a)(2)) is amended to read as follows:

''(2) In making assignments under paragraph (1), the Secretary shall ensure that a member of the Service is not assigned to, or restricted from, a position at a post in a particular geographic area, or domestically in a position working on issues relating to a particular geographic area, exclusively on the basis of the race, ethnicity, or religion of that member.''.

SEC. 5216. SECURITY CLEARANCE SUSPENSIONS.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 610. SEPARATION FOR CAUSE; SUSPENSION.''; and

(2) by adding at the end the following:

''(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Service without pay when—

''(A) the member's security clearance is suspended; or

''(B) there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

''(2) Any member of the Foreign Service for whom a suspension is proposed under this subsection shall be entitled to—

''(A) written notice stating the specific reasons for the proposed suspension;

''(B) a reasonable time to respond orally and in writing to the proposed suspension;

''(C) representation by an attorney or other representative; and

''(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

''(3) Any member suspended under this subsection may file a grievance in accordance with the procedures applicable to grievances under chapter 11.

''(4) If a grievance is filed under paragraph (3)—

''(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

''(B) the Board may not exercise the authority provided under section 1106(8).

''(5) In this subsection:

''(A) The term 'reasonable time' means—

''(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

''(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

''(B) The terms 'suspend' and 'suspension' mean placing a member of the Foreign Service in a temporary status without duties and pay.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of such Act is amended by striking the item relating to section 610 and inserting the following:

''Sec. 610. Separation for cause; suspension.''.

SEC. 5217. ECONOMIC STATECRAFT EDUCATION AND TRAINING.

The Secretary shall establish curriculum at the Foreign Services Institute to develop the practical foreign economic policy expertise and skill sets of Foreign Service officers, including by making available distance-learning courses in commercial, economic, and business affairs, including in—

(1) the global business environment;

(2) the economics of development;

(3) development and infrastructure finance;

(4) current trade and investment agreements negotiations;

(5) implementing existing multilateral and World Trade Organization agreements, and United States trade and investment agreements;

(6) best practices for customs and export procedures; and

(7) market analysis and global supply chain management.

SEC. 5218. REPORT ON DIVERSITY RECRUITMENT, EMPLOYMENT, RETENTION, AND PROMOTION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and quadrennially thereafter, the Secretary of State shall submit a comprehensive report to Congress that—

(1) describes the efforts, consistent with existing law, including procedures, effects, and results of the Department since the period covered by the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, to include equal opportunity for all races, ethnicities, ages, genders, and service-disabled veterans, with a focus on traditionally underrepresented minority groups;

(2) includes a section on—

(A) the diversity of selection boards;

(B) the employment of minority and service-disabled veterans during the most recent 10-year period, including—

(i) the number hired through direct hires, internships, and fellowship programs;

(ii) the number promoted to senior positions, including FS–01, GS–15, Senior Executive Service, and Senior Foreign Service; and

(iii) attrition rates by grade, civil and foreign services, and the senior level ranks listed in clause (ii);

(C) mentorship and retention programs; and

(3) is organized in terms of real numbers and percentages at all levels.

(b) CONTENTS.—Each report submitted under subsection (a) shall describe the efforts of the Department—

(1) to propagate fairness, impartiality, and inclusion in the work environment domestically and abroad;

(2) to eradicate harassment, intolerance, and discrimination;

(3) to refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;

(4) to eliminate illegal retaliation against employees for participating in a protected equal employment opportunity activity;

(5) to provide reasonable accommodation for qualified employees and applicants with disabilities;

(6) to resolve workplace conflicts, confrontations, and complaints in a prompt, impartial, constructive, and timely manner;

(7) to improve demographic data availability and analysis regarding recruitment, hiring, promotion, training, length in service, assignment restrictions, and pass-through programs;

(8) to recruit a diverse staff by—

(A) recruiting women, minorities, veterans, and undergraduate and graduate students;

(B) recruiting at historically Black colleges and universities, Hispanic serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(C) sponsoring and recruiting at job fairs in urban communities;

(D) placing job advertisements in newspapers, magazines, and job sites oriented toward women and people of color;

(E) providing opportunities through the Foreign Service Internship Program and other hiring initiatives; and

(F) recruiting mid- and senior-level professionals through programs such as—

(i) the International Career Advancement Program;

(ii) the Public Policy and International Affairs Fellowship Program;

(iii) the Institute for International Public Policy Fellowship Program;

(iv) Seminar XXI at the Massachusetts Institute of Technology's Center for International Studies; and

(v) other similar, highly respected, international leadership programs; and

(9) to provide opportunities through—

(A) the Charles B. Rangel International Affairs Fellowship Program;

(B) the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(C) the Donald M. Payne International Development Fellowship Program.

(c) SCOPE OF INITIAL REPORT.—The first report submitted to Congress under this section shall include the information described in subsection (b) for the 3 fiscal years immediately preceding the fiscal year in which the report is submitted.

SEC. 5219. EXPANSION OF THE CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM, THE THOMAS R. PICKERING FOREIGN AFFAIRS FELLOWSHIP PROGRAM, AND THE DONALD M. PAYNE INTERNATIONAL DEVELOPMENT FELLOWSHIP PROGRAM.

(a) ADDITIONAL FELLOWSHIPS AUTHORIZED.—Beginning in fiscal year 2016, the Secretary shall—

(1) increase by 10 the number of fellows selected for the Charles B. Rangel International Affairs Program;

(2) increase by 10 the number of fellows selected for the Thomas R. Pickering Foreign Affairs Fellowship Program; and

(3) increase by 5 the number of fellows selected for the Donald M. Payne International Development Fellowship Program.

(b) PAYNE FELLOWSHIP PROGRAM.—Undergraduate and graduate components of the Donald M. Payne International Development Fellowship Program are authorized to conduct outreach to attract outstanding students who represent diverse ethnic and socioeconomic backgrounds with an interest in pursuing a Foreign Service career.

SEC. 5220. RETENTION OF MID- AND SENIOR-LEVEL PROFESSIONALS FROM UNDERREPRESENTED GROUPS.

(a) IN GENERAL.—The Secretary should provide attention and oversight to the employment, retention, and promotion of underrepresented groups to promote a diverse ethnic representation among mid- and senior-level career professionals through programs such as—

(1) the International Career Advancement Program;

(2) Seminar XXI at the Massachusetts Institute of Technology's Center for International Studies; and

(3) other highly respected international leadership programs.

(b) REVIEW OF PAST PROGRAMS.—The Secretary should review past programs designed to increase minority representation in international affairs positions, including—

(1) the USAID Undergraduate Cooperative and Graduate Economics Program;

(2) the Public Policy and International Affairs Fellowship Program; and

(3) the Institute for International Public Policy Fellowship Program.

SEC. 5221. REVIEW OF JURISDICTIONAL RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE TO AFGHANISTAN AND PAKISTAN AND THE BUREAU OF SOUTH AND CENTRAL ASIAN AFFAIRS.

(a) REVIEW.—The Secretary of State shall conduct a review of the jurisdictional responsibilities of the Special Representative to Afghanistan and Pakistan (SRAP) and the Bureau of South and Central Asian Affairs (SCA).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the findings of the review conducted under subsection (a), including recommendations on whether jurisdictional responsibility between the 2 offices should be adjusted.

SEC. 5222. CONGRESSIONAL NOTIFICATION OF COUNTRIES COMPLIANCE WITH MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) is amended by adding at the end the following:

''(g) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before the anticipated submission of each annual report under subsection (b)(1), the Secretary of State shall notify and brief the appropriate congressional committees concerning the countries that will be upgraded to a higher tier or downgraded to a lower tier in such report.''.

SEC. 5223. INTERNATIONAL RELIGIOUS FREEDOM TRAINING PROGRAM.

Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended—

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

(2) in subsection (d), as redesignated, by inserting ''REFUGEES'' before ''The Secretary of State'';

(3) in subsection (e), as redesignated, by inserting ''CHILD SOLDIERS'' before ''The Secretary of State''; and

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

''(a) DEVELOPMENT OF CURRICULUM.—

''(1) IN GENERAL.—The Secretary of State shall develop a curriculum for Foreign Service Officers that includes training on—

''(A) the scope and strategic value of international religious freedom;

''(B) how violations of international religious freedom harm fundamental United States interests;

''(C) how the advancement of international religious freedom can advance such interests;

''(D) how United States international religious freedom policy should be carried out in practice by United States diplomats and other Foreign Service Officers; and

''(E) the relevance and relationship of international religious freedom to United States defense, diplomacy, development, and public affairs efforts to combat violent extremism.

''(2) ROLE OF OTHER OFFICIALS.—The Secretary of State shall carry out paragraph (1)—

''(A) with the assistance of the Ambassador at Large for International Religious Freedom appointed under section 101(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6411(b));

''(B) in coordination with the Director of the George P. Shultz National Foreign Affairs Training Center and other Federal officials, as appropriate; and

''(C) in consultation with the United States Commission on International Religious Freedom established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(a)).

''(3) RESOURCES.—The Secretary of State shall ensure the availability of sufficient resources to develop and implement the curriculum required under this subsection.

''(b) RELIGIOUS FREEDOM TRAINING.—

''(1) IN GENERAL.—Not later than the date that is 1 year after the date of the enactment of the Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016, the Director of the George P. Shultz National Foreign Affairs Training Center shall begin training on religious freedom, using the curriculum developed under subsection (a), for Foreign Service officers, including—

''(A) entry level officers;

''(B) officers prior to departure for posting outside the United States; and

''(C) incoming deputy chiefs of mission and ambassadors.

''(2) ELEMENTS.—The training required under paragraph (1) shall be substantively incorporated into—

''(A) the A–100 course attended by Foreign Service Officers;

''(B) the specific country courses required of Foreign Service Officers prior to a posting outside the United States, with training tailored to—

''(i) the particular religious demography of such country;

''(ii) religious freedom conditions in such country;

''(iii) religious engagement strategies; and

''(iv) United States strategies for advancing religious freedom.

''(C) the courses required of incoming deputy chiefs of mission and ambassadors.

''(c) INFORMATION SHARING.—The curriculum and training materials developed pursuant to subsections (a) and (b) shall be shared with the United States Armed Forces and all other Federal departments and agencies whose personnel serve as attachés, advisors, detailees, or otherwise in United States embassies globally to provide training on—

''(1) United States religious freedom policies;

''(2) religious traditions;

''(3) religious engagement strategies;

''(4) religious and cultural issues; and

''(5) efforts to combat terrorism and violent religious extremism.''.

TITLE III—INTERNATIONAL ORGANIZATIONS

Subtitle A—United States Contributions to International Organizations

SEC. 5301. REPORTS CONCERNING THE UNITED NATIONS.

(a) REPORT ON ANTI-SEMITIC ACTIVITY AT THE UNITED NATIONS AND ITS AGENCIES.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) all activities at the United Nations and its subagencies that can be construed to exhibit an anti-Semitic bias, including official statements, proposed resolutions, and United Nations investigations;

(2) the use of United Nations resources to promote anti-Semitic or anti-Israel rhetoric or propaganda, including publications, internet websites, and textbooks or other educational materials used to propagate political rhetoric regarding the Israeli-Palestinian conflict; and

(3) specific actions taken by the United States Government to address any of the activities described in paragraphs (1) and (2).

(b) REPORT ON ALL UNITED STATES GOVERNMENT CONTRIBUTIONS TO THE UNITED NATIONS.—Section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), and (5) as paragraphs (2), (3), (5), (6), and (7), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following:

''(1) CONTRIBUTIONS TO THE UNITED NATIONS.—

''(A) IN GENERAL.—A detailed description of all assessed and voluntary contributions, including in-kind contributions, of the United States to the United Nations and to each of its affiliated agencies and related bodies—

''(i) during the preceding fiscal year;

''(ii) estimated for the fiscal year in which the report is submitted; and

''(iii) requested in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for the following fiscal year.

''(B) CONTENT.—The description required under subparagraph (A) shall, for each fiscal year specified in clauses (i), (ii), and (iii) of that subparagraph, include—

''(i) the total amount or value of all contributions described in that subparagraph;

''(ii) the approximate percentage of all such contributions by the United States compared to all contributions to the United Nations and to each of its affiliated agencies and related bodies from any source; and

''(iii) for each such contribution described in subparagraph (A)—

''(I) the amount or value of the contribution;

''(II) whether the contribution was assessed by the United Nations or voluntary;

''(III) the purpose of the contribution;

''(IV) the department or agency of the United States Government responsible for the contribution; and

''(V) whether the United Nations or an affiliated agency or related body received the contribution and, if an affiliated agency or related body received the contribution, which such agency or body.

''(C) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report required under this subsection to the designated congressional committees, the Director of the Office of Management and Budget shall post a text-based, searchable version of the description required by subparagraph (A) on a publicly available Internet website of that Office.''.

SEC. 5302. ANNUAL REPORT ON FINANCIAL CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

Section 4(b) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(b)) is amended by striking ''in which the United States participates as a member'' and inserting '', including—

''(1) the amount of such contributions that were assessed by an international organization and the amount of such contributions that were voluntary; and

''(2) the ratio of United States contributions to total contributions received for—

''(A) the United Nations, specialized agencies of the United Nations, and other United Nations funds, programs, and organizations;

''(B) peacekeeping;

''(C) inter-American organizations;

''(D) regional organizations; and

''(E) other international organizations.''.

SEC. 5303. REPORT ON PEACEKEEPING ARREARS, CREDITS, AND CONTRIBUTIONS.

Section 4(c) of the United Nations Participation Act (22 U.S.C. 287b(c)), as amended by section 5301(b), is further amended by adding at the end the following:

''(6) PEACEKEEPING CREDITS.—

''(A) IN GENERAL.—A complete and full accounting of United States peacekeeping assessments and contributions for United Nations peacekeeping operations, including the following:

''(i) A tabulation of annual United Nations peacekeeping assessment rates, the peacekeeping contribution rate authorized by the United States, and the United States public law that authorized the contribution rate for the United Nations peacekeeping budget for each fiscal year beginning in fiscal year 1995 through the fiscal year following the date of the report.

''(ii) A tabulation of current United States accrued shortfalls and arrears in each respective ongoing or closed United Nations peacekeeping mission.

''(iii) A tabulation of all peacekeeping credits, including—

''(I) the total amount of peacekeeping credits determined by the United Nations to be available to the United States;

''(II) the total amount of peacekeeping credits determined by the United Nations to be unavailable to the United States;

''(III) the total amount of peacekeeping credits determined by the United Nations to be available to the United States from each open and closed peacekeeping mission;

''(IV) the total amount of peacekeeping credits determined by the United Nations to be unavailable to the United States from each open and closed peacekeeping mission;

''(V) the total amount of peacekeeping credits applied by the United Nations toward shortfalls from previous years that are apportioned to the United States;

''(VI) the total amount of peacekeeping credits applied by the United Nations toward offsetting future contributions of the United States; and

''(VII) the total amount of peacekeeping credits determined by the United Nations to be available to the United States that could be applied toward offsetting United States contributions in the following fiscal year.

''(iv) An explanation of any claim of unavailability by the United Nations of any peacekeeping credits described in clause (iii)(IV).

''(v) A description of any efforts by the United States to obtain reimbursement in accordance with the requirements of this Act, including Department of Defense materiel and services, and an explanation of any failure to obtain any such reimbursement.

''(B) PEACEKEEPING CREDITS DEFINED.—In this paragraph, the term 'peacekeeping credits' means the amounts by which, during a United Nations peacekeeping fiscal year, the contributions of the United States to the United Nations for peacekeeping operations exceed the actual expenditures for peacekeeping operations by the United Nations that are apportioned to the United States.''.

SEC. 5304. ASSESSMENT RATE TRANSPARENCY.

(a) REPORT.—

(1) IN GENERAL.—Not later than 30 days after each time the United Nations General Assembly modifies the assessment levels for peacekeeping operations, the Secretary shall submit a report, which may include a classified annex, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) CONTENTS.—Each report submitted under paragraph (1) shall describe—

(A) the change, by amount and percentage, of the peacekeeping assessment charged to each member state; and

(B) how the economic and strategic interests of each of the permanent members of the Security Council is being served by each peacekeeping mission currently in force.

(b) AVAILABILITY OF PEACEKEEPING ASSESSMENT DATA.—The Secretary shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to urge the United Nations—

(1) to share the raw data used to calculate member state peacekeeping assessment rates; and

(2) to make available the formula for determining peacekeeping assessments.

Subtitle B—Accountability at International Organizations

SEC. 5311. PREVENTING ABUSE IN PEACEKEEPING.

Not later than 15 days before the anticipated date of a vote (or, in the case of exigent circumstances, as far in advance of the vote as is practicable) on a resolution approving a new peacekeeping mission under the auspices of the United Nations, the North Atlantic Treaty Organization, or any other multilateral organization in which the United States participates, or to reauthorize an existing such mission, the Secretary shall submit to the appropriate congressional committees a report on that mission that includes the following:

(1) A description of the specific measures taken and planned to be taken by the organization related to the mission—

(A) to prevent individuals who are employees or contractor personnel of the organization, or members of the forces serving in the mission from engaging in acts of trafficking in persons, exploitation of victims of trafficking, or sexual exploitation or abuse; and

(B) to hold accountable any such individuals who engage in any such acts while participating in the mission.

(2) An assessment of the effectiveness of each of the measures described in paragraph (1).

(3) An accounting and assessment of all cases in which the organization has taken action to investigate allegations that individuals described in paragraph (1)(A) have engaged in acts described in that paragraph, including a description of the status of all such cases as of the date of the report.

SEC. 5312. INCLUSION OF PEACEKEEPING ABUSES IN COUNTRY REPORT ON HUMAN RIGHTS PRACTICES.

Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (11)(C), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (12)(C)(ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(13) for each country that contributes personnel to United Nations peacekeeping missions, a description of—

''(A) any allegations of such personnel engaging in acts of trafficking in persons, exploitation of victims of trafficking, or sexual exploitation and abuse while participating in such a peacekeeping mission;

''(B) any repatriations of such personnel resulting from an allegation described in subparagraph (A);

''(C) any actions taken by such country with respect to personnel repatriated as a result of allegations described in subparagraph (A), including whether such personnel faced prosecution related to such allegations; and

''(D) the extent to which any actions taken as described in subparagraph (C) have been communicated by such country to the United Nations.''.

SEC. 5313. EVALUATION OF UNITED NATIONS PEACEKEEPING MISSIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a comprehensive evaluation of current United Nations peacekeeping missions;

(2) a prioritization of the peacekeeping missions;

(3) plans for phasing out and ending any mission that—

(A) has substantially met its objectives and goals; or

(B) will not be able to meet its objectives and goals; and

(4) a plan for reviewing the status of open-ended mandates for—

(A) the United Nations Interim Administration Mission in Kosovo (UNMIK);

(B) the United Nations Truce Supervision Organization (UNTSO); and

(C) the United Nations Military Observer Group in India and Pakistan (UNMOGIP).

(b) APPROVAL OF FUTURE PEACEKEEPING MISSIONS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that no new United Nations peacekeeping mission is approved without a periodic mandate renewal.

(c) FUNDING LIMITATION.—The United States shall not provide funding for any United Nations peacekeeping mission beginning after the date of the enactment of this Act unless the mission has a periodic mandate renewal.

Subtitle C—Personnel Matters

SEC. 5321. ENCOURAGING EMPLOYMENT OF UNITED STATES CITIZENS AT THE UNITED NATIONS.

Section 181 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 276c–4) is amended to read as follows:

''SEC. 181. EMPLOYMENT OF UNITED STATES CITIZENS BY CERTAIN INTERNATIONAL ORGANIZATIONS.

''Not later than 180 days after the date of the enactment of the Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016, and annually thereafter, the Secretary of State shall submit to Congress a report that provides—

''(1) for each international organization that had a geographic distribution formula in effect on January 1, 1991, an assessment of whether that organization—

''(A) is taking good faith steps to increase the staffing of United States citizens, including, as appropriate, as assessment of any additional steps the organization could be taking to increase such staffing; and

''(B) has met the requirements of its geographic distribution formula; and

''(2) an assessment of United States representation among professional and senior-level positions at the United Nations, including—

''(A) an assessment of the proportion of United States citizens employed at the United Nations Secretariat and at all United Nations specialized agencies, funds, and programs relative to the total employment at

the United Nations Secretariat and at all such agencies, funds, and programs;

''(B) as assessment of compliance by the United Nations Secretariat and such agencies, funds, and programs with any applicable geographic distribution formula; and

''(C) a description of any steps taken or planned to be taken by the United States to increase the staffing of United States citizens at the United Nations Secretariat and such agencies, funds and programs.''.

SEC. 5322. ENSURING APPROPRIATE UNITED NATIONS PERSONNEL SALARIES.

(a) COMPENSATION OF UNITED NATIONS PERSONNEL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations—

(1) to establish appropriate policies, procedures, and assumptions for—

(A) determining comparable positions between officials in the professional and higher categories of employment at the United Nations headquarters in New York, New York, and in the United States Federal civil service;

(B) calculating the margin between the compensation of such officials at the United Nations headquarters and the civil service; and

(C) determining the appropriate margin for adoption by the United Nations to govern compensation for such officials;

(2) to make all policies, procedures, and assumptions described in paragraph (1) available to the public; and

(3) to limit increases in the compensation of United Nations officials to ensure that such officials remain within the margin range established by United Nations General Assembly Resolution A/RES/40/244, or any subsequent margin range adopted by the United Nations to govern compensation for United Nations officials.

(b) REPORT ON SALARY MARGINS.—The Secretary shall submit an annual report to the appropriate congressional committees, at the time of the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, that

(1) describes the policies, procedures, and assumptions established or used by the United Nations—

(A) to determine comparable positions between officials in the professional and higher categories of employment at the United Nations headquarters in New York, New York, and in the United States Federal civil service;

(B) to calculate the percentage difference, or margin, between the compensation of such officials at the United Nations headquarters and the civil service; and

(C) to determine the margin range established in United Nations General Assembly Resolution A/RES/40/244, or any subsequent margin range adopted by the United Nations to govern compensation for United Nations officials;

(2) assesses, in accordance with the policies, procedures, and assumptions described in paragraph (1), the margin between net salaries of officials in the professional and higher categories of employment at the United Nations in New York and those of comparable positions in the United States Federal civil service;

(3) assesses any changes in the margin described in paragraph (2) from the previous year;

(4) assesses the extent to which any changes in that margin resulted from modifications to the policies, procedures, and assumptions described in paragraph (1); and

(5) provides the views of the Secretary on any changes in that margin and any such modifications.

TITLE IV—CONSULAR AUTHORITIES

SEC. 5401. VISA INELIGIBILITY FOR INTERNATIONAL CHILD ABDUCTORS.

Section 212(a)(10)(C)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)(iii)) is amended—

(1) in subclause (I), by adding ''or'' at the end;

(2) in subclause (II), by striking ''; or'' at the end and inserting a period; and

(3) by striking subclause (III).

SEC. 5402. PRESUMPTION OF IMMIGRANT INTENT FOR H AND L VISA CLASSIFICATIONS.

Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended—

(1) by striking ''(other than a nonimmigrant described in subparagraph (L) or (V) of section 101(a)(15), and other than a nonimmigrant described in any provision of section 101(a)(15)(H)(i) except subclause (b1) of such section)'';

(2) by striking ''under section 101(a)(15).'' and inserting ''under the immigration laws.''; and

(3) by striking ''he'' each place such term appears and inserting ''the alien''.

SEC. 5403. VISA INFORMATION SHARING.

Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)(2)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''and on the basis of reciprocity'';

(B) in subparagraph (A), by striking ''illicit weapons; or'' and inserting ''illicit weapons, or in determining the removability or eligibility for a visa, admission, or another immigration benefit of persons who would be inadmissible to, or removable from, the United States;'';

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for 1 of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database, specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

TITLE V—EMBASSY SECURITY

Subtitle A—Allocation of Authorized Security Appropriations.

SEC. 5501. WORLDWIDE SECURITY PROTECTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, funds made available in fiscal year 2016 for worldwide security protection shall, before any such funds may be allocated to any other authorized purpose, be allocated for—

(1) immediate threat mitigation support in accordance with subsection (b) at facilities determined to be high threat, high risk pursuant to section 5531;

(2) immediate threat mitigation support in accordance with subsection (b) at other facilities; and

(3) locations with high vulnerabilities.

(b) IMMEDIATE THREAT MITIGATION SUPPORT PRIORITIZATION.—In allocating funding for immediate threat mitigation support pursuant to this section, the Secretary shall prioritize funding for—

(1) the purchasing of additional security equipment, including additional defensive weaponry;

(2) the paying of expenses of additional security forces; and

(3) any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

SEC. 5502. EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, funds made available in fiscal year 2016 for ''embassy security, construction and maintenance'' shall, before any funds may be allocated to any other authorized purpose, be allocated in the prioritized order of—

(1) immediate threat mitigation projects in accordance with subsection (b) at facilities determined to be high threat, high risk pursuant to section 5531;

(2) other security upgrades to facilities determined to be high threat, high risk pursuant to section 5531;

(3) all other immediate threat mitigation projects in accordance with subsection (b); and

(4) security upgrades to all other facilities or new construction for facilities determined to be high threat, high risk pursuant to section 5531.

(b) IMMEDIATE THREAT MITIGATION PROJECTS PRIORITIZATION.—In allocating funding for immediate threat mitigation projects pursuant to this section, the Secretary shall prioritize funding for the construction of safeguards that provide immediate security benefits and any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

(c) ADDITIONAL LIMITATION.—No funds authorized to be appropriated shall be obligated or expended for new embassy construction, other than for high threat, high risk facilities, unless the Secretary certifies to the appropriate congressional committees that—

(1) the Department has fully complied with the requirements of subsection (a);

(2) high threat, high risk facilities are being secured to the best of the United States Government's ability; and

(3) the Secretary will make funds available from the Embassy Security, Construction and Maintenance account or other sources to address any changed security threats or new or emergent security needs, including new immediate threat mitigation projects.

(d) REPORT.—The Secretary shall report to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act on—

(1) funding for the priorities described in subsection (a);

(2) efforts to secure high threat, high risk facilities as well as high vulnerability locations facilities; and

(3) plans to make funds available from the Embassy Security, Construction and Maintenance account or other sources to address any changed security threats or new or emergent security needs, including new immediate threat mitigation projects.

Subtitle B—Contracting and Other Matters.

SEC. 5511. LOCAL GUARD CONTRACTS ABROAD UNDER DIPLOMATIC SECURITY PROGRAM.

(a) IN GENERAL.—Section 136(c)(3) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

''(3) in evaluating proposals for such contracts, award contracts to technically acceptable firms offering the lowest evaluated price, except that—

''(A) the Secretary may award contracts on the basis of best value (as determined by a cost-technical tradeoff analysis), especially for posts determined to be high threat, high risk pursuant to section 5531 of the Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016; and

''(B) proposals received from United States persons and qualified United States joint venture persons shall be evaluated by reducing the bid price by 10 percent;''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that includes—

(1) an explanation of the implementation of section 136(c)(3) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, as amended by subsection (a); and

(2) for each instance in which a contract is awarded pursuant to subparagraph (A) of such section, a written justification and approval that describes the basis for such award and an explanation of the inability of the Secretary to satisfy the needs of the Department by awarding a contract to the technically acceptable firm offering the lowest evaluated price.

SEC. 5512. DISCIPLINARY ACTION RESULTING FROM UNSATISFACTORY LEADERSHIP IN RELATION TO A SECURITY INCIDENT.

Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834 (c)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ''Whenever'' in the first sentence immediately following the subsection heading and inserting the following:

''(1) IN GENERAL.—Whenever''; and

(3) by inserting at the end the following:

''(2) CERTAIN SECURITY INCIDENTS.—

''(A) UNSATISFACTORY LEADERSHIP.—Unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury, or significant destruction of property at or related to a United States Government mission abroad may be grounds for disciplinary action.

''(B) DISCIPLINARY ACTION.—If a Board finds reasonable cause to believe that a senior official provided such unsatisfactory leadership, the Board may recommend disciplinary action subject to the procedures in paragraph (1).''.

SEC. 5513. MANAGEMENT AND STAFF ACCOUNTABILITY.

(a) AUTHORITY OF SECRETARY OF STATE.—Nothing in this division or in any other provision of law may be construed to prevent the Secretary from using all authorities invested in the office of Secretary to take personnel action against any employee or official of the Department that the Secretary determines has breached the duty of that individual or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or a serious breach of security, even if such action is the subject of an Accountability Review Board's examination under section 304(a) of the Diplomatic Security Act (22 U.S.C. 4834(a)).

(b) ACCOUNTABILITY.—Section 304 of the Diplomatic Security Act (22 U.S.C. 4834) is amended—

(1) in subsection (c), by inserting ''or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board's examination as described in subsection (a),'' after ''breached the duty of that individual'';

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

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

''(d) MANAGEMENT ACCOUNTABILITY.—Whenever a Board determines that an individual has engaged in any conduct described in subsection (c), the Board shall evaluate the level and effectiveness of management and oversight conducted by employees or officials in the management chain of such individual.''.

SEC. 5514. SECURITY ENHANCEMENTS FOR SOFT TARGETS.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended, in the third sentence, by inserting ''physical security enhancements and'' after ''Such assistance may include''.

Subtitle C—Marine Corps Security Guard Program

SEC. 5521. ADDITIONAL REPORTS ON EXPANSION AND ENHANCEMENT OF MARINE CORPS SECURITY GUARD PROGRAM.

Section 1269(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 5983 note) is amended by inserting ''and not less frequently than once each year thereafter until the date that is three years after such date'' after ''of this Act''.

Subtitle D—Defending High Threat, High Risk Posts

SEC. 5531. DESIGNATION AND REPORTING FOR HIGH THREAT, HIGH RISK POSTS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary, in consultation with the Director of National Intelligence and the Secretary of Defense, shall submit, to the Committee on Foreign Relations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Armed Services of the House of Representatives, a classified report, with an unclassified summary, evaluating Department facilities that the Secretary determines to be high threat, high risk in accordance with subsection (c).

(b) CONTENTS.—For each facility determined to be high threat, high risk pursuant to subsection (a), the report submitted under subsection (a) shall include—

(1) a narrative assessment describing the security threats and risks facing posts overseas and the overall threat level to United States personnel under chief of mission authority;

(2) the number of diplomatic security personnel, Marine Corps security guards, and other Department personnel dedicated to providing security for United States personnel, information, and facilities;

(3) an assessment of host nation willingness and capability to provide protection in the event of a security threat or incident, pursuant to the obligations of the United States under the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and the 1961 Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961;

(4) an assessment of the quality and experience level of the team of United States senior security personnel assigned to the facility, considering collectively the assignment durations and lengths of government experience;

(5) the number of Foreign Service Officers who have received Foreign Affairs Counter Threat training;

(6) a summary of the requests made during the previous calendar year for additional resources, equipment, or personnel related to the security of the facility and the status of such requests;

(7) an assessment of the ability of United States personnel to respond to and survive a fire attack, including—

(A) whether the facility has adequate fire safety and security equipment for safe havens and safe areas; and

(B) whether the employees working at the facility have been adequately trained on the equipment available;

(8) if it is a new facility, a detailed description of the steps taken to provide security for the new facility, including whether a dedicated support cell was established in the Department to ensure proper and timely resourcing of security; and

(9) a listing of any high threat, high risk facilities where the facilities of the Department and other government agencies are not collocated, including—

(A) a rationale for the lack of collocation; and

(B) a description of what steps, if any, are being taken to mitigate potential security vulnerabilities associated with the lack of collocation.

(c) DETERMINATION OF HIGH THREAT, HIGH RISK FACILITY.—In determining which facilities of the Department constitute high threat, high risk facilities under this section, the Secretary shall take into account with respect to each facility whether there are—

(1) high to critical levels of political violence or terrorism;

(2) national or local governments with inadequate capacity or political will to provide appropriate protection; and

(3) in locations where there are high to critical levels of political violence or terrorism or where national or local governments lack the capacity or political will to provide appropriate protection—

(A) mission physical security platforms that fall well below the Department's established standards; or

(B) security personnel levels that are insufficient for the circumstances.

(d) INSPECTOR GENERAL REVIEW AND REPORT.—The Inspector General for the Department of State and the Broadcasting Board of Governors shall annually—

(1) review the determinations of the Secretary with respect to high threat, high risk facilities, including the basis for making such determinations;

(2) review contingency planning for high threat, high risk facilities and evaluate the measures in place to respond to attacks on such facilities;

(3) review the risk mitigation measures in place at high threat, high risk facilities to determine how the Secretary evaluates risk and whether the measures put in place sufficiently address the relevant risks;

(4) review early warning systems in place at high threat, high risk facilities and evaluate the measures being taken to preempt and disrupt threats to such facilities; and

(5) provide to the appropriate congressional committees—

(A) an assessment of the determinations of the Secretary with respect to high threat, high risk facilities, including recommendations for additions or changes to the list of such facilities; and

(B) a report on the reviews and evaluations undertaken pursuant to paragraphs (1) through (4).

SEC. 5532. DESIGNATION AND REPORTING FOR HIGH-RISK COUNTERINTELLIGENCE THREAT POSTS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Select Committee on Intelligence of the Senate;

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

(D) the Committee on Appropriations of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Permanent Select Committee on Intelligence of the House of Representatives;

(G) the Committee on Armed Services of the House of Representatives; and

(H) the Committee on Appropriations of the House of Representatives

(2) PRIORITY 1 COUNTERINTELLIGENCE THREAT NATION.—The term ''Priority 1 Counterintelligence Threat Nation'' means a country designated as such by the October 2012 National Intelligence Priorities Framework (NIPF).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in conjunction with appropriate officials in the intelligence community and the Secretary of Defense, shall submit a report to the appropriate committees of Congress that assesses the counterintelligence threat to United States diplomatic facilities in Priority 1 Counterintelligence Threat Nations.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) an assessment of the use of locally employed staff and guard forces and a listing of diplomatic facilities in Priority 1 Counterintelligence Threat Nations without controlled access areas; and

(B) recommendations for mitigating any counterintelligence threats and for any necessary facility upgrades, including costs assessment of any recommended mitigation or upgrades.

SEC. 5533. ENHANCED QUALIFICATIONS FOR DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.

The Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after section 206 (22 U.S.C. 4824) the following new section:

''SEC. 207. DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.

''The individual serving as Deputy Assistant Secretary of State for High Threat, High Risk Posts shall have 1 or more of the following qualifications:

''(1) Service during the last 6 years at 1 or more posts designated as high threat, high risk by the Secretary of State at the time of service.

''(2) Previous service as the office director or deputy director of 1 or more of the following Department of State offices or successor entities carrying out substantively equivalent functions:

''(A) The Office of Mobile Security Deployments.

''(B) The Office of Special Programs and Coordination.

''(C) The Office of Overseas Protective Operations.

''(D) The Office of Physical Security Programs.

''(E) The Office of Intelligence and Threat Analysis.

''(3) Previous service as the Regional Security Officer at two or more overseas posts.

''(4) Other government or private sector experience substantially equivalent to service in the positions listed in paragraphs (1) through (3).''.

SEC. 5534. SECURITY ENVIRONMENT THREAT LIST BRIEFINGS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and upon each subsequent update of the Security Environment Threat List (SETL), the Assistant Secretary of State for Diplomatic Security shall provide classified briefings to the appropriate congressional committees on the Security Environment Threat List.

(b) CONTENT.—The briefings required under subsection (a) shall include—

(1) an overview of the Security Environment Threat List; and

(2) a summary assessment of the security posture of those facilities where the Security Environment Threat List assesses the threat environment to be most acute, including factors that informed such assessment.

SEC. 5535. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON IMPLEMENTATION OF BENGHAZI ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that describes the progress of the Secretary in implementing the recommendations of the Benghazi Accountability Review Board.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) an assessment of the progress the Secretary has made in implementing each specific recommendation of the Accountability Review Board; and

(2) a description of any impediments to recommended reforms, such as budget constraints, bureaucratic obstacles within the Department or in the broader interagency community, or limitations under current law.

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

SEC. 5536. FOREIGN AFFAIRS SECURITY TRAINING CENTER.

(a) OFFICE OF MANAGEMENT AND BUDGET.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall provide to the appropriate congressional committees all documents and materials related to its consideration and analysis concerning the Foreign Affairs Security Training Center at Fort Picket, Virginia, and any alternative facilities.

(b) DEPARTMENT OF STATE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide to the appropriate congressional committees all documents and materials related to the determination to construct a new Foreign Affairs Security Training Center at Fort Picket, Virginia, including any that are related to the development and adoption of all related training requirements, including any documents and materials related to the consideration and analysis of such facility performed by the Office of Management and Budget.

SEC. 5537. LANGUAGE TRAINING.

(a) IN GENERAL.—Title IV of the Diplomatic Security Act (22 U.S.C. 4851 et seq.) is amended by adding at the end the following:

''SEC. 416. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH THREAT, HIGH RISK POSTS.

''(a) IN GENERAL.—Diplomatic security personnel assigned permanently to, or who are serving in, long-term temporary duty status as designated by the Secretary of State at a high threat, high risk post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

''(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a) should prepare personnel described in such subsection—

''(1) to speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

''(2) to read within an adequate range of speed and with almost complete comprehension on subjects germane to security.

''(c) INSPECTOR GENERAL REVIEW.—Not later than September 30, 2016, the Inspector General of the Department of State and Broadcasting Board of Governors shall—

''(1) review the language training conducted pursuant to this section; and

''(2) make the results of such review available to the Secretary of State and the appropriate congressional committees.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99–399) is amended by inserting after the item relating the section 415 the following:

''Sec. 416. Language requirements for diplomatic security personnel assigned to high threat, high risk posts.''.

Subtitle E—Accountability Review Boards

SEC. 5541. PROVISION OF COPIES OF ACCOUNTABILITY REVIEW BOARD REPORTS TO CONGRESS.

Not later than 2 days after an Accountability Review Board provides its report to the Secretary of State in accordance with title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.), the Secretary shall provide copies of the report to the appropriate congressional committees for retention and review by those committees.

SEC. 5542. STAFFING.

Section 302(b)(2) of the Diplomatic Security Act (22 U.S.C. 4832(b)(2)) is amended by adding at the end the following: ''Such persons shall be drawn from bureaus or other agency subunits that are not impacted by the incident that is the subject of the Board's review.''.

TITLE VI—MANAGEMENT AND ACCOUNTABILITY

SEC. 5601. SHORT TITLE.

This title may be cited at the ''Improving Department of State Oversight Act of 2015''.

SEC. 5602. COMPETITIVE HIRING STATUS FOR FORMER EMPLOYEES OF THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.

Notwithstanding any other provision of law, any employee of the Special Inspector General for Iraq Reconstruction who completes at least 12 months of service at any time prior to the date of the termination of the Special Inspector General for Iraq Reconstruction (October 5, 2013), and was not terminated for cause shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

SEC. 5603. ASSURANCE OF INDEPENDENCE OF IT SYSTEMS.

The Secretary, with the concurrence of the Inspector General of the Department of State and Broadcasting Board of Governors, shall certify to the appropriate congressional committees that the Department has made reasonable efforts to ensure the integrity and independence of the Office of the Inspector General Information Technology systems.

SEC. 5604. PROTECTING THE INTEGRITY OF INTERNAL INVESTIGATIONS.

Section 209(c)(5) of the Foreign Service Act of 1980 (22 U.S.C. 3929(c)(5)) is amended by inserting at the end the following new subparagraph:

''(C) REQUIRED REPORTING OF ALLEGATIONS AND INVESTIGATIONS AND INSPECTOR GENERAL AUTHORITY.—

''(i) IN GENERAL.—Each bureau, post or other office (in this subparagraph, an 'entity') of the Department of State shall, within five business days, report to the Inspector General any allegations of—

''(I) waste, fraud, or abuse in a Department program or operation;

''(II) criminal or serious misconduct on the part of a Department employee at the FS–1, GS–15, GM–15 level or higher;

''(III) criminal misconduct on the part of any Department employee; and

''(IV) serious, noncriminal misconduct on the part of any individual who is authorized to carry a weapon, make arrests, or conduct searches, such as conduct that, if proved, would constitute perjury or material dishonesty, warrant suspension as discipline for a first offense, or result in loss of law enforcement authority.

''(ii) INSPECTOR GENERAL AUTHORITY.—The Inspector General may, pursuant to existing authority, investigate matters covered by clause (i).

''(iii) LIMITATION ON INVESTIGATIONS OUTSIDE OF OFFICE OF INSPECTOR GENERAL.—No entity in the Department of State with concurrent jurisdiction over matters covered by clause (i), including the Bureau of Diplomatic Security, may initiate an investigation of such matter unless it has first reported the allegations to the Inspector General as required by clause (i), except as provided in clause (v) and (vi).

''(iv) COOPERATION.—If an entity in the Department of State initiates an investigation of a matter covered in clause (i) the entity must, except as provided in clause (v), fully cooperate with the Inspector General, including—

''(I) by providing to the Inspector General all data and records obtained in connection with its investigation upon request of the Inspector General;

''(II) by coordinating, at the request of the Inspector General, such entity's investigation with the Inspector General; and

''(III) by providing to the Inspector General requested support in aid of the Inspector General's oversight and investigative responsibilities.

''(v) EXCEPTIONS.—The Inspector General may prescribe general rules under which any requirement of clause (iii) or clause (iv) may be dispensed with.

''(vi) EXIGENT CIRCUMSTANCES.—Compliance with clauses (i), (iii), and (iv) of this subparagraph may be dispensed with by an entity of the Department of State if complying with them in an exigent circumstance would pose an imminent threat to human life, health or safety, or result in the irretrievable loss or destruction of critical evidence or witness testimony, in which case a report of the allegation shall be made not later than 48 hours after an entity begins an investigation under the authority of this clause and cooperation required under clause (iv) shall commence not later than 48 hours after the relevant exigent circumstance has ended.

''(vii) RULE OF CONSTRUCTION.—Nothing in this subparagraph may be interpreted to affect any duty or authority of the Inspector General under any provision of law, including the Inspector General's duties or authorities under the Inspector General Act.''.

SEC. 5605. REPORT ON INSPECTOR GENERAL INSPECTION AND AUDITING OF FOREIGN SERVICE POSTS AND BUREAUS AND OPERATING UNITS DEPARTMENT OF STATE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the requirement under section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)) that the Inspector General of the Department of State and Broadcasting Board of Governors inspect and audit, at least every 5 years, the administration of activities and operations of each Foreign Service post and each bureau and other operating unit of the Department.

(b) CONSIDERATION OF MULTI-TIER SYSTEM.—The report required under subsection (a) shall assess the advisability and feasibility of implementing a multi-tier system for inspecting Foreign Service posts featuring more (or less) frequent inspections and audits of posts based on risk, including security risk, as may be determined by the Inspector General.

(c) COMPOSITION.—The report required under subsection (a) shall include separate portions prepared by the Inspector General of the Department of State and Broadcasting Board of Governors, and the Comptroller General of the United States, respectively.

SA 1984. 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 F of title XII, add the following:

SEC. 1274. REGIONAL STRATEGY TO ADDRESS THE THREAT POSED BY BOKO HARAM.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall jointly develop and submit to the appropriate committees of Congress a regional strategy to enable the Government of Nigeria and its partners to counter the regional threat of Boko Haram and assist the Government of Nigeria and its neighbors to accept and address grievances of vulnerable populations in areas affected by Boko Haram.

(2) ELEMENTS.—At a minimum, the strategy must address the following elements:

(A) Enhance, pursuant to existing authorities and restrictions, the institutional capacity, including military capabilities, of the Government of Nigeria and partner nations in the region to counter the threat posed by Boko Haram.

(B) Provide humanitarian support to civilian populations impacted by Boko Haram's activity.

(C) Consider the provision of further assistance in the context of the recipient partner nation's actions in support of human rights and the respect for and implementation of the rule of law.

(D) Seek to provide appropriate assistance to willing and capable partner nations to address the underlying societal factors that contribute to the ability of Boko Haram to radicalize and recruit individuals, including poverty and the lack of economic opportunity and access to education, public health, and infrastructure.

(E) Strengthen the capacity of the civilian police and judicial system in Nigeria to promote the rule of law, enhance public safety, and prevent crime, including gender-based violence, while strengthening accountability measures to prevent corruption and abuses.

(F) Strengthen the long-term capacity of the Government of Nigeria to enhance security for schools to protect girls seeking an education, and to combat gender-based violence and gender inequality.

(G) Support the adoption of a United Nations Security Council Resolution authorizing a regional Multi-National Joint Task Force to counter Boko Haram.

(H) Identify and develop mechanisms for coordinating the implementation of the strategy with the Government of Nigeria, regional partners, and other relevant foreign partners.

(I) Identify the resources required, in an amount not less than $25,000,000, to achieve the strategy's objectives.

(b) ASSESSMENT.—The Director of National Intelligence shall submit to the appropriate committees of Congress an assessment (in classified form) regarding the willingness and capability of the Government of Nigeria to implement the strategy required by subsection (a), including the capability gaps, if any, of the government and military forces of Nigeria that would need to be addressed in order to enable the Government of Nigeria and the governments of its partner countries in the region to counter the threat of Boko Haram and to address grievances of vulnerable populations in areas affected by Boko Haram.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

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

SA 1985. 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 C of title VI, add the following:

SEC. 622. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON PRIVATE RELOCATION SERVICES FOR MEMBERS OF THE ARMED FORCES UNDERGOING A PERMANENT CHANGE OF STATION.

(a) IN GENERAL.—Not later than 180 days 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, in conjunction with work on such matter being conducted by the Comptroller General as of the date of the enactment of this Act, on the use of private sector relocation services to assist members of the Armed Forces and their families with locating and transitioning to off-base or off-post housing in the course of a permanent change of station (PCS).

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An identification of services, not currently available, that would be useful to members of the Armed Forces in undergoing

a permanent change of station as described in subsection (a).

(2) An assessment whether private sector entities are available, or would likely be available, to provide the services described in paragraph (1) if the business opportunity existed.

(3) An assessment of the projected cost, if any, to the Department of Defense, members of the Armed Forces, or both in obtaining the services described in paragraph (1) from private sector entities for members of the Armed Forces relocating during a permanent change of station as described in subsection (a).

SA 1986. Ms. AYOTTE (for Mr. KIRK) proposed an amendment 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; as follows:

At the end, add the following:

DIVISION E—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

TITLE LI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

SEC. 5101. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. 5102. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

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

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

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 5103. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

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

SEC. 5104. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. 5105. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 5104, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. 5106. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 5104 and 5105, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United

States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 5107. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 5105.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 5108. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

TITLE LII—PROMOTION OF SMALL BUSINESS EXPORTS

SEC. 5201. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 5202. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

TITLE LIII—MODERNIZATION OF OPERATIONS

SEC. 5301. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. 5302. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

TITLE LIV—GENERAL PROVISIONS

SEC. 5401. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. 5402. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

TITLE LV—OTHER MATTERS

SEC. 5501. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. 5502. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. 5503. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

SA 1987. Mr. MURPHY (for himself, Mr. SCHATZ, Mr. UDALL, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. TESTER, Mr. MERKLEY, Ms. BALDWIN, 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 G title XII, add the following:

SEC. 1283. PROHIBITION ON DEPLOYMENT OF GROUND COMBAT TROOPS IN IRAQ AND SYRIA.

No funds authorized to be appropriated by this Act may be used to support the deployment of the United States Armed Forces for the purpose of ground combat operations in Iraq or Syria, except as necessary—

(1) for the protection or rescue of members of the United States Armed Forces or United States citizens from imminent danger posed by ISIL; or

(2) to conduct missions not intended to result in ground combat operations by United States forces, such as—

(A) intelligence collection and sharing;

(B) enabling kinetic strikes;

(C) limited operations against high value targets;

(D) operational planning; or

(E) other forms of advice and assistance to coalition forces fighting ISIL in Iraq or Syria.

SA 1988. Mr. BLUNT (for himself and 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 VII, add the following:

SEC. 738. REPORT ON IMPLEMENTATION OF ANNUAL MENTAL HEALTH SCREENINGS FOR MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds that the Department of Defense and the Defense Health Agency are currently developing a standardized periodic health assessment tool that incorporates a screening for depression, posttraumatic stress, substance use, and risk for suicide through a person-to-person dialogue using the same question set used for mental health assessments provided to members of the Armed Forces undergoing deployment.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the implementation of mental health assessments provided to members of the Armed Forces under section 1074n of title 10, United States Code, that includes a description of—

(1) the reliability of such assessments;

(2) any significant changes in mental health concerns among members of the Armed Forces as a result of such assessments;

(3) any areas in which the provision of such assessments to members of the Armed Forces needs to improve; and

(4) such additional information as the Secretary considers necessary relating to mental health screening and treatment of members of the Armed Forces.

SA 1989. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1983 submitted by Mr. CORKER (for himself and Mr. CARDIN) and intended to be proposed to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

TITLE VII—MISCELLANEOUS

SEC. 5701. ENSURING UNITED STATES CIVIL NUCLEAR COMPONENTS ARE NOT ILLEGALLY DIVERTED TO NUCLEAR NAVAL PROPULSION PROGRAMS.

Section 57 of the Atomic Energy Act of 1954 (42 U.S.C. 2077) is amended by adding at the end the following new subsection:

''(f)(1) Except as provided in paragraph (2), the Secretary may not make an authorization under subsection b.(2) with respect to a foreign country with a nuclear naval propulsion program unless—

''(A) the Director of National Intelligence and the Chief of Naval Operations jointly submit to the appropriate congressional committees an assessment of the risks of diversion, and the likely consequences of such diversion, of the technology and material covered by such authorization; and

''(B) following the date on which such assessment is submitted, the Administrator for Nuclear Security certifies to the appropriate congressional committees that—

''(i) there is sufficient diversion control as part of the authorization; and

''(ii) the authorization presents a minimal risk of diversion of such technology and material to a military program that would degrade the technical advantage of the United States.

''(2) The limitation under paragraph (1) shall not apply with respect to France or the United Kingdom.

''(3) In this subsection, the term 'appropriate congressional committees' means the following:

''(A) The congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

''(B) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

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

SA 1990. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1983 submitted by Mr. CORKER (for himself and Mr. CARDIN) and intended to be proposed to the amendment SA 1463 proposed by Mr.

MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 56___. UNAUTHORIZED DEALINGS IN SPECIAL NUCLEAR MATERIAL.

Section 57b.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)(2)) is amended in the first sentence in the proviso by inserting ''the Director of National Intelligence,'' after ''Commerce,''.

SA 1991. 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 end of subtitle A of title VIII, add the following:

SEC. 811. REPORT ON VALUE-BASED ACQUISITION APPROACHES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisitions, Technology, and Logistics and each of the Service Acquisition Executives shall independently submit to the congressional defense committees reports that propose methodologies for quantitatively measuring and optimizing the targeted and returned value of the acquisition portfolio of each component of the Department of Defense, and the benefits of such assessments in supporting improved acquisition outcomes.

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

(1) An analysis of the applicability of current industry and government best practices in value-centric management.

(2) An analysis of the implications of acquisition-related statutory and policy requirements on the implementation of a value-centric approach to portfolio management.

(3) A description of the impact of processes outside the acquisition system on the value of a delivered capability.

(4) One or more quantitative approaches that could be used to measure and compare the value of disparate programs within the component's acquisition portfolio.

(c) VALUE DEFINED.—In this section, the term ''Value'' means a quantifiable measure of benefit, which is composed of quantitative assessments of utility, life cycle cost, and development time for a given capability or set of capabilities.

SA 1992. 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 end of subtitle G of title X, add the following:

SEC. 1085. REPEAL OF PER-AIRCRAFT LIMITATION FOR MODIFYING HC–130H AIRCRAFT FOR FIRE SUPPRESSION PURPOSES.

Section 1098(a)(2)(C) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 882) is amended by striking clause (i).

SA 1993. Mr. REED 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 535 and insert the following:

SEC. 535. LIMITATION ON RECEIPT OF UNEMPLOYMENT INSURANCE WHILE RECEIVING POST-9/11 EDUCATION ASSISTANCE.

Section 8525 of title 5, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''or'' after the semicolon;

(B) in paragraph (2), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(3) except for an individual described in subsection (c), an educational assistance allowance under chapter 33 of title 38.''; and

(2) by adding at the end the following:

''(c) An individual described in this subsection is an individual—

''(1) who is otherwise entitled to compensation under this subchapter;

''(2) who is an individual described in section 3311(b) of title 38;

''(3) who is not receiving retired pay under title 10; and

''(4)(A) who—

''(i) did not voluntarily separate from service in the Armed Forces or the Commissioned Corps of the National Oceanic and Atmospheric Administration (including through a reduction in force); and

''(ii) was discharged or released from such service under honorable conditions; or

''(B) who—

''(i) voluntarily separated from service in the Armed Forces or the Commissioned Corps of the National Oceanic and Atmospheric Administration;

''(ii) was employed after such separation from such service; and

''(iii) was terminated from such employment other than for cause due to misconduct connected with such employment.''.

SA 1994. 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:

Beginning on page 419, strike line 23 and all that follows through page 420, line 3 and insert the following:

(2) establish a process by which the contractor may appeal a determination by a contracting officer that an earlier determination was made in error or was based on inadequate information to the head of contracting for the agency; and

(3) establish a process by which a commercial item determination can be revoked by the head of the contracting activity in cases where the contracting officer is no longer able to make an assessment that the prior determination is appropriate and still applicable based on market research and value-based pricing analysis that demonstrates that the Department of Defense would pay more for the item than it had previously or another source could provide a similar item for a lower price.

SA 1995. Mr. BLUNT 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 XII, add the following:

SEC. 1230. REPORT ON ACTIONS TO ENSURE SAFETY AND SECURITY OF DISSIDENTS HOUSED AT CAMP LIBERTY, IRAQ.

Not later than 30 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 whether the Central Government of Iraq is taking appropriate and sufficient actions to ensure the safety and security of dissidents housed at Camp Liberty, Iraq.

SA 1996. Mr. VITTER 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. ___. EXPORT CREDIT INSURANCE PROGRAM.

(a) FINDINGS.—

(1) IN GENERAL.—Congress finds that—

(A) the Export-Import Bank of the United States administers—

(i) the Working Capital Loan Guarantee Program, which—

(I) facilitates finance for businesses, in particular small businesses, that have exporting potential but need working capital funds to produce or market goods or services for export;

(II) provides repayment guarantees to lenders on short- and medium-term working capital loans made to qualified exporters, which loans are secured by export-related accounts receivable and inventory;

(III) provides a guarantee of up to 90 percent of the principal and interest on a loan

made to an exporter by a private lender for export-related accounts receivable; and

(IV) provides a guarantee of up to 75 percent for export-related inventory;

(ii) the Global Credit Express Loan Program, which provides direct working capital loans to small businesses for a 6- or 12-month revolving line of credit of not more than $500,000; and

(iii) the Export Credit Insurance Program, which—

(I) extends credit terms to foreign customers;

(II) insures against nonpayment by international buyers;

(III) covers both commercial and political losses with a 95 percent guarantee; and

(IV) arranges financing through a lender by using insured receivables as additional collateral;

(B) the export loan programs of the Export-Import Bank of the United States described in clauses (i), (ii), and (iii) of subparagraph (A) are less appealing to small businesses due to lending restrictions on loans under those programs, which provide that—

(i) the loans may not be used when the export product being financed has less than 50 percent United States content;

(ii) the loans may not be used to finance sales to foreign military buyers, with which a growing number of small businesses are contracting; and

(iii) contracts and purchase orders supported by letters of credit may not be used in determining the borrowing base; and

(C) the Small Business Administration administers—

(i) the Export Working Capital Program, established under section 7(a)(14) of the Small Business Act (15 U.S.C. 636(a)(14)), which provides short-term working capital, including revolving lines of credit, of not more than $5,000,000 with a 90 percent guarantee;

(ii) the International Trade Loan Program, established under section 7(a)(16) of the Small Business Act (15 U.S.C. 636(a)(16)), which provides financing of not more than $5,000,000 with a 90 percent guarantee for fixed assets, or to improve a competitive position that has been adversely affected by import competition; and

(iii) the Export Express Program, established under 7(a)(34) of the Small Business Act (15 U.S.C. 636(a)(34)), under which—

(I) exporters are provided with a streamlined method to obtain financing backed by the Small Business Administration for loans and lines of credit of not more than $500,000;

(II) lenders use their own credit decision process and loan documentation;

(III) the Small Business Administration determines eligibility and provides a loan approval in 36 hours or less; and

(IV) the guarantee is 90 percent for a loan that is not more than $350,000 and 75 percent for a loan that is more than $350,000 and not more than $500,000.

(2) ADDITIONAL FINDINGS.—Congress further finds that—

(A) the export loan programs of the Small Business Administration described in clauses (i), (ii), and (iii) of paragraph (1)(C)—

(i) are not restricted by the limitations described in clauses (i), (ii), and (iii) of paragraph (1)(B); and

(ii) should be commended for their flexibility, quick turnaround times, and the one-on-one assistance from Small Business Administration personnel in structuring loan deals, negotiating payment terms, and ensuring that the financial needs of small businesses are met;

(B) the Export-Import Bank of the United States only has Regional Export Finance Managers co-located in 12 Department of Commerce United States Export Assistance Centers, whereas the Small Business Administration—

(i) has Regional Export Finance Managers co-located in 20 United States Export Assistance Centers; and

(ii) currently has Regional Export Finance Managers co-located in 10 additional United States Export Assistance Center locations that the Export-Import Bank of the United States does not, including in—

(I) Arlington, Virginia;

(II) Boston, Massachusetts;

(III) Charlotte, North Carolina;

(IV) Cleveland, Ohio;

(V) Denver, Colorado;

(VI) Los Angeles, California;

(VII) New Orleans, Louisiana;

(VIII) Philadelphia, Pennsylvania;

(IX) Portland, Oregon; and

(X) St. Louis, Missouri;

(C) the Small Business Jobs Act of 2010 (15 U.S.C. 631 note) increased the maximum loan size under the 2 largest export loan programs administered by the Small Business Administration to $5,000,000, which could cover approximately 80 percent of all small business export loans currently guaranteed by taxpayers through the Export-Import Bank of the United States;

(D) the export loan programs administered by the Small Business Administration and the export loan programs administered the Export-Import Bank of the United States are—

(i) duplicative of each other, except for the Export Credit Insurance Program of the Export-Import Bank of the United States; and

(ii) under the current structure, competing against each other for small business clients; and

(E) the Export Credit Insurance Program of the Export-Import Bank of the United States is a vital component of export loan programs.

(3) DECLARATION OF POLICY.—It is hereby declared to be the policy of this section—

(A) that, should the statutory authority for the export loan programs administered by the Export-Import Bank of the United States lapse, the Small Business Administration shall serve the small business clients of the Export-Import Bank of the United States under existing statutory authority of the Small Business Act (15 U.S.C. 631 et seq.);

(B) to create an Export Credit Insurance Program within the Small Business Administration similar to the Export Credit Insurance Program of the Export-Import Bank of the United States; and

(C) to ensure that small business exporters are served by the programs of the Small Business Administration.

(b) EXPORT CREDIT INSURANCE PROGRAM.—Section 22 of the Small Business Act (15 U.S.C. 649) is amended—

(1) by redesignating subsection (l) as subsection (m); and

(2) by inserting after subsection (k) the following:

''(l) EXPORT CREDIT INSURANCE PROGRAM.—

''(1) IN GENERAL.—The Administrator shall establish a program under which the Administration shall provide insurance for the exports of small business concerns, including insurance against nonpayment by international buyers.

''(2) REGULATIONS.—Not later than 90 days after the date of enactment of this subsection, the Administrator shall promulgate regulations to carry out the program established under paragraph (1), which shall be, to the maximum extent practicable, substantially similar to the Export Credit Insurance Program of the Export-Import Bank of the United States, as in effect on the day before the date of enactment of this subsection.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 10, 2015, at 10 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Passenger Rail Safety: Accident Prevention and On-Going Efforts to Implement Train Control Technology.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 10, 2015, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Finance Committee be authorized to meet during the session of the Senate on June 10, 2015.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 10, 2015, at 5 p.m., to conduct a hearing entitled ''Verification and Assessment: How do you create a successful Inspections Regime?''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on June 10, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Health Information Exchange: A Path Towards Improving the Quality and Value of Health Care for Patients.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 10, 2015, at 9 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized

to meet during the session of the Senate on June 10, 2015, at 2:15 p.m., in room SD–628 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Addressing the Need for Victim Services in Indian Country.''

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

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 10, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Examining the Federal Regulatory System to Improve Accountability, Transparency and Integrity.''

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

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 10, 2015, at 1:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 10, 2015, at 2:30 p.m. to conduct a hearing entitled, ''Wasteful Spending in the Federal Government: An Outside Perspective.''

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on National Parks be authorized to meet during the session of the Senate on June 10, 2015, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

SPECIAL COMMITTEES ON AGING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 10, 2015, at 2:30 p.m., in room SD–562 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ringing Off the Hook: Examining the Proliferation of Unwanted Calls.''

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Elizabeth Dysart, an intern on Senator LEAHY's personal office staff, be granted Senate floor privileges on Wednesday, June 10, 2015.

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

EXECUTIVE SESSION

NOMINATION OF JOHN W. HUBER TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH

NOMINATION OF EILEEN MAURA DECKER TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA

NOMINATION OF ERIC STEVEN MILLER TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF VERMONT

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Executive Calendar Nos. 142, 143, 144; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that following the disposition of the nominations, the motions to reconsider be considered made and laid upon the table; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

Thereupon, the Senate proceeded to consider the nominations.

VOTE ON HUBER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years?

The nomination was confirmed.

VOTE ON DECKER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years?

The nomination was confirmed.

VOTE ON MILLER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Eric Steven Miller, of Vermont, to be United States Attorney for the District of Vermont for the term of four years?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING ACT OF 2015

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 100, S. 253.

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

The legislative clerk read as follows:

A bill (S. 253) to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 253

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Communications Commission Consolidated Reporting Act of 2015''.

SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

''SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

''(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.

''(b) CONTENTS.—Each report required under subsection (a) shall—

''(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

''(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment;

''(3) assess whether laws, regulations, regulatory practices, or demonstrated marketplace practices pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services; and

''(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3).

''(c) EXTENSION.—If the Senate confirms the Chairman of the Commission during the third or fourth quarter of an even-numbered year, the report required under subsection (a) may be published on the website of the Commission and submitted to the Committee on Energy and Commerce of the House of Representatives and the

Committee on Commerce, Science, and Transportation of the Senate by March 1 of the following odd-numbered year.

''(d) SPECIAL REQUIREMENTS.—

''(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

''(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall include a list of geographical areas that are not served by any provider of advanced telecommunications capability.

''(3) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).

''(e) NOTIFICATION OF DELAY IN REPORT.—If the Commission fails to publish a report by the applicable deadline under subsection (a) or (c), the Commission shall, not later than 7 days after the deadline and every 60 days thereafter until the publication of the report—

''(1) provide notification of the delay by letter to the chairperson and ranking member of—

''(A) the Committee on Energy and Commerce of the House of Representatives; and

''(B) the Committee on Commerce, Science, and Transportation of the Senate;

''(2) indicate in the letter the date on which the Commission anticipates the report will be published; and

''(3) publish the letter on the website of the Commission.''.

SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e) is repealed.

(b) SATELLITE COMPETITION REPORT.—Section 4 of Public Law 109–34 (47 U.S.C. 703) is repealed.

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103(b)(1) of the Broadband Data Improvement Act (47 U.S.C. 1303(b)(1)) is amended by striking ''the assessment and report'' and all that follows through ''the Federal Communications Commission'' and inserting ''its report under section 13 of the Communications Act of 1934, the Federal Communications Commission''.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended—

(1) in paragraph (1), by striking ''annually publish'' and inserting ''publish with its report under section 13 of the Communications Act of 1934''; and

(2) in paragraph (2), in the heading, by striking ''ANNUAL''.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

(1) IN GENERAL.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 9(i), by striking ''In the Commission's annual report, the Commission shall prepare an analysis of its progress in developing such systems and'' and inserting ''The Commission''; and

(B) in section 309(j)(8)(B), by striking the last sentence.

(i) ADDITIONAL OUTDATED REPORTS.—

(1) IN GENERAL.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 4—

(i) in subsection (b)(2)(B)(ii), by striking ''and shall furnish notice of such action'' and all that follows through ''subject of the waiver''; and

(ii) in subsection (g)—

(I) by striking paragraph (2); and

(II) by redesignating paragraph (3) as paragraph (2);

(B) in section 215—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b);

(C) in section 227(e)—

(i) by striking paragraph (4); and

(ii) by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively;

(D) in section 303(u)(1)(B), by striking ''section 713(f)'' and inserting ''section 713(e)'';

(E) in section 309(j)—

(i) by striking paragraph (12);

(ii) by redesignating paragraphs (13) through (17) as paragraphs (12) through (16), respectively; and

(iii) in paragraph (14)(C), as redesignated—

(I) by striking clause (iv); and

(II) by redesignating clauses (v) and (vi) as clauses (iv) and (v), respectively;

(F) in section 331(b), by striking the last sentence;

(G) in section 336(e), by amending paragraph (4) to read as follows:

''(4) REPORT.—The Commission shall annually advise the Congress on the amounts collected pursuant to the program required by this subsection.'';

(H) in section 338(k)(6), by striking ''section 396(k)(6)(B)'' and inserting ''section 396(j)(6)(B)'';

(I) in section 339(c)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(iii) in paragraph (3)(A), as redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (1)''; and

(iv) in paragraph (4), as redesignated, by striking ''paragraphs (2) and (4)'' and inserting ''paragraphs (1) and (3)'';

(J) in section 396—

(i) by striking subsections (i) and (m);

(ii) by redesignating subsections (j) through (l) as subsections (i) through (k), respectively;

(iii) in subsection (j), as redesignated—

(I) in paragraph (1), by striking subparagraph (F);

(II) in paragraph (3)(B)(iii)—

(aa) by striking subclause (V);

(bb) by redesignating subclause (VI) as subclause (V); and

(cc) in subclause (V), as redesignated, by striking ''subsection (l)(4)(B)'' and inserting ''subsection (k)(4)(B)''; and

(III) in paragraph (5), by striking ''subsection (1)(3)(B)'' and inserting ''subsection (k)(3)(B)''; and

(iv) in subsection (k), as redesignated—

(I) in paragraph (1)(B), by striking ''shall be included'' and all that follows through ''The audit report''; and

(II) in paragraph (4), by striking ''subsection (k)'' each place that term appears and inserting ''subsection (j)'';

(K) in section 398(b)(4), by striking the third sentence;

(L) in section 399B(c), by striking ''section 396(k)'' and inserting ''section 396(j)'';

(M) in section 615(l)(1)(A)(ii), by striking ''section 396(k)(6)(B)'' and inserting ''section 396(j)(6)(B)'';

(N) in section 624A(b)(1)—

(i) by striking ''REPORT; REGULATIONS'' and inserting ''REGULATIONS'';

(ii) by striking ''Within 1 year after'' and all that follows through ''on means of assuring'' and inserting ''The Commission shall issue such regulations as are necessary to assure''; and

(iii) by striking ''Within 180 days after'' and all that follows through ''to assure such compatibility.''; and

(O) in section 713—

(i) by striking subsection (a);

(ii) by redesignating subsections (b), (c), (d), (e), (f), (g), (h), and (j) as subsections (a), (b), (c), (d), (e), (f), (g), and (h), respectively;

(iii) in subsection (a), as redesignated, by striking ''subsection (d)'' each place that term appears and inserting ''subsection (c)'';

(iv) in subsection (b), as redesignated, by striking ''subsection (b)'' each place that term appears and inserting ''subsection (a)'';

(v) in subsection (c), as redesignated, by striking ''subsection (b)'' and inserting ''subsection (a)'';

(vi) in subsection (e)(2)(A), as redesignated, by striking ''subsection (h)'' and inserting ''subsection (g)''; and

(vii) in subsection (f), as redesignated, by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''.

(2) CONFORMING AMENDMENTS.—

(A) MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.—Section 6401(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1451(b)) is amended—

(i) in paragraph (1), by striking ''(15)(A)'' and inserting ''(14)(A)''; and

(ii) in paragraph (3), by striking ''(16)(B)'' and inserting ''(15)(B)''.

(B) TITLE 17.—Title 17, United States Code, is amended—

(i) in section 114(d)(1)(B)(iv), by striking ''section 396(k)'' and inserting ''section 396(j)''; and

(ii) in section 119(a)—

(I) in paragraph (2)(B)(ii)—

(aa) in subclause (I), by striking ''section 339(c)(3)'' and inserting ''section 339(c)(2)'';

(bb) in subclause (II), by striking ''section 339(c)(4)'' and inserting ''section 339(c)(3)''; and

(cc) in subclause (III), by striking ''section 339(c)(3)'' and inserting ''section 339(c)(2)'';

(II) in paragraph (3)(E), by striking ''section 339(c)(2)'' and inserting ''section 339(c)(1)''; and

(III) in paragraph (13), by striking ''section 339(c)(2)'' and inserting ''section 339(c)(1)''.

SEC. 4. EFFECT ON AUTHORITY.

Nothing in this Act or the amendments made by this Act shall be construed to expand or contract the authority of the Federal Communications Commission.

SEC. 5. OTHER REPORTS.

Nothing in this Act or the amendments made by this Act shall be construed to prohibit or otherwise prevent the Federal Communications Commission from producing any additional reports otherwise within the authority of the Federal Communications Commission.

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

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

The committee-reported amendment in the nature of a substitute was agreed to.

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

The bill (S. 253), as amended, was passed.

COMMEMORATING THE 150TH ANNIVERSARIES OF THE RATIFICATION OF THE 13TH, 14TH, AND 15TH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 198, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 198) commemorating the 150th anniversaries of the ratification of the 13th, 14th, and 15th Amendments to the Constitution of the United States, often referred to as the ''Second Founding'' of the United States.

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

Mr. LEAHY. Mr. President, on September 17, 1787, George Washington, James Madison, and their fellow framers made the momentous decision to sign the Constitution and send it along to the American people for ratification—marking a new beginning in our Nation's profound experiment in democracy.

While the Constitutional Convention in Philadelphia in 1787 established the firm foundation for our democracy, it was not complete because it did not address the vexing issue of slavery. It would take more than seven decades and a bloody civil war before our founding charter would right that wrong.

This year marks the sesquicentennial, or the 150th anniversary, of the Thirteenth Amendment, which, along with the Fourteenth and Fifteenth Amendments, has been described by scholars as our Nation's ''Second Founding.'' Ratified by President Lincoln and his generation after the Civil War, these second founding amendments transformed our original charter by ending slavery, banning racial discrimination in voting, and elevating liberty and equality to a central place in our constitutional order. While we rightly celebrate our original founding charter, we have often overlooked the importance of these subsequent amendments, which has served as the bedrock and inspiration to procuring equality for racial minorities and women.

On January 31, 1865, Congress passed the Thirteenth Amendment to end slavery and sent it to the States for ratification. Passage of that amendment was by no means an easy feat. As brilliantly captured by Steven Spielberg in his film ''Lincoln,'' the final vote was every bit as dramatic as the film's portrayal. Doris Kearns Goodwin's award-winning book, ''Team of Rivals,'' noted that before this historic vote: ''Every available foot of space, both in the galleries and on the floor of the House, was crowded at an early hour,'' and the attendees included Chief Justice Chase and the members of the Supreme Court, along with Secretary of State William Seward.

Without the support of five Democrats who became the swing votes, the amendment would never have passed. One Pennsylvania congressman, knowing that his vote could very well cost him his seat, said right before he cast his vote that ''If by my action today I dig my political grave, I will descend into it without a murmur.'' I am proud to say that both of Vermont's Senators voted in favor of the amendment, including Senator Solomon Foot, who served as President pro tempore of the Senate during the Civil War, and Senator Jacob Collamer, who was called the ''Green Mountain Socrates'' by Senator Charles Sumner of Massachusetts. Upon the amendment's passage, Secretary of War Edwin Stanton ordered 100 guns to fire with their heaviest charges while the names of those who voted in favor of the amendment were read aloud because ''History [would] embalm them in great honor.''

Upon passage, President Lincoln received praise from even his most ardent critics, including the prominent abolitionist William Lloyd Garrison, who once burned a copy of the Constitution while calling it a proslavery document.

While this year marks the 150th anniversary of the passage and ratification of the Thirteenth Amendment, we should celebrate the second founding amendments together, for they are inextricably bound. The Fourteenth Amendment, passed in 1866 and ratified in 1868, is perhaps the single most influential amendment passed after the Bill of Rights. This week also marks the 149th anniversary of the passage of the 14th Amendment in the Senate. It was under the command of the Fourteenth Amendment providing equal protection for all citizens that the Supreme Court held that separate was inherently unequal in Brown v. Board of Education; that marriage is a fundamental right that cannot be tainted with racial discrimination in Loving v. Virginia; that women could not be denied admission into an all-male military institute because of their gender in United States v. Virginia; and many others, including hopefully, that the fundamental right to marriage extends to all individuals regardless of sexual orientation or gender identity in Obergefell v. Hodges.

Ratification of the Thirteenth and Fourteenth Amendments cannot be separated from the Fifteenth, which outlawed racial discrimination in voting. In 1865, one month after the end of the Civil War, William Lloyd Garrison called for disbanding an anti-slavery society of which Frederick Douglass and others were members. Prescient as ever, and about 100 years before the passage of the Voting Rights Act, Frederick Douglass responded that ''Slavery is not abolished until the black man has the ballot.''

As we celebrate the second founding amendments, we must also take time to recognize that issues of race continue to plague our Nation. And as far as we have come, we still have a lot further to go in our march toward a more perfect union. There are some who would confine the fight for civil rights to a bygone era. They see it as a remnant of the distant past in our Nation's history. And they cite the election of an African American president as evidence that we have somehow achieved full equality under the law. But we know the struggle for equality and for civil rights is ongoing. The fight for a more perfect union is one that every generation must contribute to—including this one.

Mr. FLAKE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 198) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JUNE 11, 2015

Mr. FLAKE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, June 11; 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; further, that the time be equally divided in the usual form; finally, that following morning business, the Senate then resume consideration of H.R. 1735.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. FLAKE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:16 p.m., adjourned until Thursday, June 11, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

CAROLYN PATRICIA ALSUP, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

PAUL WAYNE JONES, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

DANIEL H. RUBINSTEIN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TUNISIA.

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MAURA BARRY BOYLE, OF NEW YORK
PETER C. TRENCHARD, OF MARYLAND

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

BRADLEY DUANE ARSENAULT, OF FLORIDA
BRET THOMAS CAMPBELL, OF TEXAS
KAREN STONE EXEL, OF CALIFORNIA
GLORIA JEAN GARLAND, OF CALIFORNIA
MICHAEL H. HRYSHCHYSHYN, JR., OF VIRGINIA
YING X. HSU, OF CALIFORNIA
STEPHEN S. KELLEY, OF VIRGINIA
MARY CATHERINE LEHERR, OF VIRGINIA
DENISE G. MANNING, OF VIRGINIA
PAUL KARLIS MARKOVS, OF MICHIGAN
SCOTT CURRIE MCNIVEN, OF ARIZONA
HANH NGOC NGUYEN, OF CALIFORNIA
DENISE FRANCES O'TOOLE, OF MAINE
MARISOL E. PEREZ, OF NEW JERSEY
RONALD F. SAVAGE, OF NEW MEXICO
ADAM P. SCHMIDT, OF CONNECTICUT
ANNA TONESS, OF TEXAS
MICHAEL J. TORREANO, OF FLORIDA
NICHOLAS JOHN VIVIO, OF THE DISTRICT OF COLUMBIA
JAMSHED ZUBERI, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ELISA RACHEL ADELMAN, OF CALIFORNIA
REID HARMON AHL, OF PENNSYLVANIA
JUDE EDMUND AIDOO II, OF MARYLAND
NABIL KHALED ALSOUFI, OF CALIFORNIA
LYLA J. ANDREWS BASHAN, OF THE DISTRICT OF COLUMBIA
CARRIE KRISTIN ANTAL, OF WASHINGTON
LINDA ARMSTRONG, OF ARIZONA
AVANI PATEL BALUCI, OF ILLINOIS
NOEL GEOFFREY BAUER, OF MISSOURI
ALLYSON PERRY BEAR, OF MARYLAND
AMY MARIE BEELER, OF CONNECTICUT
ALISON CORAL BIRD, OF NEW YORK
SANDRA SEO YEON BIRD, OF NEW YORK
JULIE L. BOCCANERA, OF VIRGINIA
ANDREW EDWARD BOEGEL, OF FLORIDA
JEREMY D. BOLEY, OF FLORIDA
MARC BONNENFANT, OF CALIFORNIA
JAMES BORGER, OF FLORIDA
PATRICK D. BOWERS, OF WASHINGTON
CRYSTAL N. BYRD, OF MARYLAND
ELIZABETH MICHELLE CAMPBELL, OF VIRGINIA
LAURA GOULART CAMPBELL, OF MAINE
MICHAEL FRANCIS CAPOBIANCO, JR., OF FLORIDA
DAWN CHERRIE CARMIN, OF COLORADO
ALISON J. CASE, OF MICHIGAN
JUDY CHANG, OF NORTH CAROLINA
MICHELLE CHEN, OF CALIFORNIA
MARK W. CHILDERHOSE, OF NEW YORK
ZACHARY CRAIG CLARKE, OF IDAHO
LEE COHEN, OF NEW YORK
CHRISTEAN JOSETTE COLE, OF MARYLAND
JOHN M. COLLINS, OF CALIFORNIA
CHAD WILLIAM CONLIN, OF MASSACHUSETTS
EUGENE ALVARO COOPER, OF CALIFORNIA
JESSICA HARPER COULIBALY, OF CONNECTICUT
MATTHEW PATRICK CULLINANE, OF MARYLAND
CHRISTOPHER J. DALY, OF ILLINOIS
CHRISTINE A. DANTON, OF FLORIDA
ADRIANA KRISTEN DAVIS, OF VIRGINIA
CHRISTINA T. DAVIS, OF TEXAS
JEFFRIES BLUNT DE GRAFFENRIED, JR., OF FLORIDA
CURTRICE E. DORSEY, OF SOUTH CAROLINA
ERIN EPSTEIN DOSS, OF FLORIDA
BRIAN R. ELLIS, OF TEXAS
JENNIFER ERIE, OF MARYLAND
BRANDON E. L. FENLEY, OF VIRGINIA
COREY J. FORTIN, OF KANSAS
KEVIN CHRISTOPHER FOX, OF FLORIDA
MEREDITH ANNE FOX, OF TEXAS
CHRISTOPHER JOHN FREY, OF FLORIDA
IRA JOSEPH FRYDMAN, OF CALIFORNIA
BETHANY KATHARINE GADDIS, OF COLORADO
CONRADO A. GARCIA, OF VIRGINIA
TAYLOR HOWELL GARRETT, OF TEXAS
MARK D. GIZZI, OF CALIFORNIA
DION L. GLISAN, OF OREGON
LISA L. GODWIN, OF ALABAMA
JEAN–MARC GORELICK, OF NEW YORK
JESSE GUTIERREZ, OF CALIFORNIA
TRAVIS RAY GUYMON, OF IDAHO
ALEXANDRA MONTEALEGRE HADZI–VIDANOVIC, OF FLORIDA
MALICK HAIDARA, OF COLORADO
COREY A. HANCOCK, OF FLORIDA
KENNETH WOLF HASSON, OF TEXAS
JESSICA FORREST HEALEY, OF TEXAS
MARY TYLER HOLMES, OF PENNSYLVANIA
ANN HOPPER, OF VIRGINIA
TIMOTHY M. HURLEY, OF THE DISTRICT OF COLUMBIA
MATTHEW LOWELL HUTCHERSON, OF NORTH CAROLINA
STEPHANIE ELISE ICELAND–LEITZEL, OF CALIFORNIA
CHIDINMA U. IKONNE, OF MARYLAND
DEBBIE PATRICE JACKSON, OF PENNSYLVANIA
JUNO LAWRENCE JAFFER, OF VIRGINIA
LEIGH HAMILTON JONES, OF VIRGINIA
M. THOMAS KALUZNY, OF CALIFORNIA
MISCHERE KAWAS, OF FLORIDA
KISHORI KEDLAYA, OF CALIFORNIA
NANCY H. KLEINHANS, OF NEVADA
RYAN D. KNIGHT, OF COLORADO
BYRON C. KOMINEK, OF TENNESSEE
MICHELLE KOSCIELSKI, OF ILLINOIS
CLAUDIA OLIVIA KOZIOL, OF THE DISTRICT OF COLUMBIA
HARRY THORNTON KRIZ, OF FLORIDA
JOHN KARL KUEHNLE, OF MAINE
KAROLYN KUO, OF CALIFORNIA
AVIVA ESTHER KUTNICK, OF MARYLAND
JANNIE KWOK, OF CALIFORNIA
CARLOS ANDRES LAMADRID, OF CALIFORNIA
SANG E. LEE, OF CALIFORNIA
GREGORY CARL LEON, OF NEW YORK
BRONWYN BOWEN LLEWELLYN, OF NORTH CAROLINA
JAMES G. LYKOS, OF SOUTH CAROLINA
JOHN P. MACY, OF WEST VIRGINIA
SABINA MALIK, OF NEW YORK
LEROY L. MARSHALL III, OF NEW JERSEY
BRIAN MEHLE MARTALUS, OF NEW JERSEY
KEVIN CHESLEY MARTIN, OF GEORGIA
SUSAN MATHEW, OF THE DISTRICT OF COLUMBIA
ANNA HARRISON MCCREREY, OF VIRGINIA
ANNMARIE MCGILLICUDDY, OF VIRGINIA
JASON EDWARD MCNABB, OF CALIFORNIA
SEAN R. MENDOZA, OF ARIZONA
BELAY ASMAMAW MENGISTU, OF MARYLAND
CHRISTOPHER A. MILLER, OF FLORIDA
KIRA MICKIE MITRE, OF VIRGINIA
MONIQUE MURAD, OF THE DISTRICT OF COLUMBIA
JENNY PARRY NEVILLE, OF VIRGINIA
MICHAEL W. NICHOLSON, OF KENTUCKY
DANIELE HENRIETTE NYIRANDUTIYE, OF OHIO
NATHAN A. OLAH, OF VIRGINIA
FOLASADE A. OWOLABI, OF NEW YORK
CHRISTINE PAGEN, OF NEW YORK
ROBERT L. PARNELL IV, OF FLORIDA
LINDA JEANNE PERCY, OF FLORIDA
PAUL MICHAEL PLEVA, OF VIRGINIA
ANDREA M. PLUCKNETT, OF VIRGINIA
MONICA J. PONS, OF CALIFORNIA
CARRIE RASMUSSEN, OF WASHINGTON
ANDREW REESE, OF TEXAS
TARA M. REICHENBACH, OF VIRGINIA
JENNIFER RENQUIST HORSFALL, OF TENNESSEE
ERIN MICHELLE RICCI, OF VIRGINIA
KEVIN PATRICK ROBERTS, OF CALIFORNIA
JUAN CARLOS RODRIGUEZ, OF VIRGINIA
DAVID MARTIN ROGERS, OF CALIFORNIA
EMILY MCCORMICK RUPP, OF VIRGINIA
BRET THOMAS SAALWAECHTER, OF CALIFORNIA
BRENDAN SANDERS, OF MISSOURI
SHANNON MIRIAM SCHISSLER, OF NEW JERSEY
DEREK R. SEDLACEK, OF TEXAS
REBECCA SEMMES, OF TENNESSEE
PAUL AIYONG SEONG, OF VIRGINIA
PALAK VINOD SHAH, OF ILLINOIS
K. PRESTON SHARP, OF CALIFORNIA
MAURICE L. SHINES, OF MARYLAND
GARY SHU, OF NEW JERSEY
ADAM J. SILAGYI, OF FLORIDA
DANIEL SINCLAIR, OF FLORIDA
ERIK M. SINGER, OF TEXAS
B. JAMES SOUKAMNEUTH, OF FLORIDA
CHRISTOPHER NAIRN STEEL, OF NEW JERSEY
MOLLY I. STEINBAUER, OF CALIFORNIA
ERIC REED STRONG, OF CALIFORNIA
ROGER KATTIRATH SYDNEY, OF TEXAS
SOPHIE J. TAINTOR, OF TENNESSEE
DANIELLE TEDESCO, OF DELAWARE
ANANTHY MICHELE THAMBINAYAGAM, OF WASHINGTON
ROD THOMPSON, OF FLORIDA
THEOPHILUS ANDREW THORPE, OF DELAWARE
SUZANNE MARIE TRUCHARD, OF CALIFORNIA
MICHAEL A. TRUEBLOOD, OF VIRGINIA
DANIEL C. VERSCHNEIDER, OF NEW YORK
MICHAEL KWESI VORDJORBE, OF VIRGINIA
EMILY ANN WANN, OF MISSOURI
SHERRY WARD, OF NEVADA
DENNIS MICHAEL WESNER, OF ILLINOIS
SARA A. WESSELS, OF OHIO
KERRY L. WEST, OF ILLINOIS
BRENDAN WHEELER, OF CONNECTICUT
NANCY D. WHITNEY, OF ARIZONA
ANDREW KIRK GERALD WILLIAMS, OF FLORIDA
ANTHONY WOLAK, OF MINNESOTA

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CHRISTOPHER P. AZZANO

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10, 2015:

DEPARTMENT OF JUSTICE

JOHN W. HUBER, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM OF FOUR YEARS.

EILEEN MAURA DECKER, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS.

ERIC STEVEN MILLER, OF VERMONT, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF VERMONT FOR THE TERM OF FOUR YEARS.