Ms. MIKULSKI. Mr. President, today I rise in support of the amendment offered by the Senator from Rhode Island, Mr. REED. Characteristic of him, it is a thoughtful solution to a very serious problem related to the funding of our national security needs.

I would like to support and salute Senator REED for his outstanding job. Many don't realize that Senator JACK REED is a graduate of West Point. He served in the U.S. military, bringing that breadth of his considerable background to additional public service, both in the House and now in the Senate. He is the ranking member on the defense authorization committee and also serves in great capacity on the Defense Appropriations Subcommittee.

Now, let us talk about the Reed amendment and the funding for the Department of Defense. I want to be very clear. I do want to support funding for the national security of the United States of America. We take an oath to defend the Constitution against all enemies foreign and domestic, and we must uphold that oath not only with lip service but with real money in the real Federal checkbook. We need to do it in a way that doesn't use gimmicks or smoke and mirrors to end sequester or to finesse or do a shell deal behind the budget caps.

Remember, we passed a bill that does have significant budget caps. But the way to deal with that problem is not to cap the Department of Defense but to be honest about what it takes to fund national security. The Reed amendment does that. It makes clear that the Department of Defense should receive $38 billion, but in its base budget to take care of the troops, to protect the troops while they protect us, to make sure they have the right gear, the right equipment, the right technology, and also the right intelligence to be able to do their job. The Reed amendment also looks out for military families. It does what we need to do.

Only when there is a new budget agreement that increases the defense budget as well as the budget for domestic programs will we be able to solve the problem that is facing us.

Now, what our generals have told us is we cannot meet our defense needs with the current budget caps. They also say: Senator—this is General Dempsey, and this is General Odierno, who spoke so well at the funeral of the Vice President's son on Saturday; these men have devoted their lives to the defense of our country and to have the best military in the world—don't give us sequester. Instead of figuring out how to fight terrorism, we have to figure out how to fight the stupidity of Congress.

Now, they do not use those words; I am using those words. When we instituted sequester, it was a technique to force us to make the tough decisions. We keep hiding behind the technique. We need to change that. The bill we have now raises funding for something called the overseas contingency fund by $38 billion, but it uses it to fund activities that should be in the base bill rather than the war cost it was intended for. Essentially, it is a budget gimmick.

What is the overseas contingency fund? It was meant to be a line item where we could actually see what war costs us. In Afghanistan and Iraq it was kind of commingled through a lot of the other items related to defense, but we didn't know the actual cost of the war. OCO is meant for war. It is not meant to be a way to avoid the budget caps. Instead of just raising the caps and funding DOD at the needed level, this bill uses this gimmick, so nothing about it is really in the national interest.

Our military leaders tell us: No. 1, get rid of sequester. No. 2, you must increase the base bill.

Defense budgeting cannot be done on a year-to-year basis. It must be multiyear because it is for the planning of procurement for them to have the best weapons systems. It is recruitment and training and sustaining of the military and their personnel needs.

Defense Secretary Ash Carter said: ''Our defense industry partners, too, need stability and longer-term plans, not end-of-year crises.'' GEN Dan Allyn, Army Vice Chief of Staff, said: ''OCO does not give you the predictable funding to be able to plan the force we are going to need.''

I want to make another point. The defense of the United States doesn't lie only with DOD. That is our warfighting machine. But we have other programs that are related to national security that come out of domestic discretionary spending that are shortchanged and are shrinking and, quite frankly, I am concerned about it.

What am I talking about? In order to have national security, you need to have a State Department. You need to have a State Department to do the kind of work that involves diplomacy. That involves working with nations around the world and the needs of these nations and also to engage in important negotiations such as we have now ongoing on the Iran nuclear. That is not done by generals. That is done by diplomats. You need to have a Department of State. Look at what happened in Benghazi, where there is so much focus on this. While they are focusing—and we should focus—on Benghazi, we appropriators are focusing on embassy security. Embassy security is funded through the Department of State and funded by discretionary spending. If you want to protect Americans overseas, you have to have embassy security. You have to have a Department of State.

Then we have the Department of Homeland Security. Look at all the cyber attacks on us right at this minute. We need to have a cyber component to defense, but we need to have the cyber defense strategy at the Department of Homeland Security. Even our military is being hacked. Insurance programs are being hacked. People in the United States are having important information about their health records, their Social Security numbers, and so on being stolen. We need to have a robust Department of Homeland Security. They have a program called Einstein that is supposed to do it, but we don't have to be Einsteins to know that in order to protect America we also have to protect the Department of Homeland Security.

Then of course there are the promises made and promises kept. There is the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies. We must fund our promises made to our veterans. That is out of discretionary spending. That is not out of defense. But the infrastructure for our military, our military bases here in our own country, come out of military construction.

I don't want to sound as if I am defending government programs. That is not what I am here to do. I am here to defend the Nation and defend it the right way. We need to be able to put money in the Federal checkbook that funds our Department of Defense without gimmicks, without sleight of hand, without finessing or playing dodge ball. We have to play hard ball with the terrorists and others who have predatory intent against the United States.

We have to be Team U.S.A. not only on the sports field but on this playing field right here on the floor of Congress. Let us work together. Let us get a new budget agreement. Let us solve the problems. Let us end sequester. Let us work together to be able to do it. I believe a big step forward would be supporting the amendment offered by the Senator from Rhode Island, Mr. REED. I ask, in the interest of national security, that we vote for the Reed amendment and that we go to the budget. Let's go to the negotiating table and come up with a real framework to fund the compelling needs of our Nation, and let's do it, Team U.S.A.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:41 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—Continued

The PRESIDING OFFICER. The majority whip.

AMENDMENT NO. 1486

Mr. CORNYN. Mr. President, this Chamber is currently having a very important debate about our national security priorities, including the authorized funding levels for our Nation's Armed Forces. But I would like to

speak just briefly about an element of our national security that is often overlooked, and that has to do with the interconnection between our energy resources here in America and global security.

I will start by quoting the Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, who said: ''I think we've got to pay more and particular attention to energy as an instrument of national power.''

Well, I could not agree, in this instance, with General Dempsey more. So I want to again address a way in which I believe the United States can utilize our vast domestic energy resources to not only enhance our economy but also help enhance our national security and help us meet our strategic objectives around the world and specifically by helping many of our NATO allies in Europe in this process.

As I mentioned on the floor last week, many of these countries rely heavily on energy resources from Russia, creating strategic vulnerability for them as well as for the United States, their treaty ally. This is not a hypothetical matter because we know Vladimir Putin has literally turned the spigot off to countries like Ukraine and threatens to do so to Europe if they happen to disagree with Russian policy, particularly with regard to its expropriation of Crimea and Ukraine.

But the United States can use its energy resources to reassure our allies and partners and to lessen, reduce, at the same time, their dependence on bad actors like Russia and Iran. So it is as simple as helping our friends and checking the abuse of power by our adversaries.

Now, while allowing energy exports to some of our allies when their security is threatened probably sounds like a commonsense notion to a lot of people, there are some skeptics. One of our colleagues, the junior Senator from Massachusetts, has suggested that approving crude oil exports to anybody—including on a limited basis to our allies who are being coerced and under duress from Vladimir Putin—that somehow that would result in a tax on consumers at the pump. In other words, he is arguing that exporting our natural resources around the world would actually cause gasoline prices to go up.

Well, I am here to say that is a faulty assumption and it is simply not grounded in fact. It is at odds with the research and leading opinions of multiple experts, think tank organizations, and officials. And you know what. It is even at odds with the Obama administration's leading expert in this field. Here is what Secretary Moniz said on February 12, 2015, about the effect of crude oil exports on U.S. gas prices. He said there would be no effect on gas prices. He said: ''And their [EIA's] conclusion was, probably none to possibly minor decreases in domestic prices.''

So if you think about it, actually more American supply increases the world's supply of oil. Indeed, gasoline is already sold around the world at a global price. So more supply of oil, which is the chief component of gasoline, would actually increase the supply. Even according to a recovering lawyer who is not an economist, on a supply-and-demand basis, with static demand increasing, the supply is actually going to bring down the price.

The Energy Secretary is not the only one who believes there will either be no change or actually a downward price to consumers on gasoline.

After reviewing several studies on this issue, the Government Accountability Office noted that ''consumer fuel prices, such as gasoline, diesel, and jet fuel, could decrease as a result of removing crude oil export restrictions.'' So this is the Government Accountability Office that said that, actually confirming, essentially, what Secretary Moniz said; that we would actually see gasoline prices go down at the pump were we to lift this domestic sanction we have imposed upon ourselves when it comes to exporting crude.

Another think tank, the Aspen Institute, said it would have ''significant positive and durable effects on [our gross domestic product], aggregate employment and income.''

The Aspen Institute, just as another example, thinks it would be good for income, it would be good for jobs, it would be good for our economy.

So it seems the only people who do not think lifting the ban would be good are limited to the Halls of Congress or perhaps some of the lobbyists who raise money scaring people when it comes to the use of our fossil fuels, particularly oil and gas.

While I think it is important to come and rebut this faulty argument, the amendment that is pending to the underlying bill is actually much more narrowly targeted. It simply ensures that we will have a reliable sense of the energy vulnerabilities of our European partners. In fact, we are a member of the North Atlantic Treaty Organization, and under article 5, were they to be attacked, all members of the treaty would be required to come to their assistance. So why in the world would we not want to reduce their vulnerability to economic hostage-taking?

We also want to get a better understanding of Russia's ability to use this dependency against our allies in NATO and Europe in general. So my amendment would allow us to see the big picture when it comes to just how dependent our allies in the region are on nations that wield their energy supply as a weapon.

Now, I just want to make clear my amendment would actually not change any of the current law. It would not change any of the current law. It simply restates the current authority that the President has in his discretion to allow crude oil and natural gas exports, if determined to be consistent with the national interest.

I would say, even though Russia and Europe and NATO are the primary focus, this is not just limited to NATO. It could include important allies of ours in the Middle East, like Israel, as well. My amendment reiterates this existing authority, and it encourages the President to use it to help reduce the vulnerabilities of our allies in Europe and around the world when it is determined to be in our national interest. It does not add to that authority, and it does not constrain it either.

Well, the President just returned from the so-called G7 summit—representing the leading seven economies of the free world—and here is what the G7 said about this topic. The G7 leaders said that ''we reaffirm our support for Ukraine and other vulnerable countries . . . and reiterate that energy should not be used as a means of political coercion or as a threat to security.''

So if that is the position of the G7, if the Obama administration takes the position that lifting the ban on exports of oil will not do anything to raise the price of gasoline at the pump and could well reduce it, then I think the Senate would be well advised to support the amendment I have offered which, again, just restates the current authority, does not expand it, and then asks the Defense Department and the intelligence community to do an assessment of how we can better understand the role our energy assets play as an element of our soft power and national security.

Our allies are pretty clear-eyed about all this. They recognize that shrinking their dependence will not be complete or easy. But one goal this amendment seeks to recognize is that we have allies that are asking for help that will put them on a path toward less reliance and will put Russia on notice that they will not be able to hold these countries hostage to energy.

This is about options, alternatives, and a stable supply on the world market that are all helped by increased U.S. production and this renaissance in natural gas and oil that has been brought about thanks to the great innovation and technology improvements in the private sector, created here in the United States but benefiting the entire world.

The G7 leaders noted that the diversification of the world's energy supply is ''a core element of energy security,'' including a diversity of ''energy mix[es], energy fuels, sources, and routes.''

So my amendment is based on the idea that we may supplement the global market, and that ultimately brings about increased diversity in fuel supply, which benefits everyone.

My amendment is not about limiting the President's authority under current law. I did not intend to do that. This amendment does not do it. It is about taking a modest first step toward addressing the requests, the pleas, in some cases, of our allies and our partners in an increasingly unpredictable world.

So I would encourage our colleagues to support this amendment and, in doing so, take the long-term view of our national security interests as well as the peace and stability of our most trusted allies and partners.

I suggest the absence of a quorum.

Mr. President, if I may withhold that request.

I ask unanimous consent that the time in the quorum call be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Will the Senator repeat his request?

Mr. CORNYN. I will be glad to restate it. I am asking unanimous consent that the time in the quorum call be equally divided between the sides.

Mr. REED. No objection.

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

Mr. CORNYN. 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. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is currently considering H.R. 1735.

Approximately 22 minutes remain on the majority side.

Mr. MCCAIN. Twenty-two minutes on the majority side.

The PRESIDING OFFICER. Yes, and 11 minutes on the minority side.

Mr. MCCAIN. I ask unanimous consent that such time as the Senator from Rhode Island may need to conclude the debate be in order and I have 10 minutes in order before the vote.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Mr. President, we have Senator STABENOW and Senator DURBIN coming, and I believe we have heard that Senator GRASSLEY is also coming, and with the Senator's 10 minutes, I think that will fill up the time until the vote at 3 o'clock.

Mr. MCCAIN. We have Senator SESSIONS as well.

Well, let me suggest the absence of a quorum first, and then we will work it out.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. 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. 1521

Ms. STABENOW. Mr. President, I am here on the floor to speak to the amendment we will be voting on as it relates to Senator REED's amendment.

I first thank both of the leaders of this committee for important work that is being done. But the amendment in front of us is absolutely critical for the safety and security of the American people and certainly for our troops. We all agree—we need to agree—that our troops deserve more than budget gimmicks. What we have in here are too many budget gimmicks that do not reflect the commitment we need to have to our troops and their families.

Further, it does not allow us to fully fund the security needs of the country. We are going to be having a very important debate after this legislation on what to do around appropriations, and it is critical that Senator REED's amendment be passed so we have the opportunity to fully fund the full range of security needs of our country—not only in the Department of Defense, which we all know is very important, but our border security, cyber security, counterterrorism, police and firefighter efforts—those on the frontlines. Whom do we think is called when we dial 911, when there is an emergency of any kind. It is police officers and firefighters that, unfortunately, without the Reed amendment, will not receive the kind of support and funding needed to keep our communities safe.

We need to stop weapons of mass destruction, focus on airport security. We are on and off airplanes every single week, as are millions of Americans. We know how critical it is that we be funding our airport security. We know there are outbreaks, like Ebola and other infectious diseases and attacks that may come from that, that are not in the bill in front of us but are critical to the funding of the national security interests of our families, our communities, and our country.

Senator REED has put forward an amendment that would guarantee we would not only think of security in the context of the Department of Defense but that we would understand it is throughout the Federal Government—all of the various services and folks coming together from border security, cyber security, counterterrorism, local police and firefighters on the frontline, the ability to stop weapons of mass destruction, airport security, Ebola protection with the Centers for Disease Control and Protection, and so much more. The people of the country understand it is not just about the Department of Defense.

Certainly, we need to make sure that even within the Department of Defense budget, we are doing more than budget gimmicks. Certainly, our troops deserve that. But without the amendment that Senator REED has so thoughtfully put forward and designed, we will be undercutting critical parts of national security for our people.

So I strongly urge that we come together on a bipartisan basis. We talk a lot about border security. We hear a lot about that here. We certainly understand what is happening in cyber security and the needs of our country. We could go through all of the other parts of the Federal budget that impact security and realize that if we aren't willing to look at security for our families and communities and our country as a whole, as Senator REED does, we will be undercutting the safety and security we all want for our families and communities.

So I strongly support and urge colleagues to come together and vote for the Reed amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following Senators be permitted to speak before the vote: Senator DURBIN for 8 minutes, Senator SESSIONS for 8 minutes, Senator MCCAIN for 7 minutes, and Senator REED for 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Illinois.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, we have an industry in America called for-profit colleges and universities. It is a unique part of America's private sector—and I use the phrase ''private sector'' with some caution. These are profitable entities which portray themselves as colleges and universities. We know their names: the University of Phoenix, DeVry University, Kaplan University, and—until very recently—Corinthian, one of the largest for-profit schools. What do they do? They entice young people to sign up at their for-profit colleges and universities and promise them they are going to give them training or education to find a job.

Now, it turns out that as alluring as that is, it doesn't tell the whole story. The real story about the for-profit college industry can be told with three numbers:

Ten. Ten percent of all high school graduates go to these for-profit colleges and universities.

Twenty. Twenty percent of all the Federal aid to education goes to these for-profit colleges and universities. About $35 billion a year flows into these schools. If it were a separate Federal agency, it would be the ninth largest Federal agency in Washington, DC—$35 billion.

But the key number we should remember is 44. Forty-four percent of all

the student loan defaults in America are students at for-profit colleges and universities.

How can that be—10 percent of the students and 44 percent of the loan defaults.

First, they overcharge their students; secondly, when the students get deeply in debt, many of them drop out; and, third, those who end up graduating find out many times the diploma is worthless. That is what has happened.

Back in December of 2013, I wrote to the Department of Education asking them to investigate Corinthian Colleges. There was an article in the Huffington Post that drew my attention to it, as well as the actions by the California attorney general, Kamala Harris. It turned out that Corinthian was lying. It was lying to the students about whether they would ever end up getting a job, and it was lying to the Federal Government about their performance and how well they were doing. They were caught in their lie. As a consequence, the Department of Education started threatening Corinthian Colleges for defrauding taxpayers and the government in their official reports. Things went from bad to worse. Corinthian Colleges declared bankruptcy.

What happens when one of these for-profit colleges and universities declares bankruptcy? Well, the students many times are left high and dry. They have nothing, no school to go to. Oh, wait a minute. They don't have ''nothing.'' They have something. They have debt—a debt that they carry away from these failed schools.

Well, we have a provision in the law which says if your school goes bankrupt, you might be able to walk away from your student debt.

The Department of Education made an announcement yesterday, which I support, that says that they are going to work with these students who have been defrauded by Corinthian Colleges and misled into believing this college was worth their time and money. Some of these students will get a chance to be relieved from their college debt.

It is a good thing because student loan debt is not like a lot of other debts. It is not like the money you borrowed for a car. It is not like the money you borrowed for a home. Student loan debts are not discharged in bankruptcy. You have them for a lifetime. If you make a bad decision when you are 19 years old and sign up for $18,000 a year at Corinthian Colleges or at ITT Tech, you have it until you pay it off. We find that many of these schools garnish Social Security checks. They will stay with you for a lifetime. So now the Department of Education is working on this, trying to do the right thing by these Corinthian students.

I have been in touch with Arne Duncan, Secretary of Education, whom I respect. I told him this is, unfortunately, an early indication of an industry that is on hard times. The stock prices of these for-profit schools are in deep trouble across the board. People are finally realizing there is too much fraudulent activity going on at these institutions.

Who are the losers? It is not just the students with debts from these worthless schools but taxpayers. We are the ones who send these billions of dollars to these so-called private companies that have their CEOs take home millions of dollars while the kids are getting little or no education. They are the losers.

What should we do about it? I think we ought to be a lot tougher when it comes to the for-profit colleges and universities—holding them accountable for what they are doing to these young people and their families, holding them accountable for what they have done to taxpayers.

Do you know how much money we sent to Corinthian after it became clear they were lying to us? It was $1 billion dollars—$1 billion dollars, Mr. and Mrs. Taxpayer. There are schools like that, unfortunately, across this country.

The last point I will make on this is that, speaking to the Secretary of Education and others, the real losers many times are also veterans—veterans. The GI bill was offered to veterans after they served our country for a chance to get an education, training, and to make a life. They used it, sadly, at worthless for-profit colleges and universities, and they have used up a once-in-a-lifetime chance to build a future. They are left high and dry, not with a student-loan debt but with an empty promise that this education is going to lead to something.

I am going to continue to work with my colleagues, including Senator BLUMENTHAL of Connecticut, to change that and to protect our veterans. But I am also going to continue to work on these for-profit colleges and universities. America can do better. These schools with 10 percent of the students, 20 percent of the Federal aid to education, and 44 percent of the student loan defaults have to be held accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask that I be notified after 7 minutes.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. SESSIONS. Mr. President, I start by saying Commander Pilcher is a fabulous naval officer. He is doing great work in our office as we deal with the defense issues in this country, and he has been of real assistance to us. I have to say that I am proud of him. He reflects well on the Navy and the people who defend this country every day.

AMENDMENT NO. 1521

Mr. President, what is happening now is unfortunate. On the Defense bill that came out of the Armed Services Committee, of which I am a member, that ranking member Senator REED and Senator MCCAIN worked on, we have had virtually no significant disagreements except this one. What our Democratic colleagues are insisting upon, driven by the President and political interests, is that defense gets no increase in funding unless nondefense gets an increase in funding over the budget cap established by the Budget Control Act.

In 2011, we passed the Budget Control Act. A part of that was the sequester, and it was not something that was never intended to occur, as some of my colleagues have claimed. It was in the law. They always say: Well, we never intended this to occur. Not so—we passed it into law. It said there would be a commission and the commission could look at entitlements and other things with the hope that we would come up with some way to save more money and put us on a sound financial path.

They said if they did not come up with that agreement, then what we put in the law would take effect as limits on defense and nondefense discretionary spending.

Under the Budget Control Act, next year will be the last year it holds those limits. It will be basically flat spending again this year, but it will increase thereafter at 2.5 percent a year. We are not destroying nondefense discretionary spending.

Remember, this legislation was passed in 2011. That is the year President Obama said: Iraq is settled; we are going to pull all the troops out. Senator MCCAIN pleaded with him not to do that. He said we could have danger in the future. He warned that if we did that, chaos could occur. But no, the President, to comply with his campaign promise, said we were pulling them all out.

Unfortunately, Senator MCCAIN was correct. We have ISIS. Iraq is in turmoil. The Syrian turmoil has gotten worse. Since 2011, Russia invaded Crimea. Yemen is in trouble. Iran is hardening its position with regard to nuclear weapons. Libya is experiencing serious problems.

All of this, I suggest, was the result of an unwise, unclear, and weak foreign policy. Every one of those situations could be better today had we had clearer leadership and people that listened to someone such as Chairman MCCAIN, who knew what he was talking about. But that is all water over the dam at this point.

What do we do now? We have to have more money for defense. I am a budget hawk. I was ranking member on the budget when we did the 2011 cap and limit on spending. I defended it consistently. But I have to tell you, colleagues, both the President, our Democratic Members, and Republican Members believe we are going to have to increase our defense budget.

What is the problem? The problem is our colleagues are saying: Well, you cannot increase defense unless you increase nondefense by the same amount.

How silly is that? Imagine, you have a tight budget at home, and a tree falls on your house. Emergency—you have to go out and find money, borrow money to fix the roof. Does that mean now that you are going to spend twice as much on your vacation? Are you going to go out and buy a new car that you did not plan to buy because you had to spend more money to fix the house?

How irresponsible is that? It is unbelievable to me. This is exactly what has occurred. They are demanding that we will not get a defense budget until we give more money for the nondefense account and spend above what we agreed to spend in the Budget Control Act. Remember, it will soon begin to grow at 2.5 percent a year. We have saved money through the Budget Control Act. It was a successful thing. We do not need to destroy it and give it up.

I want to say that I wish we had not had these dangerous conditions erupt throughout much of the world. I wish it had not happened. Senator MCCAIN warned that the foreign policy we were executing was going to result in just this kind of problem. But it has resulted, and we are going to have to defend our country. These are overseas contingency operations that we will be funding. If we do this, it does not mean we have to increase equally nondefense spending.

Let me just repeat the bad news I think most of us know. Every penny increased on the defense budget is borrowed money. If we increase nondefense spending, that is going to be borrowed, too. We do not need to borrow more money than necessary. Just because we have to spend more on defense does not mean we have to spend more on nondefense.

That is all I am saying. I think it is a mistake for our colleagues on the Democratic side to try to use the security of America as a leverage to demand more nondefense spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend and colleague from Alabama for his very important remarks.

I rise to oppose this amendment. I do so with the great respect that I have for my friend and colleague, the ranking member. The Senator from Rhode Island and I have worked together very closely on every aspect of this legislation. We agree on the overwhelming majority of its provisions. As I have said before, this legislation is better because of the good work and cooperation that I have enjoyed with my friend from Rhode Island. I respect his knowledge of and experience on national defense issues, and I agree that we must fix sequestration. I also agree with him that our national security does not depend solely on the Department of Defense. But unfortunately, I disagree with my friend on the amendment before us.

Since the Budget Control Act became law, threats to this country have only increased and increased dramatically. Today, the United States faces the most diverse and complex array of crises around the world since the end of World War II. In the face of these global challenges, this amendment would prevent the Department from using $38 billion of vital budget authority through overseas contingency operations, known as OCO.

Despite the claims that OCO is a slush fund, the entirety of the OCO budget goes towards real defense requirements. With this budget authority, we are supporting our troops in Afghanistan and Iraq, operations against ISIL, and broader counterterrorism efforts. The Armed Services Committee has also funded a portion of operation and maintenance activities in OCO. These activities are directly tied to supporting our operating forces. They pay for training, transportation, fuel, and maintenance of our combat equipment. These budgetary lines pay for the readiness of our Active Forces and directly support our ongoing military operations.

It would be a disaster if this $38 billion is removed from what we are trying to achieve in this legislation. That is why it is not surprising the President himself has requested OCO funding for the exact same activities. The NDAA funded $38 billion of operation and maintenance with OCO money because the President had requested OCO funding for these activities already. They were the most closely linked to the government's growing number of overseas contingencies in which we are engaged.

To reiterate, I agree with Senator REED that we must absolutely fix the Budget Control Act. Finding a bipartisan solution to do so remains my top priority. But in absence of such an agreement, I refuse to hold funding for the military hostage, leaving defense at sequestration levels of spending that every single military service chief has testified would put more American lives at risk of those serving in the Armed Forces of the United States. We cannot do that. We cannot add greater danger to the lives of the men and women who are serving in the military. This amendment would do that.

The NDAA is a policy bill. It cannot solve the Budget Control Act. It deals only with defense issues. It does not spend a dollar. It provides the Department of Defense and our men and women in uniform with the authorities and support they need to defend the Nation.

The NDAA is a reform bill—a reform bill, my friends—that will enable our military to rise to the challenge of a more dangerous world. It tackles acquisition reform, military retirement reform, personnel reform, even commissary reform, and headquarters and management reform. The list goes on and on. The Armed Services Committee identified $10 billion of excess and unnecessary spending from the President's defense budget request, and we are reinvesting it in military capabilities for our warfighters and reforms that can yield long-term savings for the Department of Defense. We did all of this while upholding our commitments to our servicemembers, retirees, and their families.

Members of the Armed Services Committee understand the need to fix the Budget Control Act. That is why we included a provision in the bill that would authorize the transfer of the additional $38 billion from OCO to the base budget in the event that legislation is enacted that increases the budget caps on discretionary defense and nondefense spending in proportionately equal amounts. This was the product of a bipartisan compromise, and it was the most we could responsibly do in the committee to recognize the need for a broader fiscal agreement without denying funding for our military.

Every one of us has a constitutional duty to provide for the common defense, and as chairman of the Armed Services Committee, that is my highest responsibility. Funding our national defense with OCO is not ideal, but it is far better than the alternative, which is to deny the men and women in uniform the $38 billion they desperately need now. The President requested $38 billion, and our military leaders have said they cannot succeed without that $38 billion.

Regrettably, that is what this amendment would do, and I oppose it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me say with great respect how I appreciate the collaboration and cooperation of the chairman on so much of the bill where we worked together, but this is an issue that I feel very strongly about.

Let me be very clear about what this amendment does. First, it recognizes the need—as the President did in his budget submission—for adequate resources for our Department of Defense. But what it does is it says that the additional money above the President's request for OCO—the $38 billion which was taken from the base and put into this overseas account—would be essentially fenced or set aside until we resolve the Budget Control Act, and I think we have to begin that process immediately.

Senator MCCAIN has said quite sincerely and quite persistently that we have to fix sequestration. Every uniformed service chief who came before our committee said we have to fix sequestration and the budget control caps. The reality is that this legislation does not do that. Indeed, my amendment does not do it, but it points us in that direction and gives us a strong incentive to fix the BCA and to do what all of our defense leaders have asked us to do for the welfare and safekeeping of our troops and forces in the field.

The President recognizes this need. His budget is virtually identical to the

top-line number we are talking about today. But what he also recognized is that we had to put this money into the base budget of the Department of Defense, not into the OCO account.

OCO was created because of our contingency operations overseas in Afghanistan and Iraq. It was created to fund those unpredictable year-by-year needs that arise when you have forces in conflict and in combat. It was not designed to be a fund that would take care of long-term, routine demands of the Department of Defense.

Interestingly enough, in 2008 we had 187,000 troops deployed in Afghanistan and Iraq. If we look at the OCO number for that year, we were spending approximately $1 million per troop—all the costs, such as the fuel, the ammunition, and their own safekeeping. Today, we have 9,930 troops deployed in these combat zones. Yet, if we look at the same ratio we are asking for in this bill, it is about $9 million per individual soldier, sailor, marine, and airman. That shows us that this fund has gone way beyond its intent. It has become an escape valve from the Budget Control Act just for the Department of Defense.

It is important to emphasize that our defense is not just the Department of Defense. Our national security rests on a strong Homeland Security Department that protects our borders. It rests on our Border Patrol, which is part of Homeland Security. It rests on the Coast Guard, which patrols our waters, the Justice Department, and the FBI.

We had an incident just a few days ago in Massachusetts where an FBI agent and a Massachusetts police officer confronted an alleged terrorist. It wasn't military forces, it was the local police force and FBI agents who were protecting our neighborhoods and communities. Those functions will not be adequately funded if we get on this path for OCO. In fact, that is my greatest concern. If this were a 1-year, temporary fix, we might be able to justify it, but what we are seeing is a pathway that will have us taking more from OCO every year, and there will be more interesting and more remote uses of OCO funds. Unfortunately, that is the way it tends to be around here. You go where the money is, and right now the money is in OCO.

I think we should step back and do what the chairman said. We have to fix it. And he is committed to fixing it, but we have to begin now. We have to make the case now. We can't simply sit back and say we will take it up later. And that is at the heart of this.

The other issue here is very clear: OCO is not a perfect fix for the Department of Defense. As the Chief of Staff of the Army said, it has limits, it has restrictions, and it is funded for 1 year, but it is there, and they will take the money. We know that. But it is our duty and responsibility to have a more thoughtful, long-term approach, and in doing so, I urge my colleagues to support this amendment. It does not take away the resources. It simply says that these resources will be there once we fix the Budget Control Act, and that is what I hear everyone in this Chamber—practically everyone—saying every day: We will fix it. We will fix it. When we do, this money will already be authorized.

I am convinced that unless we stand up right now and say—hopefully with one voice—in a formal way that we have to get on the task of fixing the Budget Control Act, days will pass, weeks will pass, and months will pass to the detriment of our country, to the detriment of our military forces, and ultimately we will find ourselves, both in terms of national security and a whole range of programs, in a very bad position.

I ask that all of my colleagues consider this amendment and give it support.

With that, I yield the floor.

Mr. President, I believe the vote on my amendment is in order at this time, and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. LANKFORD). Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, the question occurs on agreeing to amendment No. 1521, offered by the Senator from Rhode Island, Mr. REED.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 46, nays 51, as follows:

[Rollcall Vote No. 205 Leg.]

YEAS—46

Baldwin	Heinrich	Peters
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NAYS—51

Alexander	Enzi	McCain
Ayotte	Ernst	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Murkowski
Boozman	Gardner	Paul
Burr	Graham	Perdue
Capito	Grassley	Portman
Cassidy	Hatch	Risch
Coats	Heller	Roberts
Cochran	Hoeven	Rounds
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Sessions
Cotton	Kirk	
Crapo	Lankford	
Daines	Lee	
Shelby	Thune	Toomey
Sullivan	Tillis	Wicker

NOT VOTING—3

Cruz	Rubio	Vitter

The amendment (No. 1521) was rejected.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so that Senator FEINSTEIN may offer amendment No. 1889 and that amendment No. 1889 be set aside so that Senator FISCHER may offer amendment No. 1825.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

AMENDMENT NO. 1889 TO AMENDMENT NO. 1463

Mrs. FEINSTEIN. Mr. President, I call up the McCain-Feinstein-Reed-Collins amendment No. 1889.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. MCCAIN, proposes an amendment numbered 1889 to amendment No. 1463.

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

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

The amendment is as follows:

(Purpose: To reaffirm the prohibition on torture)

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

SEC. 1040. REAFFIRMATION OF THE PROHIBITION ON TORTURE.

(a) LIMITATION ON INTERROGATION TECHNIQUES TO THOSE IN THE ARMY FIELD MANUAL.—

(1) ARMY FIELD MANUAL 2–22.3 DEFINED.—In this subsection, the term ''Army Field Manual 2–22.3'' means the Army Field Manual 2–22.3 entitled ''Human Intelligence Collector Operations'' in effect on the date of the enactment of this Act or any similar successor Army Field Manual.

(2) RESTRICTION.—

(A) IN GENERAL.—An individual described in subparagraph (B) shall not be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in the Army Field Manual 2–22.3.

(B) INDIVIDUAL DESCRIBED.—An individual described in this subparagraph is an individual who is—

(i) in the custody or under the effective control of an officer, employee, or other agent of the United States Government; or

(ii) detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict.

(3) IMPLEMENTATION.—Interrogation techniques, approaches, and treatments described in Army Field Manual 2–22.3 shall be implemented strictly in accord with the principles, processes, conditions, and limitations prescribed by Army Field Manual 2–22.3.

(4) AGENCIES OTHER THAN THE DEPARTMENT OF DEFENSE.—If a process required by Army Field Manual 2–22.3, such as a requirement of approval by a specified Department of Defense official, is inapposite to a department or an agency other than the Department of Defense, the head of such department or

agency shall ensure that a process that is substantially equivalent to the process prescribed by Army Field Manual 2–22.3 for the Department of Defense is utilized by all officers, employees, or other agents of such department or agency.

(5) INTERROGATION BY FEDERAL LAW ENFORCEMENT.—Nothing in this subsection shall preclude an officer, employee, or other agent of the Federal Bureau of Investigation or other Federal law enforcement agency from continuing to use authorized, non-coercive techniques of interrogation that are designed to elicit voluntary statements and do not involve the use of force, threats, or promises.

(6) UPDATE OF THE ARMY FIELD MANUAL.—

(A) REQUIREMENT TO UPDATE.—

(i) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and once every three years thereafter, the Secretary of Defense, in coordination with the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall complete a thorough review of Army Field Manual 2–22.3, and revise Army Field Manual 2–22.3, as necessary to ensure that Army Field Manual 2–22.3 complies with the legal obligations of the United States and reflects current, evidence-based, best practices for interrogation that are designed to elicit reliable and voluntary statements and do not involve the use or threat of force.

(ii) AVAILABILITY TO THE PUBLIC.—Army Field Manual 2–22.3 shall remain available to the public and any revisions to the Army Field Manual 2–22.3 adopted by the Secretary of Defense shall be made available to the public 30 days prior to the date the revisions take effect.

(B) REPORT ON BEST PRACTICES OF INTERROGATIONS.—

(i) REQUIREMENT FOR REPORT.—Not later than 120 days after the date of the enactment of this Act, the interagency body established pursuant to Executive Order 13491 (commonly known as the High-Value Detainee Interrogation Group) shall submit to the Secretary of Defense, the Director of National Intelligence, the Attorney General, and other appropriate officials a report on current, evidence-based, best practices for interrogation that are designed to elicit reliable and voluntary statements and do not involve the use of force.

(ii) RECOMMENDATIONS.—The report required by clause (i) may include recommendations for revisions to Army Field Manual 2–22.3 based on the body of research commissioned by the High-Value Detainee Interrogation Group.

(iii) AVAILABILITY TO THE PUBLIC.—Not later than 30 days after the report required by clause (i) is submitted such report shall be made available to the public.

(b) INTERNATIONAL COMMITTEE OF THE RED CROSS ACCESS TO DETAINEES.—

(1) REQUIREMENT.—The head of any department or agency of the United States Government shall provide the International Committee of the Red Cross with notification of, and prompt access to, any individual detained in any armed conflict in the custody or under the effective control of an officer, employee, contractor, subcontractor, or other agent of the United States Government or detained within a facility owned, operated, or effectively controlled by a department, agency, contractor, or subcontractor of the United States Government, consistent with Department of Defense regulations and policies.

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

(A) to create or otherwise imply the authority to detain; or

(B) to limit or otherwise affect any other individual rights or state obligations which may arise under United States law or international agreements to which the United States is a party, including the Geneva Conventions, or to state all of the situations under which notification to and access for the International Committee of the Red Cross is required or allowed.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 1825 TO AMENDMENT NO. 1463

(Purpose: To authorize appropriations for national security aspects of the Merchant Marine for fiscal years 2016 and 2017, and for other purposes)

Mrs. FISCHER. Mr. President, I call up amendment No. 1825.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mrs. FISCHER] proposes an amendment numbered 1825 to amendment No. 1463.

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

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

(The amendment is printed in the RECORD of June 8, 2015, under ''Text of Amendments.'')

Mrs. FISCHER. Mr. President, I rise to speak about Senate amendment No. 1825, the Maritime Administration Enhancement Act, which would reauthorize the Maritime Administration, or MARAD, for fiscal years 2016 and 2017. MARAD will be and traditionally has been added to the National Defense Authorization Act on the Senate floor.

MARAD strengthens our national security through its numerous programs to maintain a U.S. Merchant Marine fleet. Under the bipartisan amendment, MARAD will be authorized at $380 million, which is similar to the levels authorized in the House NDAA. This bipartisan agreement will authorize MARAD spending above current authorized levels, as requested by the White House, while providing support to MARAD's economic and national defense programs.

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.

Mrs. GILLIBRAND. 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. GILLIBRAND. Mr. President, I want to speak on my amendment but not call it up at this moment. It is amendment No. 1578. The purpose of the amendment is to create an unbiased military justice system. I believe the Senate needs to vote on this amendment.

Over the last few years, Congress has forced the military to make incremental changes to address the crisis of sexual assault. After two decades of complete failure and lip service to zero tolerance, the military now says, essentially: Trust us. We have got it this time.

They spin the data, hoping nobody will dig below the surface of their top lines, because when you do, you will find the assault rate is exactly where it was in 2010.

We see an average of 52 new cases every day. Three out of four servicemembers who are survivors still don't think it is worth the risk of coming forward to report these crimes committed against them. One in seven victims was actually assaulted by someone in their chain of command. In 60 percent of cases, the survivor says a unit leader or supervisor is responsible for sexual harassment or gender discrimination. So it is no surprise that one in three survivors believes reporting would hurt their career.

For those who do report, they are more likely than not to experience retaliation. Despite the much touted reform that made retaliation a crime, the DOD has made zero progress on improving the 62-percent retaliation rate we had in 2012. So in 2012, 62 percent of those who reported a crime against them were retaliated against for doing so. In 2014, again, 62 percent were retaliated against.

Human Rights Watch looked into these figures and into the stories, and they found the DOD could not provide a single example from the last year where disciplinary action was actually taken against someone for retaliation. A sexual assault survivor is 12 times more likely to suffer retaliation than see their offender get convicted of sexual assault.

In my close review of 107 cases from 2013 from our four largest military bases—one for each service—I found that nearly half of those who did move forward to report in an unrestricted report, half of them withdrew from their case during the first year.

So we can talk all we want about reporting, reporting, but if half of those who report withdraw during the year of their prosecution, it shows there is no faith in the system. Survivors do not have faith in the current system. Under any metric, the system remains plagued with distrust and does not provide fair and just process that survivors deserve.

Simply put, the military has not held up to the standard posed by General Dempsey 1 year ago when he said the Pentagon was on the clock.

I urge my colleagues to hold the military to this higher standard. Let us put these decisions into the hands of trained military prosecutors. Enough is enough with the spin, with the excuses, and with false promises. We have to do the right thing and we have to act.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise to speak about an amendment—amendment No. 1628—to the Defense Authorization Act. This is an amendment I

have submitted with Senator PETERS, and it has strong bipartisan support.

This is about the threat of tunnels—tunnels used by terrorists. We saw those tunnels being used in the 2014 conflict that Israel had with Hamas. Israel found more than 30 terror tunnels that had been dug by terrorists to infiltrate and attack Israel.

The Israeli military said these tunnels were intended to carry out attacks, such as abductions of Israeli citizens and soldiers, infiltrations into Israeli communities, mass murders and hostage-taking scenarios.

In one disturbing attack in July of 2014, Hamas terrorists used one of these terror tunnels to sneak into Israel and then attack and kill five Israeli soldiers.

This is a picture of one of these terror tunnels. You can imagine, if terrorists can use a tunnel to come into your country, the feeling of fear that can create in the civilian population.

Unfortunately, terror tunnels are not a new problem. In 2006, terrorists used tunnels to capture Israeli soldier Gilad Shalit. They used tunnels to take Gilad back to Gaza and held him captive for 5 years. Two other soldiers were killed in this same attack where these terror tunnels were used.

Again, this issue of terror tunnels is not unique to the conflict the Israeli people have been subjected to. In fact, one of Israel's primary objectives in Operation Protective Edge last year was to destroy these terror tunnels that posed unacceptable risk to the Israelis and to their national security. That is why Israel has devoted so much attention to this problem and how to destroy these terror tunnels.

But not only are terror tunnels a leading security concern for the Government of Israel, tunnels are being used by terrorists in Syria and in Iraq. According to a public report yesterday, ISIS used several dozen tunnel bombs in Syria and used tunnels to help take the Iraqi city of Ramadi. On March 11, ISIS reportedly detonated a tunnel bomb under an Iraqi Army headquarters, killing an estimated 22 people. On March 15, a second tunnel bomb was reportedly used to attack Iraqi security forces.

Terror tunnels can also be used to threaten U.S. Embassies and forward-deployed U.S. military personnel. In addition, drug trafficking organizations and international criminal organizations continue to construct tunnels on our southern border in order to illegally move people, drugs, and anything else they think will advantage them into the United States. Drug cartels are exploiting vulnerabilities on our border. While this undoubtedly affects border communities and border States, it has consequences far beyond the border States.

In my home State of New Hampshire, heroin is killing people. It is a public health epidemic. I have spoken to law enforcement, first responders, firefighters, and public safety officials, and we have seen a dramatic increase in the number of people dying in my State. According to a recent DEA report and drug control experts, heroin is most commonly being brought into the United States via the southwest border.

In many places on our border with Mexico, we have fences. Unfortunately, these criminals and their syndicates—by the way, we have heard from the commander of Southern Command, and he believes these networks could be used by terrorists if they wanted to infiltrate our country. Unfortunately, they are being dug on our southern border.

This is a picture of a tunnel built on our southern border that is used to smuggle drugs, smuggle people—smuggle anything criminals and other bad people want to move into our country.

In a 2-day period alone in April, two tunnels were discovered beneath the California-Mexico border. Again, these tunnels are often used to smuggle almost anything you can think of into this country, drugs being the most prominent thing smuggled in. According to public reports, dozens of smuggling tunnels have been discovered on our southern borders since 2006.

The amendment I have submitted to the Defense authorization, along with my colleague, Senator PETERS from Michigan, is an amendment that builds on a provision already in the Defense authorization that I had included in section 1272. Our amendment promotes and authorizes greater cooperation between Israel and the United States to counter terror tunnels in Israel.

If we work with close allies such as Israel to develop better capabilities to detect, map, and neutralize tunnels, not only can we help defend Israel and Israel defend itself against terrorist groups such as Hamas and Hezbollah, but we can also use the capabilities we develop together to better protect our own border, our own U.S. Embassies, and our forward-deployed U.S. troops.

My amendment specifically highlights the tunnel threat on our southern border. It calls on the administration to use the anti-tunneling capabilities developed to help Israel to better protect the United States, our people, our interests, and our border. In short, this amendment will help Israel, our closest and most reliable ally in the Middle East. It will help us defeat the use of terror tunnels. It will better equip officials on our southern border to find and shut down tunnels that are being used to smuggle drugs and that can be used to smuggle other dangerous items into the United States of America by these criminal syndicates.

Again, the commander of our Southern Command said he believes this network can also be used by terrorists.

Not surprisingly, this effort and this amendment have received strong bipartisan support. I thank all of my colleagues on both sides of the aisle who have sponsored this amendment. This is a commonsense amendment, and I hope my colleagues, when it is offered for a vote on the Senate floor, will support this amendment so that we can work with the Israeli Government, that we can share our understanding of how to stop these terror tunnels and we can deploy that same technology on our southern borders to keep our country safe.

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. Without objection, it is so ordered.

AMENDMENTS NOS. 1485, 1510, 1520, 1538, 1579, 1622, 1791, 1677, 1701, 1733, 1739, 1744, 1781, AND 1796 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, the ranking member and I have a small package of amendments that have been cleared by both sides.

I ask unanimous consent that the following amendments be called up and agreed to en bloc: No. 1485, Hoeven; No. 1510, Heller; No. 1520, Rounds; No. 1538, Wicker; No. 1579, Ernst; No. 1622, Moran; No. 1791, Rubio; No. 1677, Udall; No. 1701, Wyden; No. 1733, Stabenow; No. 1739, McCaskill; No. 1744, Feinstein; No. 1781, Heitkamp; and No. 1796, Cardin.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments are called up and agreed to en bloc.

The amendments (Nos. 1485, 1510, 1520, 1538, 1579, 1622, 1791, 1677, 1701, 1733, 1739, 1744, 1781, and 1796) agreed to en bloc are as follows:

AMENDMENT NO. 1485

(Purpose: To express the sense of the Senate on the nuclear force improvement program of the Air Force)

At the appropriate place, insert the following:

SEC. 1637. SENSE OF SENATE ON THE NUCLEAR FORCE IMPROVEMENT PROGRAM OF THE AIR FORCE.

(a) FINDINGS.—The Senates makes the following findings:

(1) On February 6, 2014, Air Force Global Strike Command (AFGSC) initiated a force improvement program for the Intercontinental Ballistic Missile (ICBM) force designed to improve mission effectiveness, strengthen culture and morale, and identify areas in need of investment by soliciting input from airmen performing ICBM operations.

(2) The ICBM force improvement program generated more than 300 recommendations to strengthen ICBM operations and served as a model for subsequent force improvement programs in other mission areas, such as bomber operations and sustainment.

(3) On May 28, 2014, as part of the nuclear force improvement program, the Air Force announced it would make immediate improvements in the nuclear mission of the Air Force, including enhancing career opportunities for airmen in the nuclear career field, ensuring training activities focused on performing the mission in the field, reforming the personnel reliability program, establishing special pay rates for positions in the

nuclear career field, and creating a new service medal for nuclear deterrence operations.

(4) Chief of Staff of the Air Force Mark Welsh has said that, as part of the nuclear force improvement program, the Air Force will increase nuclear-manning levels and strengthen professional development for the members of the Air Force supporting the nuclear mission of the Air Force in order ''to address shortfalls and offer our airmen more stable work schedule and better quality of life''.

(5) Secretary of the Air Force Deborah Lee James, in recognition of the importance of the nuclear mission of the Air Force, proposed elevating the grade of the commander of the Air Force Global Strike Command from lieutenant general to general, and on March 30, 2015, the Senate confirmed a general as commander of that command.

(6) The Air Force redirected more than $160,000,000 in fiscal year 2014 to alleviate urgent, near-term shortfalls within the nuclear mission of the Air Force as part of the nuclear force improvement program.

(7) The Air Force plans to spend more than $200,000,000 on the nuclear force improvement program in fiscal year 2015, and requested more than $130,000,000 for the program for fiscal year 2016.

(8) Secretary of Defense Chuck Hagel said on November 14, 2014, that ''[t]he nuclear mission plays a critical role in ensuring the Nation's safety. No other enterprise we have is more important''.

(9) Secretary Hagel also said that the budget for the nuclear mission of the Air Force should increase by 10 percent over a five-year period.

(10) Section 1652 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–201; 128 Stat. 3654; 10 U.S.C. 491 note) declares it the policy of the United States ''to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members''.

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

(1) the nuclear mission of the Air Force should be a top priority for the Department of the Air Force and for Congress;

(2) the members of the Air Force who operate and maintain the Nation's nuclear deterrent perform work that is vital to the security of the United States;

(3) the nuclear force improvement program of the Air Force has made significant near-term improvements for the members of the Air Force in the nuclear career field of the Air Force;

(4) Congress should support long-term investments in the Air Force nuclear enterprise that sustain the progress made under the nuclear force improvement program;

(5) the Air Force should—

(A) regularly inform Congress on the progress being made under the nuclear force improvement program and its efforts to strengthen the nuclear enterprise; and

(B) make Congress aware of any additional actions that should be taken to optimize performance of the nuclear mission of the Air Force and maximize the strength of the United States strategic deterrent; and

(6) future budgets for the Air Force should reflect the importance of the nuclear mission of the Air Force and the need to provide members of the Air Force assigned to the nuclear mission the best possible support and quality of life.

AMENDMENT NO. 1510

(Purpose: To require a report on the interoperability between electronic health records systems of the Department of Defense and the Department of Veterans Affairs)

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

SEC. 738. REPORT ON INTEROPERABILITY BETWEEN ELECTRONIC HEALTH RECORDS SYSTEMS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that sets forth a timeline with milestones for achieving interoperability between the electronic health records systems of the Department of Defense and the Department of Veterans Affairs.

AMENDMENT NO. 1520

(Purpose: To require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers)

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. COMPREHENSIVE PLAN OF DEPARTMENT OF DEFENSE TO SUPPORT CIVIL AUTHORITIES IN RESPONSE TO CYBER ATTACKS BY FOREIGN POWERS.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a comprehensive plan for the United States Cyber Command to support civil authorities in responding to cyber attacks by foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) against the United States or a United States person.

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

(A) A plan for internal Department of Defense collective training activities that are integrated with exercises conducted with other agencies and State and local governments.

(B) Plans for coordination with the heads of other Federal agencies and State and local governments pursuant to the exercises required under subparagraph (A).

(C) Note of any historical frameworks that are used, if any, in the formulation of the plan required by paragraph (1), such as Operation Noble Eagle.

(D) Descriptions of the roles, responsibilities, and expectations of Federal, State, and local authorities as the Secretary understands them.

(E) Descriptions of the roles, responsibilities, and expectations of the active components and reserve components of the Armed Forces.

(F) A description of such legislative and administrative action as may be necessary to carry out the plan required by paragraph (1).

(b) COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PLAN.—The Comptroller General of the United States shall review the plan developed under subsection (a)(1).

AMENDMENT NO. 1538

(Purpose: To allow for improvements to the United States Merchant Marine Academy)

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

SEC. 1085. MELVILLE HALL OF THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) GIFT TO THE MERCHANT MARINE ACADEMY.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) COVERED GIFTS.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) OPERATION CONTRACTS.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) CONTRACT TERMS.—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' includes any modification, extension, or renewal of the contract.

(2) FOUNDATION.—In this section, the term ''Foundation'' means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

AMENDMENT NO. 1579

(Purpose: To express the sense of Congress that the Secretary of Defense should maintain and enhance robust military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense and the family members of such personnel)

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

SEC. 1664. SENSE OF CONGRESS ON MAINTAINING AND ENHANCING MILITARY INTELLIGENCE SUPPORT TO FORCE PROTECTION FOR INSTALLATIONS, FACILITIES, AND PERSONNEL OF THE DEPARTMENT OF DEFENSE.

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

(1) Maintaining appropriate force protection for deployed personnel of the Department of Defense and their families is a priority for Congress.

(2) Installations, facilities, and personnel of the Department in Europe face a rising threat from international terrorist groups operating in Europe, from individuals inspired by such groups, and from those traversing through Europe to join or return from fighting the terrorist organization known as the ''Islamic State of Iraq and the Levant'' (ISIL) in Iraq and Syria.

(3) Robust military intelligence support to force protection is necessary to detect and thwart potential terrorist plots that, if successful, would have strategic consequences for the United States and the allies of the United States in Europe.

(4) Military intelligence support is also important for detecting and addressing early indicators and warnings of aggression and assertive military action by Russia, particularly action by Russia to destabilize Europe with hybrid or asymmetric warfare.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should maintain and enhance robust military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense and the family members of such personnel, in Europe and worldwide.

AMENDMENT NO. 1622

(Purpose: To express the sense of Congress on reviewing and considering findings and recommendations of the Council of Governors regarding cyber capabilities of the Armed Forces)

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

SEC. 1628. SENSE OF CONGRESS ON REVIEWING AND CONSIDERING FINDINGS AND RECOMMENDATIONS OF COUNCIL OF GOVERNORS ON CYBER CAPABILITIES OF THE ARMED FORCES.

It is the sense of Congress that the Secretary of Defense should review and consider any findings and recommendations of the Council of Governors pertaining to cyber mission force requirements and any proposed reductions in and synchronization of the cyber capabilities of active or reserve components of the Armed Forces.

AMENDMENT NO. 1791

(Purpose: To authorize a land exchange at Navy Outlying Field, Naval Air Station, Whiting Field, Florida)

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

SEC. 2822. LAND EXCHANGE, NAVY OUTLYING LANDING FIELD, NAVAL AIR STATION, WHITING FIELD, FLORIDA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to Escambia County, Florida (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, containing Navy Outlying Landing Field Site 8 in Escambia County associated with Naval Air Station, Whiting Field, Milton, Florida.

(b) LAND TO BE ACQUIRED.—In exchange for the property described in subsection (a), the County shall convey to the Secretary of the Navy land and improvements thereon in Santa Rosa County, Florida, that is acceptable to the Secretary and suitable for use as a Navy outlying landing field to replace Navy Outlying Landing Field Site 8.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs for environmental documentation, other administrative costs related to the land exchange, and all costs associated with relocation of activities and facilities from Navy Outlying Landing Field Site 8 to the replacement location. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of the Navy.

(e) CONVEYANCE AGREEMENT.—The exchange of real property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 1677

(Purpose: To require the Secretary of Defense to submit information to the Secretary of Veterans Affairs relating to the exposure of members of the Armed Forces to airborne hazards and open burn pits)

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

SEC. 738. SUBMITTAL OF INFORMATION TO SECRETARY OF VETERANS AFFAIRS RELATING TO EXPOSURE TO AIRBORNE HAZARDS AND OPEN BURN PITS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the Secretary of Defense shall submit to the Secretary of Veterans Affairs such information in the possession of the Secretary of Defense as the Secretary of Veterans Affairs considers necessary to supplement and support—

(1) the development of information to be included in the Airborne Hazards and Open Burn Pit Registry established by the Department of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note); and

(2) research and development activities conducted by the Department of Veterans Affairs to explore the potential health risks of exposure by members of the Armed Forces to environmental factors in Iraq and Afghanistan, in particular the connection of such exposure to respiratory illnesses such as chronic cough, chronic obstructive pulmonary disease, constrictive bronchiolitis, and pulmonary fibrosis.

(b) INCLUSION OF CERTAIN INFORMATION.—The Secretary of Defense shall include in the information submitted to the Secretary of Veterans Affairs under subsection (a) information on any research and surveillance efforts conducted by the Department of Defense to evaluate the incidence and prevalence of respiratory illnesses among members of the Armed Forces who were exposed to open burn pits while deployed overseas.

AMENDMENT NO. 1701

(Purpose: To improve the provisions relating to adoption of retired military working dogs)

On page 117, insert between lines 12 and 13, the following:

(b) LOCATION OF RETIREMENT.—Subsection (f) of such section is further amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' before ''If the Secretary'';

(3) in paragraph (1), as designated by paragraph (2) of this subsection—

(A) by striking '', and no suitable adoption is available at the military facility where the dog is location,''; and

(B) in subparagraph (B), as designated by paragraph (1) of this subsection, by inserting ''within the United States'' after ''to another location''; and

(4) by adding at the end the following new paragraph (2):

''(2) Paragraph (1) shall not apply if a United States citizen living abroad adopts the dog at the time of retirement.''.

AMENDMENT NO. 1733

(Purpose: To require a report on plans for the use and availability of airfields in the United States for homeland defense missions)

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

SEC. 1065. REPORT ON PLANS FOR THE USE OF DOMESTIC AIRFIELDS FOR HOMELAND DEFENSE AND DISASTER RESPONSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security and the Secretary of Transportation, submit to the appropriate committees of Congress a report setting forth an assessment of the plans for airfields in the United States that are required to support homeland defense and local disaster response missions.

(b) CONSIDERATIONS.—The report shall include the following items:

(1) The criteria used to determine the capabilities and locations of airfields in the United States needed to support safe operations of military aircraft in the execution of homeland defense and local disaster response missions.

(2) A description of the processes and procedures in place to ensure that contingency plans for the use of airfields in the United States that support both military and civilian air operations are coordinated among the Department of Defense and other Federal agencies with jurisdiction over those airfields.

(3) An assessment of the impact, if any, to logistics and resource planning as a result of the reduction of certain capabilities of airfields in the United States that support both military and civilian air operations.

(4) A review of the existing agreements and authorities between the Commander of the United States Northern Command and the Administrator of the Federal Aviation Administration that allow for consultation on decisions that impact the capabilities of airfields in the United States that support both military and civilian air operations.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Government Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) CAPABILITIES OF AIRFIELDS.—The term ''capabilities of airfields'' means the length and width of runways, taxiways, and aprons, the operation of navigation aids and lighting, the operation of fuel storage, distribution, and refueling systems, and the availability of air traffic control services.

(3) AIRFIELDS IN THE UNITED STATES THAT SUPPORT BOTH MILITARY AND CIVILIAN AIR OPERATIONS.—The term ''airfields in the United States that support both military and civilian air operations'' means the following:

(A) Airports that are designated as joint use facilities pursuant to section 47175 of title 49, United States Code, in which both the military and civil aviation have shared use of the airfield.

(B) Airports used by the military that have a permanent military aviation presence at the airport pursuant to a memorandum of agreement or tenant lease with the airport owner that is in effect on the date of the enactment of this Act.

AMENDMENT NO. 1739

(Purpose: To require a conflict of interest certification for Inspector General investigations relating to whistleblower retaliation)

At the appropriate place, insert the following:

SEC. ____. CONFLICT OF INTEREST CERTIFICATION FOR INVESTIGATIONS RELATING TO WHISTLEBLOWER RETALIATION.

(a) DEFINITION.—In this section—

(1) the term ''covered employee'' means a whistleblower who is an employee of the Department of Defense or a military department, or an employee of a contractor, subcontractor, grantee, or subgrantee thereof;

(2) the term ''covered investigation'' means an investigation carried out by an Inspector General of a military department or the Inspector General of the Department of Defense relating to—

(A) a retaliatory personnel action taken against a member of the Armed Forces under section 1034 of title 10, United States Code; or

(B) any retaliatory action taken against a covered employee; and

(3) the term ''military department'' means each of the departments described in section 104 of title 5, United States Code.

(b) CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—Each investigator involved in a covered investigation shall submit to the Inspector General of the Department of Defense or the Inspector General of the military department, as applicable, a certification that there was no conflict of interest between the investigator, any witness involved in the covered investigation, and the covered employee or member of the Armed Forces, as applicable, during the conduct of the covered investigation.

(2) STANDARDIZED FORM.—The Inspector General of the Department of Defense shall develop a standardized form to be used by each investigator to submit the certification required under paragraph (1).

(3) INVESTIGATIVE FILE.—Each certification submitted under paragraph (1) shall be included in the file of the applicable covered investigation.

AMENDMENT NO. 1744

(Purpose: To authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations were made for fiscal year 2015)

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

SEC. 1085. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR WHICH AMOUNTS HAVE BEEN APPROPRIATED.

(a) FINDINGS.—Congress finds the following:

(1) The Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) appropriated to the Department of Veterans Affairs—

(A) $35,000,000 to make seismic corrections to Building 205 in the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(B) $101,900,000 to replace the community living center and mental health facilities of the Department in Long Beach, California, which, according to the Department, are designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(C) $187,500,000 to replace the existing spinal cord injury clinic of the Department in San Diego, California, which, according to the Department, is designated as having an extremely high risk of sustaining major damage during an earthquake; and

(D) $122,400,000 to make renovations to address substantial safety and compliance issues at the medical center of the Department in Canandaigua, New York, and for the construction of a new clinic and community living center at such medical center.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1) because it lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed puts the lives of veterans and employees of the Department at risk.

(5) According to the United States Geological Survey—

(A) California has a 99 percent chance or greater of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the major medical facility projects of the Department of Veterans Affairs specified in the explanatory statement accompanying the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) at the locations and in the amounts specified in such explanatory statement, including by obligating and expending such amounts.

AMENDMENT NO. 1781

(Purpose: To improve the report on the strategy to protect United States national security interests in the Arctic region)

On page 528, line 14, insert after ''Arctic region'' the following: '', as well as among the Armed Forces''.

On page 528, line 23, insert after ''ture,'' the following: ''communications and domain awareness,''.

On page 529, line 5, insert before the period at the end the following: '', including by exploring opportunities for sharing installations and maintenance facilities''.

AMENDMENT NO. 1796

(Purpose: To express the sense of the Senate on finding efficiencies within the working capital fund activities of the Department of Defense)

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

SEC. 1005. SENSE OF SENATE ON FINDING EFFICIENCIES WITHIN THE WORKING CAPITAL FUND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

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

Mr. MCCAIN. Mr. President, I defer to my colleague from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 1569

Mr. BURR. Mr. President, I call for regular order with respect to amendment No. 1569.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 1921 TO AMENDMENT NO. 1569

(Purpose: To improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats)

Mr. BURR. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] proposes an amendment numbered 1921 to amendment No. 1569.

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

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BURR. I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Mississippi.

Mr. WICKER. Madam President, I rise in support of the national defense authorization bill and would point out to my colleagues that this is a piece of legislation which for half a century has enjoyed bipartisan support—during Republican administrations, Democratic administrations, and during times of majority on the Democratic side and on the Republican side.

Regrettably, last year this Chamber did not take up the NDAA until December—months after it had been approved in committee. I commend Senator Levin, the former chairman of the Armed Services Committee, for reporting the bill out of his committee during Democratic majorities, and if he had his way, we would have taken up the bill much earlier.

I also want to commend Senator MCCAIN, our current Republican chairman of the Armed Services Committee

for again, in a timely way, reporting this bipartisan bill. And then I think commendation is due to the new leadership of this Senate for taking up this bill in a timely fashion in June rather than waiting until December.

It has been said by the distinguished minority leader that taking up this bill is a waste of time because the President has said he would veto this bill. It is curious that he would say so because this bill funds national security at the amount requested by the President of the United States. I think to people out there listening in the public, it is curious the President would say ''I am going to veto a bill'' that actually funds security items at the administration's requested level.

I would also point out to my colleagues that this is not the first time the President has issued a veto threat. This happened on the Iran nuclear negotiations bill, where at first the President said: If the House and Senate send me such a bill, I will veto it. But the more we talked about it and the more we brought the American people into the discussion and the more the light was shown on the issue and the American public opinion began to be known, the more popular the idea became in the Senate Foreign Relations Committee.

At the end of the day, it was unanimous or virtually unanimous in the Foreign Relations Committee that the Senate and the House should be heard on the issue of any negotiations this administration has, as the Secretary of State might have with the Iranian leadership. At the end of the day, it passed overwhelmingly, and the President actually changed his mind. Having said he would veto that Iranian nuclear bill, he changed his mind and sent word that he would, in fact, sign it.

I hope the same thing will happen in this situation. I hope the President will rescind his veto threat and, after we have worked our will and after this bill has gone over to a conference committee with the House of Representatives and we have come up with a compromise between the House and the Senate, I hope the President will, in fact, change his mind and change his position as he did on the Iranian bill and sign it. I do not think it is a waste of time. I think it is critical that we do this.

It is often that we start off on a partisan basis. I have the highest regard for the ranking member of the Armed Services Committee. He and I served together in the House of Representatives. It has been my privilege to serve on the committee with the distinguished ranking member for some time. I think he would acknowledge that we started off the defense markup with all Republicans saying they were going to vote for it and with all Democrats saying they would be a ''no'' vote. But the more we got into that issue and the more Senator MCCAIN began to work with Members on both sides of the aisle and amendments were offered and debate was held, that opposition began to melt away.

At the end of the day, on this bill that is before us today, there were eight Democrats who voted aye in the committee and only four Democrats who voted no. As I recall, all of the Republicans on the committee voted yes. It was an overwhelmingly bipartisan support of something that started off dividing us, Republicans versus Democrats.

It is important that we continue to do that. The focus should be on our national security priorities. The focus should be on the troops. This bill funds the troops in a very meaningful and a very reform-oriented way. This is necessary under the current times.

I want to quote from an earlier Armed Services hearing we had, wherein Director of National Intelligence James Clapper warned the committee. I will quote the Director of National Intelligence. He said that ''unpredictable instability is the new normal.'' ''Unpredictable instability is the new normal.''

He pointed out that ''last year was the most lethal year for global terrorism in 45 years.'' It so happens that we have only been keeping statistics on the lethal degree of terrorism for 45 years. In the recorded 45-year history of keeping tabs on this, this is the most lethal year, this past year—tough times, dangerous times.

This was underscored by former Secretary of State Henry Kissinger, when he testified at a hearing before the committee earlier this year. He said that ''the United States has not faced a more diverse and complex array of crises since the end of the Second World War.''

This is a dangerous world. This is a dangerous time. We have a bill that addresses these times, and I think we should move forward with it. The Obama administration may be unwilling to admit that the world is less safe, but there is no denying the extraordinary challenges. I think Members on both sides of the aisle would acknowledge this: ISIS or ISIL, the newly resurgent and aggressive Russia and what they have done in invading Crimea and eastern Ukraine, the havoc across the Middle East in nations such as Yemen and Syria, nations that are collapsing into chaos. These are serious times.

Yet our President said, on the European Continent yesterday, that ''we don't have a complete strategy'' for dealing with ISIS in Iraq.

This is not a time to block resources our military needs. As a matter of fact, it is a time for us to act as Americans and not as partisans. There are several reasons why passing this bill this month should not be controversial:

First, it would authorize the same amount of funding as requested by the President.

Second, it contains one of the most substantive defense reforms we have seen in years. It would adopt $10 billion worth of efficiencies that would pave the way for long-term savings at the Department of Defense.

Third, the bill champions greater efficiency by reducing bureaucracy at the Pentagon and reforming the weapons acquisition system. Just because we need to spend more money for defense does not mean we need to spend more money to hire bureaucrats and staffers at the Pentagon.

Fourth, it is very important to point out the reforms in this bill make sure that the men and women who fight for our country, including those who are wounded or who have retired, have the quality of life, health care and support they deserve.

Fifth, this bill would modernize the military retirement system. Something that has been recommended to us by experts in the military and by retired military people. It would not only extend benefits to more servicemembers, but also give them more value. It would give our servicemembers more choice in their retirement system. Too many of our members are being excluded from the current system. Maintaining our All-Volunteer Force requires taking care of those who have chosen to serve.

Let me give a big shout-out and thank-you to Senator MAZIE HIRONO, my ranking member on the Seapower Subcommittee. We have worked closely in the Seapower mark of this legislation. As a matter of fact, I regret that Senator HIRONO and I could not do our two speeches on this bill together. That was our intent, for me to speak as chair and for her to speak as ranking member because we have cooperated so much in our Seapower title.

Our title in the bill addresses shortfalls in the Navy's ability to meet requirements. We have 30 ships and our Navy's amphibious fleet is much smaller than the Marine Corps tells us is required. Last year, the Chief of Naval Operations, ADM Jonathan Greenert, said that more like 50 ships are required if we want to do everything the military is being asked to do. We need to address this and at least move from 30 ships toward that goal of 50 that Admiral Greenert suggested.

This year's NDAA would authorize $199 million for an additional American-class amphibious assault ship as well as $80 million in research and development. This sends a powerful message to anyone who would be our adversary. These ships are known as the ''Swiss Army Knives'' of the sea because they are so versatile and because they respond to so many of the threats, including counterterrorism, piracy, combat missions, and humanitarian crises.

We also recognize the need to modernize our submarine fleet. Again, thank you to Senator HIRONO, the ranking member, for working with us on this. The Seapower Subcommittee is preparing for the eventual construction of the Ohio-class replacement submarine program. This is an expensive

program. It is necessary. It is expensive. We are about the business of providing the necessary funds to mitigate higher costs for the submarine program on our shipbuilding budget.

I am so pleased we addressed these Seapower needs. In addition, we do our best to meet the needs of the National Guard, to support a modern fleet for the Army, for mental health services for our troops and veterans, and the protection for our servicemembers' religious convictions. It is a comprehensive reform bill that ought to have the same sort of bipartisan support we have had for last 50 years.

We need a bill, in conclusion, that takes an honest look at our current challenges and implements necessary reforms. I am pleased to say this bill does so, and I hope we move forward, get past this moment of suiting up in a partisan fashion, and send this bill with an overwhelming vote from the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

YOUTH UNEMPLOYMENT

Mr. SANDERS. Madam President, it sometimes happens that issues of enormous consequence seem to be ignored and do not get anywhere near the discussion it requires. One such issue which needs to be put on the table that needs to be dealt with and needs to be resolved is the crisis of youth unemployment in America, in general, and specifically among Black and Hispanic youth.

Let me provide you with some new information that I recently received from the Economic Policy Institute, one of the important nonpartisan economic think tanks in our country. What this information tells us is that the level of youth unemployment in this country has reached tragic dimensions, and it is especially tragic for the African-American and Hispanic communities.

The Economic Policy Institute recently analyzed census data on unemployment among young people—those people who are either jobless, those people who have given up looking for work or those people who are working part time when they want to work full time; in other words, what real unemployment is about.

This is what they found. They found that during April of 2014 to March of 2015, the average real unemployment rate for Black high school graduates, ages 17 to 20, was 51.3 percent. Let me repeat. Over the last year, from April 2014 to March of 2015, the average real unemployment rate for Black high school graduates was 51.3 percent. The jobless figure for Hispanics in the same age group was 36.1 percent, and for young White high school graduates the number was 33.8 percent.

This is an issue which cannot be ignored. An entire generation of young people who are trying to get their lives together, trying to earn some money, and trying to become independent are unable to find work. This is an issue which must be dealt with. Even young Americans with a college degree are finding it increasingly difficult to get a job. The real unemployment rate for young Black college graduates between the ages of 21 and 24 was 23 percent, the figure for Hispanics was 22.4 percent, and the figure for Whites was 12.9 percent.

Today in America, over 5½ million young people have either dropped out of high school or have graduated high school and do not have jobs. It is no great secret that without work, without education, and without hope, people get into trouble, and the result is—and this is not unrelated—that tragically in America today we have more people in jail than any other country on Earth, including China, an authoritarian, Communist country with a population four times our size. How does that happen? How is it that this great Nation has more people in jail than any other country and far more than a Communist, authoritarian society in China, a country that is four times our size?

Today, the United States is 5 percent of the world's population; yet, we have 25 percent of the world's prisoners. Incredibly, over 3 percent of our country's population is under some form of correctional control. According to the NAACP, from 1980 to 2008, the number of people incarcerated in America quadrupled from roughly half a million to 2.3 million people. If current trends continue, the estimate is that one in three Black males born today can expect to spend time in prison during his lifetime.

This is an unspeakable tragedy. This is an issue which has to be put on the table and has to be discussed. And this crisis is not just a destruction of human life, it is also a very costly issue to the taxpayers of our country. In America, we now spend nearly $200 billion a year on public safety, including $70 billion on correctional facilities each and every year.

It is beyond comprehension that we as a nation have not focused attention on the fact that millions of our young people are unable to find work or begin their careers in a productive economy. This is an issue which we must deal with—and I know I speak for the Senator from Michigan—and we will make sure this country pays attention to and deals with this issue.

Let me just say that it makes a lot more sense to invest in jobs and education for our young people than to spend incredible amounts of money on jails and incarceration. Let's give these kids a shot at life. Let's give them a chance. Let's not lock them up.

The time is long overdue for us to start investing in our young people, to help them get the jobs they need, the education they need, and the job training they need so they can be part of the American middle class.

The answer to unemployment and poverty is not and cannot be the mass incarceration of young Americans of all races. It is time to bring hope and economic opportunity to communities throughout this country.

Last week, I introduced legislation with Congressman JOHN CONYERS and Senator DEBBIE STABENOW to provide $5½ billion to immediately begin funding States and localities throughout this country to employ 1 million young people between the ages of 16 and 24 and provide job training to hundreds of thousands of young Americans.

Some people may say: Well, this is an expensive proposition.

I guarantee that this investment will save money because it costs a heck of a lot more money to put people in jail than to provide them with jobs and education. We will save lives and create taxpayers and a middle class rather than having more and more people in jail.

I just wanted to mention that this is an issue which has to be discussed. I look forward to working with the cosponsor of this legislation, Senator STABENOW, and we will bring attention to this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, before the Senator from Vermont leaves, I have to say that I am very proud to be a partner with him on this legislation and how critically important it is that we give young people the opportunity to have a job. On the last immigration bill, we were able to add dollars to the bill, which helped to create funding for young people. Youth unemployment is a huge issue, and we need to give them a path forward on jobs, hope, and economic opportunity. I again thank the Senator from Vermont.

Madam President, I also have to say I am very disappointed that Senator REED's amendment was not successful. Unfortunately, it was voted down today on a partisan vote. We all know there are way too many budget gimmicks in this authorization, as important as it is, and what we ought to be doing is making sure all of the security needs of our families—not just those at the Department of Defense but those in other parts of the budget have the adequate resources they need so their families are truly safe.

HIGHWAY TRUST FUND

I wish to speak specifically about another piece of legislation which will help to ensure our safety, and that is economic safety and security. This is something which also deserves our time and attention, and time is running out right now. We have 52 days before the highway trust fund will be empty, shut down; 52 days and we have not yet done even one hearing in the Finance Committee. I respectfully ask that our chairman, for whom I have tremendous respect, have hearings and discussions so we can work together and talk about how we are going to fund this bill. We have not yet seen legislation on the floor that will allow us

to move forward on a long-term funding bill for economic security.

Our Republican colleagues need to join with us and provide leadership on this issue which affects millions of jobs and, frankly, affects every single American. There was a time when Republicans were the leaders of building our roads, bridges, airports, railroads, and all of our infrastructure, and that came in the form of President Eisenhower, who said in 1952 that ''a network of modern roads is as necessary to defense as it is to our national economy and our personal safety.''

We are on the floor talking about legislation to authorize moving forward to support our troops and making sure we are authorizing programs for our national defense. Yet, in 1952 President Eisenhower said that ''a network of modern roads is as necessary to our defense as it is to our national economy and our own personal safety.'' But in only 52 days, there will be zero in our Nation's highway trust fund.

By the late 1950s, our interstate highways were responsible for 31 percent of the annual economic growth of our country—an economic engine of our country. Thanks to President Eisenhower's leadership, our roads in the mid-20th century were the envy of the world. Now we see other countries that want to be like America—a global economic power—and they are rushing to invest in their roads, bridges, airports, railroads, and other infrastructure, countries such as China and Brazil.

China is taking 9 percent of their GDP and using it to invest in jobs, and those things that will allow them to create jobs and be a world economic power. They are wooing businesses there because they have the most modern infrastructure, and frankly, we are playing catchup. There is absolutely no reason that should be happening.

Our European competitors spend twice what we do on transportation and funding for critical roads and bridges and other transportation needs. The Chinese Government spends four times what we are spending right now.

The World Economic Forum's ''Global Competitiveness Report'' for 2014 and 2015 ranks America 16th in the quality of roads. We are one spot behind Luxembourg and one spot just ahead of Croatia. Can you imagine? Yay. We are just ahead of Croatia in investing in the future in transportation technology and safety for our roads, bridges, and airports—all of those things which create economic security and, in the words of President Eisenhower, national security.

The World Economic Forum has its own rankings. In 2002, America had the fifth best transportation system in the world. In their most recent rankings, we were 24th.

The American Society of Civil Engineers' most recent report card for America's infrastructure—our transportation, roads and bridges—gave us a D on our roads. I don't think any of us would be happy if our children brought home a report card that had a D on it; yet, that is what we are now seeing in Congress. The report card that we are presenting to the American people has a D on it. It says that 42 percent of major urban highways are congested and that it costs over $101 billion in wasted time and fuel every year.

One of my constituents recently told me that he hit a pothole on the way to the Detroit Metro Airport, and he had to replace all four tires on his car. He actually went through seven tires in 1 year. That is a lot of money; that is a lot of tires. He went through seven tires in 1 year because of the bad roads in Michigan.

The average Michigan resident spends $357 a year on repairing the damage to their automobiles caused by broken roads. That is more than twice the amount that average people pay in taxes to go to improving our roads and bridges. It is more than twice what it would take to actually fix our roads and bridges and actually be able to move forward. It is not fair. It is not fair to neglect responsibility to maintain our Nation's basic roads and bridges and other infrastructure and let the American people pay for that neglect, which is exactly what is happening.

We can't expect our workers and our companies to compete in the 21st-century global marketplace if they are forced to use 20th-century roads and bridges, and we are on our way to the 19th century. Some places are so crumbled up, we are going from pavement back to the dirt underneath it. It is crazy, and there is no excuse for it.

Every time we pass a short-term patch that goes 1 or 2 or 6 months down the road, we let our workers, businesses, and our families down. Congress needs to step up. We are ready, and we are looking for Republican partners to join with us in a long-term solution. The majority needs to step up.

We have 52 days and counting until the highway trust fund is empty—at zero. We shouldn't see the majority kick the can down the road again or come up with some kind of short-term suggestion or crazy things such as cutting people's pensions to pay for roads and bridges. Together, we need to do what the American people expect us to do and sit down and do what has been done over the course of history in the United States: Fund a long-term transportation bill that moves us forward in our economy, jobs, and creates the kind of competitive edge we have traditionally had in the United States.

A grade of D on roads is an embarrassment. We need our Republican majority to step up with us, because we are waiting. We are anxious to put together a long-term strategy on funding for our roads and bridges. This is pretty basic when we look at the responsibilities that Congress has on behalf of the American people—maintaining airports, railroads, short rail for agriculture, as well as our long distance rail, roads, bridges, and all of the other things that comprise the basic format. We are 52 days away from the highway trust fund going empty.

Let's get busy. It is time to make sure we are doing the right thing in moving the country forward.

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. WHITEHOUSE. 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. WHITEHOUSE. I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

GASPEE DAYS

Mr. WHITEHOUSE. Madam President, I am here on the floor today to celebrate a significant event in our country's history and in Rhode Island. Every student of American history knows the story of the Boston Tea Party. We all learned about Samuel Adams and the Sons of Liberty dumping chests of tea into Boston Harbor to protest British taxation without representation.

What many students don't know is that down in Rhode Island, more than a year earlier, a group of Rhode Island patriots made an even harsher challenge to the British Empire one dark night in June of 1772. I am here to tell their story.

The episode began when amid growing tensions with colonists, King George III moved the HMS *Gaspee*, an armed British customs vessel, into Rhode Island's Narragansett Bay. The *Gaspee* and its captain, Lieutenant William Dudingston, were known for seizing cargo and flagging down ships only to harass, humiliate, and interrogate the colonials. As Nick Bunker, author of the book ''An Empire on the Edge'' wrote, this harassment did not sit well with Rhode Islanders, who had grown accustomed to a level of freedom unique in that time. ''Even by American standards, Rhode Island was an extreme case of popular government.''

The chapter in his book in which he describes this is entitled '''This Dark Affair': The *Gaspee* Incident.'' Bunker went on to say: ''Out of all the colonies, Rhode Island was the one where the ocean entered most deeply into the lives of the people.'' And we wanted it free.

In July of 1663, over 100 years before the *Gaspee* incident, King Charles II had granted a royal charter establishing the colony of Rhode Island and Providence Plantations in New England. And the charter said it was ''to hold forth a lively experiment . . . that a most flourishing civil state may stand and best be maintained with full liberty in religious concernments.''

The ''lively experiment'' in Rhode Island blazed the path for American freedom of religion, a fundamental right of

our great Nation. In Rhode Island, what were then considered radical ideologies of freedom ran very deep. A century later, William Dudingston would learn just how deep, as he went about harassing American vessels and confiscating their cargo. ''The British Armed Forces have come to regard almost every local merchant as a smuggler and a cheat,'' Bunker wrote. Rhode Islanders were fed up with the abuse. Something was bound to give.

In March of 1772, local seamen and traders led by John Brown signed a petition against the *Gaspee*. They brought it to Rhode Island Chief Justice Stephen Hopkins, a political leader in Providence and a relentless advocate for liberty.

Nick Bunker wrote:

> For Brown and Hopkins, the only law they recognized was theirs, laid down by their assembly and their local courts. They saw no role in Rhode Island for the English laws that gave the navy its authority.

This is in 1772. Chief Justice Hopkins provided a legal opinion saying that British officers needed to present their orders and commission to Rhode Island's Governor before entering local waters. Well, Dudingston refused and, indeed, threatened to hang ''any man who tried to oppose the *Gaspee*.''

So the fuse was lit. It all came to a head on June 9, 1772. Rhode Island Captain Benjamin Lindsey was sailing to Providence from Newport in his ship, the *Hannah*. He was accosted and ordered to yield for inspection by the *Gaspee*. Well, Captain Lindsey refused. He raced up Narragansett Bay, despite warning shots fired at the *Hannah*.

The *Gaspee* gave chase and Captain Lindsey, who knew the waters of Rhode Island far better than did Dudingston, steered his ship north toward Pawtuxet Cove in Warwick, right over the shallow waters of Namquid Point. There, the lighter *Hannah* shot over the shallows, but the heavier *Gaspee* ran aground and stuck firm.

The British ship and her crew were caught, stranded in a falling tide. They would need to wait many hours for a rising tied to free them again. According to Nick Bunker, as night fell, the *Gaspee* crew turned in, leaving only one seaman on the deck. Spotting an irresponsible opportunity, Captain Lindsey sailed on to Providence. There he enlisted the help of John Brown, the respected merchant and statesman who had led that petition against the *Gaspee* back in March.

Brown was from one of the most prominent families in the city. He ultimately helped found what we know today as Brown University. Brown and Lindsey rallied a group of Rhode Island patriots at Sabin's Tavern, down in what is now the East Side of Providence, along the waterfront. Refreshments, no doubt, were served. Refreshed or not, the group resolved to end the *Gaspee*'s menace in Rhode Island waters. That night, those raiders, led by what Nick Bunker called the ''maritime elite of Providence,'' set out with blackened faces, in long boots, and rowed down the bay with their oars muffled to avoid detection. They made their way to the stranded *Gaspee* and surrounded it.

As Daniel Harrington recounted in a recent op-ed that he wrote in the Providence Journal, ''Capt. Abraham Whipple spoke first for the Rhode Islanders, summoning Dudingston: 'I am sheriff of Kent county, [expletive]. I have a warrant to apprehend you, [expletive]; so surrender, [expletive].' It was a classic Rhode Island greeting!''

I ask unanimous consent that Mr. Harrington's article be printed in the RECORD at the conclusion of my remarks.

Lieutenant Dudingston, of course, refused Whipple's demand, and instead ordered his men to fire upon anyone who attempted to board the *Gaspee*. The Rhode Islanders saw their advantage. They outnumbered the British, and they swarmed on the *Gaspee*. Shots rang out in the dark. Lieutenant Dudingston fell wounded in the arm and the thigh. That night in the waters off Warwick, RI, the very first blood in the conflict that was to become the American Revolution was drawn by American arms—a little bit more than just tea over the side into Boston Harbor.

As the patriots commandeered the ship, Brown ordered one of his Rhode Islanders, a physician named John Mawney, to tend to Dudingston's wounds. Mawney was an able doctor and saved the lieutenant. Brown and Whipple took the captive English crew ashore, and then they returned to the despised *Gaspee* to rid Narragansett Bay of her detested presence once and for all. They set her afire. The blaze spread, reaching the ship's charges of gunpowder and cannons, setting off explosions like fireworks.

Ultimately, the flames reached the *Gaspee*'s powder magazine, and the resulting blast echoed across Narragansett Bay, as airborne fragments of the *Gaspee* splashed down into the water beneath a moonless sky. Nick Bunker wrote that the British had never seen anything quite like the *Gaspee* affair. Their attack on the ship amounted to a complete rejection of the empire's right to rule.

According to Dan Harrington's op-ed, King George III was furious and offered huge rewards for the capture of the rebels. Inquiries were made and nooses fashioned. But in the end, not one name was produced, as thousands of Rhode Islanders remained true to silence. The site of this historic victory is now named *Gaspee* Point in honor of this incident and the audacious Rhode Islanders who accomplished it.

According to Bunker, the Rhode Island patriots successfully organized ''a military operation 3 years ahead of its time, that arose not merely from a private quarrel but also a matrix of ideas''—the ideas of liberty. Rhode Islanders have made a tradition of celebrating the *Gaspee* incident. This year marks the 50th annual *Gaspee* Days celebration in Warwick. Over the years, we celebrate by marching in the annual parade, as we recall the courage of the men who fired the first shots and drew the first blood in the quest for American independence.

I would like to thank the *Gaspee* Days Committee for their continuing efforts to host this annual celebration and my friend, State Representative Joe McNamara, for his work each year in making this event so special. I come to the floor every year at this time to speak about the burning of the *Gaspee*, because as proud as I am of what those brave Rhode Islanders did back in 1772, I am also disappointed that their story has largely been lost to history outside our little State.

I hope these speeches will help new generations to learn about this important American event. In Rhode Island, of course, we will never forget. As Mr. Harrington wrote in his piece in the Providence Journal, ''Through the ages, noble Rhode Islanders have named their daughters Hannah in honor of the ship that long ago led a fledgling young country toward independence and helped create the finest nation ever born of man.''

I yield the floor.

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

[From the Providence Journal, June 2, 2015]

THE GASPEE, THE HERO AND THE DUD

(By Daniel F. Harrington)

Every story needs a good villain, and 243 years ago the British dropped a big one on us. His name was Dudingston. His job? Preventing piracy on Narragansett Bay—or, in layman's terms, shaking down every merchant he could catch.

Lt. William Dudingston, 31, and his dreaded ship the HMS Gaspee arbitrarily halted and often seized the cargo of Rhode Island ships at will. And he did it all in the name of taxation. Think of him as an Internal Revenue Service agent and mob boss rolled into one.

He wore a gold-trimmed cap and had a proclivity for rum.

The governor of Rhode Island repeatedly challenged the Crown to check the lieutenant's brazen misbehavior, but his requests were largely ignored. So on Dudingston went.

Until he met our heroes.

The first was Capt. Benjamin Lindsey, who skippered a sloop called the Hannah. He had had enough. Returning from New York on June 9, 1772, he was greeted in Newport with cannon fire from the Gaspee after refusing Dudingston's command to strike his flag. Then, trusting ''the Dud'' knew more about extortion than navigation, Lindsey led him on a four-hour chase up Narragansett Bay. It was the Dud's guns versus Lindsey's guts.

Lindsey skillfully piloted his ship toward Pawtuxet Cove and specifically to a menacing sandbar, trusting the heavy Gaspee and its rum-fueled captain would run aground.

They did!

But Lindsey didn't stop there. He sailed north to Providence and informed fellow merchant John Brown about the sitting Dud. At dusk, Brown sent a town crier through the streets of Providence and assembled a raiding party of tavern-friendly professional men.

Rowing to the doomed ship in long boats, the Patriots reached the Gaspee around midnight.

Capt. Abraham Whipple spoke first for the Rhode Islanders, summoning Dudingston: ''I am sheriff of Kent county, Goddamn you. I have a warrant to apprehend you, Goddamn you; so surrender, Goddamn you.'' It was a classic Rhode Island greeting!

Then a shot rang out. Dudingston fell when a ball hit him five inches below his navel. ''Good God, I am done for!'' he cried.

And then a miracle.

As the Dud lay bleeding to death, a raider stepped forward. It was 21–year-old physician—and genius—John Mawney, who performed life-saving surgery on him. Astonished, Dudingston then offered the doctor a gold buckle. Mawney refused it, but accepted a silver one.

The Rhode Islanders then set the Gaspee aflame and the warship exploded, lighting up Narragansett Bay as never before—or since.

King George III was furious and offered huge rewards for the capture of the rebels. Inquiries were made and nooses fashioned, but in the end, not one name was produced, as thousands of Rhode Islanders remained true to silence.

The burning of the Gaspee steeled the resolve of all the colonies and inspired the Boston Tea Party 18 months later. In 1922, The New York Times memorably editorialized that the boldness of the Gaspee incident made The Boston Tea Party look, by comparison, like a tea party!

Meanwhile, back in Britain, Dudingston would survive court martial for losing his ship, receive a disability pension and live another 45 years and become a rear admiral.

One man remains lost to history.

No one knows what happened to America's first hero, Captain Lindsey. The most wanted man in the world quickly disappeared and dissolved into time. We've never found his resting place—probably because he was buried at sea. So he eludes us still, although some say you can still hear him rousing the Hannah when the fog of Narragansett Bay is unusually thick . . .

Not all have forgotten. Through the ages, noble Rhode Islanders have named their daughters Hannah in honor of the ship that long ago led a fledgling young country toward independence and helped create the finest nation ever born of man. And her name is still sweet, for it echoes the refrain of liberty and recalls the powerful truth that ''God hath chosen the weak things of the world to confound the things that are mighty.''

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, we are hopefully going to be able to vote very shortly on an amendment to the NDAA that I have submitted, No. 1901, which speaks to a pretty simple concept that when we spend taxpayer money and 70 percent of the goods that we purchase with taxpayer dollars come through the Defense Department, we should be spending that money on American companies.

We should be using our resources as a nation to purchase things from companies here in the United States. That has been the law on the books since the 1930s. The Buy America Act, for economic and national security reasons, directs the U.S. Government to buy at least 50 percent of the components of any good from U.S. companies. The problem is that over time, loophole after loophole and exception after exception have been built into the Buy America Act, such that today the exceptions really are the rule.

The consequences are pretty dire for American workers. It means that thousands, tens of thousands, hundreds of thousands of workers have lost their job because work that should have gone to American companies to build components for jet engines, tanks, and submarines are going overseas. But for our national security, we also are faced with issues as well, given the fact that as our supply chain becomes much more internationalized, we are relying on countries that today might be our allies to supply parts but that tomorrow might not. It puts us at risk potentially down the line.

So I am proposing a pretty simple amendment here, which is really just about sunlight. I had previously hoped to push an amendment that would have actually cut down on one of the waivers that is the most egregious. But I am hoping for a consensus on an amendment that would just make clear that we have to get some more information about some of the worst loopholes to the ''Buy American'' law. The worst of them, and, in fact, the majority of the waivers for the Buy American Act come through one specific waiver.

There are about eight ways to get around buying things in the United States for the U.S. military. But one of them is that if you can prove that the usage of the good is going to be primarily overseas, you can buy that good overseas. Now, that is an understandable exception if you are talking about the purchase of something such as fuel or food that simply does not make sense to import from the United States. But because there is really no oversight at all on this waiver and because over the last 10 years, having fought two wars in Afghanistan and Iraq, this relatively small loophole, as it appears on the written page, has become an enormous loophole.

So $17 billion in goods were made overseas, and in 2014, 83 percent of them were done through this particular ''Buy America'' loophole. So I want to just talk for a second about what some of these waivers are being used to purchase. This is an Opel light-duty cargo van that has been purchased by the U.S. military for a variety of activities. This was not an emergency expenditure. Very clearly, you are buying this van for activities that you can plan for. It is not something that you could not import from the United States.

This contract, which was entered into at the height of the auto crisis, was $2.9 million in total—$2.9 million that went to a foreign auto company instead of going to a company in the United States. This is clearly something—a cargo van—not being used on the frontlines of our wars in Iraq and Afghanistan that could have been bought from an American auto company. Ford, Chevrolet, and Chrysler make versions of this van that are produced by American workers.

There were $39 million worth of waivers for jet engines and gas turbines. There was $28 million worth of waivers simply for men's clothing. There were $11 million of waivers that were used for shoes, for men's footwear. So it is clear that these waivers are being used not for goods that are urgently needed in the field that had to be purchased in a place such as Afghanistan or Iraq or in the region but simply to avoid the ''Buy American'' law.

I want to amend my previous statement. It was not $17 billion in goods that were bought from foreign firms, it was $176 billion in manufactured goods that were bought—and services—from foreign firms. So if it were up to me, we would tighten this loophole. We would bring billions of dollars of work back to the United States simply by saying that you have to have an urgent national security need in order to buy the good overseas.

But if it is not urgent, if you are just buying some vans to cart around equipment or people, then you should buy them from the United States. But amendment No. 1901 is a little bit simpler, in that it just requires that we continue to get reports from the Department of Defense detailing the waivers that they have been granted for the ''Buy American'' law, so that we have a pretty good idea as to how much work we have lost to foreign firms, how many U.S. workers have lost their jobs because taxpayer dollars are going overseas.

It adds a little new wrinkle to these reports so that when it comes to these waivers, the waiver for goods that are primarily used overseas, which was 83 percent in 2014 of all of the waivers that were granted, we get a little bit more information so that for waivers for contracts over $5 million—these are pretty big contracts—we know what you are buying, why you need it, and why you are required to buy it overseas.

I think that this information is just sunlight on the waiver process. Again, a waiver process which is sending overseas $176 billion worth of American taxpayer paid-for jobs should have more information so that we can make decisions. It is funny, when I talk to my constituents and I tell them that I am fighting for the ''Buy American'' law and that I am fighting to make sure that at least 50 percent of their dollars get spent to buy things from American companies when they are used by the U.S. military, they have a bewildered look on their face because they assume that is the policy of the U.S. Government to begin with.

Why on Earth would our taxpayer dollars be used to buy things overseas?

There are some commonsense reasons why that happens. Obviously, as I said, when you are buying something like food or fuel for the military's use in Afghanistan or in Iraq, it makes sense to buy that overseas. If you can't find it

in the United States, if there is not a single contractor that makes what you are looking for in the United States, then, by all means, you are going to have to buy that overseas. If there is such a price differential, such an enormous price differential that it is a waste of taxpayer dollars to buy it from American companies—and, frankly, those are fairly minute exceptions—then it makes sense to do a workaround on the ''Buy American'' law.

But we have seen hundreds of billions of dollars in waivers, waivers that are being used for reasons that you just can't justify but also through a process that includes really no oversight. On that waiver that allows for goods to be purchased overseas when you can't find it in the United States, there are examples where a simple Google search could have found the item in the United States, but a waiver was still signed, allowing it to be bought overseas because it wasn't available here—just no oversight, making sure we are only giving these waivers in the right circumstances.

I have talked a number of times on this floor about a company that folded up shop in Waterbury, CT, a legacy company in the Naugatuck Valley, Ansonia Copper & Brass. It made the copper nickel tubing for the American submarine fleet. It was the only company in the United States that made this particular item.

It is out of business today because of the loopholes in the ''Buy American'' law. We are now buying our copper nickel tubing from a foreign company. Now, that put dozens of people out of work in Connecticut, but it also put in jeopardy our national security. If the supplier of this copper nickel tubing, which is not something you can make easily—it requires incredible expertise, complicated machinery. If the country we are getting it from today decides they are not going to supply it to us because they oppose the way in which we are using it, we can't make it in the United States any longer. You can't just reassemble the ability to make that particular good, complicated tubing that goes inside one of the most complicated pieces of machinery in the U.S. Navy, a submarine. You can't just do that overnight. So at the very least, we should be getting all of the information we need to do proper oversight on this process of granting waivers.

I have been pleased at the willingness of Chairman MCCAIN and his staff, along with the ranking member Senator REED, to work with us on this amendment, this sunlight amendment, this disclosure amendment. Hopefully, over the course of today or tomorrow, we will be able to include this in one of the managers' packages that we adopt on the Senate floor, and it will allow us to have a more robust conversation as to why on Earth we spent U.S. taxpayer dollars on this van, when $3 million—at the height of the auto crisis—could have gone to an American company making a similar vehicle. That is a conversation that on behalf of the literally hundreds of thousands of American workers who don't have jobs today because we are spending taxpayer dollars overseas—for their sake, they deserve for us to have that debate.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. CASSIDY and Ms. COLLINS pertaining to the introduction of S. 1531 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Ms. COLLINS. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

PATIENT FREEDOM ACT

Mr. CASSIDY. I wish to say briefly that I thank Senator COLLINS for her thoughtful review of the Patient Freedom Act, who after our office has probably reviewed it the most and made several substantial changes that have made it better. I also thank her for her speech, which was a very thoughtful critique of why we are replacing ObamaCare—not because it is the President's bill but because of things that she described, where people have an incentive not to earn more money and a penalty if they do, which goes against the American values that if you work hard you can be more successful.

It should not be that the Federal Government is discouraging that. I thank her for her thoughtful speech, her thoughtful comments, and her great input into the final product.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

EXPORT OF AMERICAN LIQUEFIED NATURAL GAS

Mr. BARRASSO. Mr. President, for years, we have witnessed Vladimir Putin, the President of Russia, wreak havoc across Europe. Putin has invaded and carved up free, independent, and democratic countries, such as Georgia and Ukraine. He has bullied our friends in the European Union. He has intimidated our allies in the North Atlantic Treaty Organization, NATO. A principal weapon of Putin's has been Russia's energy supplies—specifically, natural gas. Putin has used Russia's natural gas to extort, to threaten, and to coerce our allies and our partners. He has repeatedly shut off natural gas supplies to Ukraine and has retaliated against countries that have come to Ukraine's aid.

So 21 countries—21 countries—import more than 40 percent of their natural gas from Russia. Of these 21 nations, 13 are members of NATO and 5 of these NATO members import nearly 100 percent of their gas from Russia.

I recently returned from Eastern Europe. Our NATO allies and European partners are desperate to find alternative sources of natural gas. They are seeking to develop their own natural gas resources. But amazingly, Putin is funding activists who oppose hydraulic fracturing in Europe.

It is clear that Putin wants to keep our NATO allies dependent on Russian energy. Our NATO allies have publicly called on Congress to help them access America's natural gas. We can do that by adopting my amendment, No. 1582. My amendment would help countries such as Ukraine, our NATO allies, and others access America's vast supplies of natural gas. Specifically, it would ensure that the Secretary of Energy makes timely decisions on applications to export Liquefied Natural Gas, or LNG.

Under current law, exports of LNG to countries such as our NATO allies are presumed to be in the public interest, unless the Secretary finds otherwise. But over the last several years, the Secretary's decisionmaking process has been, at best, unpredictable. My amendment would fix that. Specifically, my amendment would require the Secretary to approve or disapprove LNG export applications within 45 days after the environmental review process is complete.

My amendment would ensure that legal challenges to LNG export projects are resolved expeditiously. It would also require exporters to publicly disclose the countries to which LNG has been delivered.

In January of this year, the energy committee held a hearing on legislation that is identical to my amendment. At that hearing, the Department of Energy testified that my legislation is ''a solution we will be able to comply with.''

I am encouraged by DOD's support for this legislation. I am also encouraged by the support of the National Association of Manufacturers and others who testified that LNG exports would create thousands of jobs across America and help reduce our Nation's trade deficit.

The United States is the world's largest producer of natural gas. We have more than enough natural gas to meet our own needs and use our gas to bring about positive change throughout the world.