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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, August 7, 2015, at 11 a.m.

Senate

WEDNESDAY, AUGUST 5, 2015

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

PRAYER

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

Let us pray.

Immortal, invisible, God only wise, continue to lead our lawmakers like a great shepherd. May they be watchful among the unwatchful and awake among those who sleep. Give them the wisdom to speak and act with such pure minds that joy will follow them like gentle winds.

Lord, guide their consciences so that our Senators may faithfully serve our Nation and uphold Your values and truths. As we near the August break may our lawmakers appreciate that substantive things have been accomplished, but much remains to be done.

Thank You that the illumination of Your wisdom enables us to more clearly see Your truth.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

NUCLEAR AGREEMENT WITH IRAN

Mr. MCCONNELL. Mr. President, as the administration's agreement with Iran comes under greater scrutiny, there is growing bipartisan concern. It is widespread, and it is well founded. The leading House Democrat on the Foreign Affairs Committee recently said the deal ''troubled'' him because ''it doesn't prevent Iran from having a nuclear weapon, it just postpones it.''

Yesterday another House Democrat said the deal lacks ''sufficient safeguards'' and ''could lead to a dangerous regional weapons race.'' She warned that the agreement would leave the international community with limited options to prevent Iran's nuclear breakout.

These are strong words, and they are from congressional Democrats who are otherwise supportive of the President. It is clear that this deal is making Members of both parties uneasy—and with good reason.

America's role in the world, its commitment to global allies, and the kind of future we will leave our children are all tied up in this issue. That is why I have called for a debate worthy of the importance of the agreement when the Senate takes it up in September.

I hope the President will echo this tone of seriousness in his remarks later today. I hope he will avoid tired, obviously untrue talking points about this being some choice between a bad deal and war. Of course it isn't. He knows it isn't. He himself has said that no deal is better than a bad deal.

There is also no need to insult the man who negotiated this agreement and the man who stood by his side when he announced it by falsely conflating debates from more than a decade ago with the unique and consequential realities of today.

Now is a time to aim higher. Now is a time to dig deeper. What I am asking is for President Obama to join us in rising to the moment.

Senators and the American people are being asked to weigh the consequences of what it would mean to allow Iran to become a nuclear-threshold state with the power to dominate its neighbors, spread its influence, and threaten our allies. This is a serious decision to make with serious consequences for our country. America deserves a debate worthy of it.

I imagine the many Democrats with serious reservations about this deal feel the very same way. Nearly every Member of both parties voted to have this debate when they passed the Iran Nuclear Agreement Review Act this spring. Given the widespread bipartisan concern about this deal, it is clear that a serious and proper debate, followed by a vote on the agreement, is now just exactly what our country needs.

CYBER SECURITY

Mr. MCCONNELL. Mr. President, a cyber attack can feel like a very personal attack on your privacy. A criminal with your medical records, your credit cards, and your Social Security number; a stranger with emails from your boss, texts to your friends, and pictures of your kids—it is personally violating, financially crippling, and it

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

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can be just plain creepy. But with effective cyber security legislation, we can help protect America's privacy.

It seems the White House agrees too. We were glad to see such a strong statement of support yesterday for the strong bipartisan and transparent cyber security bill before the Senate. The President's spokesman said ''the Senate should take up this bill as soon as possible and pass it.'' That is what the President's spokesman said just yesterday about the bill that is currently on the floor. It is easy to see why. This bipartisan legislation would help the public and private sectors protect America's most private and personal information by defeating cyber attacks.

It contains important measures to protect ''individual privacy and civil liberties,'' as the top Democrat on the issue put it. It has been scrutinized and supported overwhelmingly—14 to 1—by both parties in the Intelligence Committee.

Our colleagues said they would be happy to consider the bill in a timely fashion—a couple of days ''at the most'' is what the Democratic leader told us—if allowed to offer some amendments. That seemed reasonable enough to me. That is why I offered a fair proposal yesterday that would have ensured at least 10 relevant amendments to be pending and debated for each party. That is actually more than what Democrats have been asking for. So I think everyone was a little taken aback when they chose to block the proposal anyway.

I am still determined to see if we can find a way forward on this bipartisan bill. Republicans support it, Democrats support it, and President Obama supports it. I am asking colleagues to join me to open debate on it today. With a little cooperation, we can pass a strong bipartisan cyber security bill this week.

TRIBUTE TO RUSS THOMASSON

Mr. MCCONNELL. Now, Mr. President, on one final matter, I know my friend from Texas will have some words to say about the man who has been helping him run the whip operation so effectively the last few years, and I know Senator CORNYN won't mind if I share a few thoughts first.

Russ Thomasson is preparing to bid farewell to the Senate after many years in the trenches. He is one of the most approachable and good-humored staffers around here. He is also incredibly effective.

This former intelligence officer always has his ear to the ground. When he takes the pulse of the Senate, it is with uncommon precision.

Russ loves a good nail-biter too. And in a more open, more freewheeling, and, by definition, more unpredictable Senate, you are inevitably going to have a few of those as well. What is important is that with Russ's help, we almost always seem to push through. Russ has all of the qualities you would look for in a highly successful member of our leadership team—always willing to take on the difficult but necessary tasks, unafraid to offer his candid advice, working each vote until the gavel falls, and defined by loyalty and integrity. This is someone whose judgment I value greatly.

I am glad Russ's son Austin got to see him in action. He has had a front-row seat as a page here in the Senate. We hope Austin will be seeing more of his dad soon, the same with his sister Sasha and Russ's wife Cindy.

Thank you, Russ, for your service to the Senate. You have been an invaluable member of our team, and you will be truly missed.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NUCLEAR AGREEMENT WITH IRAN

Mr. REID. Mr. President, the Iran accord is the result of many years of hard work by lots of people. Congressional committees are conducting hearings to listen to the administration's case and others. For example, this evening at 5 p.m., we will have an all-Senators classified briefing. At that meeting, we will hear from Dr. Moniz, the Secretary of Energy, a man imminently qualified as a scientist—an MIT physics professor who is world famous for his scientific prowess—and Wendy Sherman, one of America's truly great diplomats during the last 20 years.

We have yet to see the language of the legislative response to the accord that has been negotiated. I know that Senator CORKER and Senator CARDIN are working on that, but it is not out yet. It is incumbent on Congress to review this agreement with the thoughtful, level-headed process that an agreement of this magnitude deserves.

Let's hopefully remember that we all agree, and now the world agrees, that a nuclear-armed Iran is unacceptable and a threat to our national security, the safety of Israel, and the stability of the Middle East. Like many Senators, I am continuing to consider this matter. I am looking forward to the briefing tonight. It is altogether appropriate for Senators to consider this deliberately and with the understanding that this is very important. I admire those Senators on both sides who have come to a conclusion on how they feel about this. A number of us have not and are looking for more information to better understand this very important time in the history of the world.

FUNDING THE FEDERAL GOVERNMENT

Mr. REID. Mr. President, on another matter, unless Congress acts, there will be a government shutdown on October 1. That is a short time away—less than 2 months. Every day that passes we are another day closer to the crisis of an unfunded Federal government.

For months we have been warning Republican leaders that there is a need to find a solution to these budget problems. We have offered to meet with them. We have urged them to negotiate. The answer is always no answer.

The Republican leader knows he must negotiate. Here is what he said yesterday: ''Different parties control the Congress from control the White House, and at some point, we'll negotiate the way forward.'' I am sure that didn't come out exactly the way he wanted, but I think I get the picture. He believes we have two Houses of Congress that are different from the White House. I am quite certain that is what he meant to say.

Regardless, the question remains: Why does the Republican leader continue to decline our invitation to sit down and craft a bipartisan solution and do it now? Why does he continue to tell us no? This should not come as a surprise, however, because Republicans are in the habit of governing by manufactured crisis. We have seen that over the past 7 months.

Their obvious distaste—some say hatred—of government generally is so deep that many take pleasure in closing it. We hear that from the statements that have been made over the last few days. That could explain why they keep fighting to not move forward on negotiations and finding excuses to simply close the government. Lately it has been women's health. They are going to close the government because they don't like the way women are getting their health care.

In the 1990s Republicans shut the government to force cuts in Medicare. In 2013 they shut the government to force repeal of the Affordable Care Act. It is clear that both of those times were total failures.

Earlier this year Republicans came within hours of shutting down the Department of Homeland Security. That is the agency which is tasked with keeping our homeland safe. They came within hours of closing down the whole Department.

There is always a new reason—some grievance from the partisans at FOX News, some complaint from whiners on talk radio, some attack from radicals in the tea party. It makes one wonder: What will be next? Will the Republicans again use shutdown extortion to try to repeal ObamaCare or to attack immigrants or to cut Social Security or to privatize Medicare?

As I just said, there is a new one. They are targeting the health of women in America. Could it be any more obvious that the Republican Party doesn't care about the health of women? That is obvious from the statements that have been made. The legislation before this body says money that goes to this organization which they dislike—other agencies will take

care of it. Well, we have learned that in Texas alone, hundreds of thousands of people simply wouldn't be able to have the care they need. Yesterday Jeb Bush went so far as to say this, a direct quote: ''I'm not sure we need half a billion dollars for women's health issues.''

Unfortunately, the attack on women's health is only one example of the many legislative riders Republicans are pursuing. This isn't just talk; they have actually done it in the various bills that have come out of the House in the appropriations process and over here by the Republicans. These partisan riders have nothing to do with funding the government and everything to do with ideology and special interests.

For example, there is a legislative rider to block implementation of the Affordable Care Act, which would deny health coverage to millions of Americans—that, after almost threescore different attempts to repeal ObamaCare. Each of them turned out the same: They were defeated overwhelmingly.

There is a legislative rider on behalf of Wall Street to protect institutions that are too big to fail, making taxpayers more vulnerable to future bailouts.

There is a legislative rider to undermine the President's work to address the dangers of climate change. And the dangers of climate change exist. Spread across all the news today is the fact that the Forest Service is going to be spending 75 percent of its money fighting fires in the future. There will be no money left for anything other than fighting fires.

There is a fire going on in California now. It is 15 or 20 percent contained. There are 7,000 or 8,000 firefighters trying to stop that fire from spreading even more. That is only one of the many fires burning as we speak.

There is a legislative rider in their legislation attacking immigrants by undermining President Obama's recent Executive actions.

There is a legislative rider to block the Federal Communications Commission from implementing its recent net neutrality order. Let's not forget that this is what the Republican leader wanted; in fact, this is what he promised. It was just last month that he told the Lexington Herald Leader that he and Republicans would ''line the interior appropriations bill with every rider you can think of.'' In this instance, he certainly is a man of his word.

Democrats disagree with these Republican attacks, and we are going to resist them. We believe in standing up not for billionaires and tea party ideologues but for everyday, working families. Take sequestration, for example. While Republicans want relief only for the Pentagon, we insist on equal, dollar-for-dollar treatment for the needs of America's middle class—for jobs, for education, for health care. We insist on strengthening Social Security and Medicare, not cutting and privatizing them. And we insist on supporting women's health, not gutting it.

We know that Republicans disagree with us about these middle-class priorities, but I hope these disagreements—serious though they are—won't get in the way of keeping the government operating. Whatever our differences, we should act responsibly. We should at least be able to agree to not shut down the government. Republicans should not once again take legislative hostages to get some rightwing prize that is within their grasp.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

CYBERSECURITY INFORMATION SHARING ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 754, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to Calendar No. 28, S. 754, a bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

The PRESIDING OFFICER (Mr. COTTON). Under the previous order, the time until the cloture vote will be equally divided between the bill managers or their designees.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, it is my understanding that although the Senate had been scheduled to vote at 10:30 on a cloture motion, that time might be changed. However, I wish to make some further remarks in addition to what I said yesterday on the Cybersecurity Information Sharing Act.

I think it is fair to say that I have been very disappointed over the past couple of days that we have not moved to this bill more quickly and that we haven't reached an agreement to take up and begin considering amendments. There has been a lot of talk about committee jurisdictions and germaneness of amendments and process issues that the American people just don't care about and which, frankly, don't make anyone safer. So I wish to take a few minutes to point out what we are really talking about.

Here are a few facts and figures. As I said in my remarks yesterday, cyber attacks and cyber threats are getting more and more common and more and more devastating. This isn't going to stop. It is going to get worse, and it affects everyone. That is why last night the White House had a simple message, and I hope my colleagues will hear it. A White House spokesman said yesterday: ''Cybersecurity is an important national security issue and the Senate should take up this bill as soon as possible and pass it.''

Here is why this is so important.

Last year the cyber security company McAfee and the Center for Strategic and International Studies, which we call CSIS, estimated that the annual cost of cyber crime is more than $400 billion—that is the annual cost—and could cost the United States as many as 200,000 jobs. That is not my analysis; that is the analysis of security experts. Also last year the cyber security company Symantec reported that over 348 million identities were exposed through data breaches—348 million people had their data exposed.

Poll information out this week from the Financial Services Roundtable shows that 46 percent of Americans were directly affected by cyber crime over the past year—that is almost one-half of the American population—and 66 percent are more concerned about cyber intrusions than they were last year. Why are people so concerned? Well, here is a list of 10 of the most noteworthy cyber breaches and attacks from the past year and a half.

Of course, we all know OPM. June of this year, Office of Personnel Management. There was an announcement that roughly 22 million government employees and security clearance applicants had massive amounts of personal information stolen from OPM databases.

Primera Blue Cross. In March of this year, Primera Blue Cross, a health insurer based in Washington State, said that up to 11 million customers could have been affected by a cyber breach last year.

Anthem. In February 2015, Anthem, one of the Nation's largest health insurers, said that hackers breached a database that contained as many as 80 million records of current and former customers.

Sony Pictures Entertainment. In November of last year, North Korean hackers broke into Sony Pictures Entertainment and not only stole vast amounts of sensitive and personal data but destroyed the company's whole internal network.

Defense Industrial Base. A 2014 Senate Armed Services Committee investigation found over 20 instances in the previous year of Chinese actors penetrating the networks of defense contractors to the military's Transportation Command.

JPMorgan Chase. In September of last year, it was reported that hackers broke in to their accounts and took the account information of 76 million households and 7 million small businesses.

Home Depot. In September of last year, Home Depot discovered that hackers had breached their networks and may have accessed up to 56 million credit cards.

EBay. In May of last year, it was reported that up to 233 million personal records of eBay users were breached.

There are people here who are concerned with personal information.

Look at the breach of personal information that has taken place because we haven't been able to stop it.

Destructive attack on Sands Casino. In early 2014, Iran launched a cyber attack on the Sands Casino in Las Vegas that rendered thousands of their electronic systems inoperable, according to public testimony of the Director of National Intelligence, James Clapper.

Target. In December 2013, Target discovered that up to 70 million customers may have had their credit card information taken by hackers.

That is just the last year and a half. This Senator remembers, before this was disclosed in 2008, when hackers broke into Citibank and broke into the Royal Bank of Scotland and robbed individuals in each one of more than $10 million. That was not made public for a long time because they didn't want anybody to know. That was 2008. That was 7 years ago, and we haven't done anything about it.

Those are some of the breaches from the past year and a half. There are cyber crimes, theft of personal information, intellectual property, and money every single day.

In 2011 and 2012, there were denial-of-service attacks against major Wall Street banks and Nasdaq, showing that our financial institutions are vulnerable. In 2012, Saudi Aramco, the world's largest energy oil and gas company, had three-quarters of its corporate computers wiped out in a cyber attack. We are vulnerable and these attacks will continue.

This legislation, which was approved by a 14-to-1 vote in March and has been significantly improved since then, will not end these attacks, but it will greatly enhance the ability of companies and the U.S. Government to learn from each other about the threats they see and the defenses they employ.

I would like to make a couple of comments about the bill on specific points, if I may. We have made some 15 privacy information improvements in this bill, and I would like to read page 16 of the bill on ''Removal of Certain Personal Information.''

An entity sharing a cyber threat indicator pursuant to this Act shall, prior to such sharing—

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

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

That is the first personal information scrub in this bill.

The second scrub is left to the agencies receiving the information. To that end, the Attorney General is directed to issue guidelines to all agencies once the information goes through the DHS portal and goes to the Defense Department or FBI or any other agency. Page 25 of the bill has details on the agencies' guidelines that will be developed to make a scrub:

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

(2) FINAL GUIDELINES.—

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

Then there is a section on periodic review.

Then there is a section on content:

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

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

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

(i) a process. . . .

And it goes on through page 27 of the bill. Everyone can pick it up and read it.

Section (E) on line 27 says it must ''protect the confidentiality of cyber threat indicators containing personal information of or identifying specific persons to the greatest extent practicable. . . . ''

Somebody can pick up this bill and read the section, pages 25, 26, and 27, and see the second personal information scrub that is in this bill. It happens, first, the company must scrub the information and then, second, the government must scrub the information. I think those are very substantial mandates.

I have been very disappointed by our inability to move this bill. Yesterday I cited the procedural history. This is the third bill we have dealt with. It gets into a question of committee jurisdiction, but the Intelligence Committee has been working on this issue for 5 years now. We have worked with companies. We have worked with technicians. Our staffs are very well aware of all the issues and the technical difficulties in putting together a bill.

The earlier bills were fragmented. This bill has a solid support from over 50 different companies and associations. I want to read just a few of them.

For the first time, the U.S. Chamber of Commerce supports the bill; the Software Alliance supports this bill; the Information Technology Council supports this bill; yesterday I received a letter from General Motors supporting this bill; the American Bankers Association; the American Financial Services Association; the American Insurance Association; Agricultural Retailers Association; Airlines for America; Alliance of Automobile Manufacturers; American Cable Association; American Chemistry Council; American Fuel and Petrochemical Manufacturers; American Gaming Association; American Gas Association; American Insurance Association; American Petroleum Institute; American Public Power Association; American Water Works Association; Association of American Railroads; Association of Metropolitan Water Agencies; The Clearing House; Consumer Bankers Association; Credit Union National Association; Electronic Transactions Association; Financial Services Forum; Independent Community Bankers of America; Investment Company Institute. It goes on and on and on.

I would point out Oracle and the National Association of Manufacturers support it; IBM; as I said, General Motors; and the U.S. Telecom Association support it.

Mr. President, I ask unanimous consent that this list be printed in the RECORD.

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

SUPPORTERS OF THE CYBERSECURITY INFORMATION SHARING ACT OF 2015

U.S. Chamber of Commerce; BSA: The Software Alliance; Information Technology Industry Council; American Bankers Association; American Financial Services Association; American Insurance Association; Agricultural Retailers Association; Airlines for America; Alliance of Automobile Manufacturers; American Cable Association; American Chemistry Council; American Fuel & Petrochemical Manufacturers; American Gaming Association; American Gas Association; American Insurance Association; American Petroleum Institute; American Public Power Association; American Water Works Association; ASIS International; Association of American Railroads.

Association of Metropolitan Water Agencies; The Clearing House; Consumer Bankers Association; Credit Union National Association; Electronic Transactions Association; Financial Services Forum; Financial Services Roundtable; Independent Community Bankers of America; Investment Company Institute; NACHA—The Electronic Payments Association; National Association of Federal Credit Unions; National Association of Mutual Insurance Companies; Property Casualty Insurers Association of America; Securities Industry and Financial Markets Association; BITS—Financial Services Roundtable; College of Healthcare Information Management Executives; CompTIA—The Computing Technology Industry Association; CTIA—The Wireless Association; Edison Electric Institute; Electronic Payments Coalition.

Electronic Transactions Association; Federation of American Hospitals; Food Marketing Institute; Global Automakers; GridWise Alliance; HIMSS—Healthcare Information and Management Systems Society; HITRUST—Health Information Trust Alliance; Large Public Power Council; National Association of Chemical Distributors; National Association of Manufacturers; National Association of Mutual Insurance Companies; National Association of Water Companies; National Business Coalition on e-Commerce & Privacy; National Cable & Telecommunications Association; National Rural Electric Cooperative Association; NTCA—The Rural Broadband Association; Property Casualty Insurers Association of America; The Real Estate Roundtable; Software & Information Industry Association; Society of Chemical Manufacturers & Affiliates.

Telecommunications Industry Association; Transmission Access Policy Study Group; Utilities Telecom Council; Oracle; National Association of Manufacturers Association; IBM; General Motors (GM); US Telecom Association.

Mrs. FEINSTEIN. So I want to say something about jurisdiction of committees. The Homeland Security Committee is certainly free to do a bill. The Judiciary Committee is certainly free to do a bill. We have the one on the Intelligence Committee—and the Presiding Officer is a member of this committee—which has been working on this for a long time. We have done two bills previously. This bill, I believe, has hit the mark of support across the Nation, from the companies—both corporate and privately owned—that would have to use this.

It is all voluntary. It does not force anybody to do anything they do not want to do. If one does share, and share according to the strictures of this bill, you are protected with liability insurance. If you reduce it to its basic elemental truth, it is the on-ramp to cyber security protection in this country. It gives companies the ability to talk to each other about a well-defined cyber threat indicator, to talk with the government, and to be able to take advice from the government. If they follow the bill, they don't have to worry about a lawsuit. That is what this bill does.

So this Senator must say we have made at least 15 different privacy amendments to meet individual Senators' needs. There is a managers' package, a substitute amendment, if you will, that takes out any use of this information from being used for any other purpose—violent crime—other than cyber security because a number of Senators weighed in, and they felt it could be used to be monitored as a surveillance bill.

This is not a surveillance bill. What it is meant to be is a voluntary effort that companies can enter into with some protection if they follow this law. It gives the Attorney General the obligation to come up with secure guidelines to protect private information.

It is very hard for me, candidly, to understand why this has become such a big issue because we protect privacy information. Today out in this vast land of the Internet, there is very little privacy protection. You can see that by the cyber interruptions. You can see that by the use of insurance data by company to company. You can see that by companies that are designed to accumulate data about an individual so they can sell that data to other companies, which can tell you who uses a credit card, how you use it, where you use it, and at what time you use it. To me that is a privacy violation.

We have taken every step to prevent privacy violations from happening under this bill. Yet there are individuals who still raise that as a major concern. I believe it is bogus. I believe it is a detriment to us in taking this first step to protect our American industries. If we don't pass it, the thefts are going to go on and on and on.

I understand that the cloture vote has been postponed until 2 o'clock. I will vote for cloture. I believe we have, in good faith—Senator BURR and I, the committee as a whole, the staffs on both sides of the aisle—gone out of our way to listen to Senators, to present amendments where they felt they were workable and applicable to the bill. We need to get on with it because the litany I read in the last year and a half of almost half of the American people being affected by cyber crime cannot go on.

I make these remarks and hope at least it can clear the air somewhat, so when a cloture vote does come at 2 o'clock, we will have the votes to proceed to the bill.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, the Democratic leader and myself continue to discuss the way forward on cyber. I think we have made some progress, but to make that more possible for us to reach some kind of agreement, I now ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture vote with respect to the motion to proceed to S. 754 occur at 2 p.m. today; further, that the mandatory quorum call under rule XXII be waived.

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

Mrs. FEINSTEIN. 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.

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

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the time during quorum calls be charged equally to both sides.

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

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. LEAHY. Mr. President, this is not the first time, nor will it be the last time that I speak in this Chamber about the Iran nuclear agreement. I listened to some of the hearings on this subject in both the House and the Senate, last week, and I want to provide a bit of my perspective on the challenge before us.

I was a law student in Washington during the 1962 Cuban Missile Crisis. My wife and I were living probably 2 miles from the White House, and we were paying very close attention to what might happen. Afterward, as more of the history came out, we realized that some of President Kennedy's top advisers and Members of Congress pushed for a military attack on Cuba—actually, a military attack against the then-Soviet Union. A war between the two nuclear superpowers would have at the very least risked the annihilation of both countries. Fortunately, President Kennedy had the thoughtfulness, patience, and fortitude to resist the pressure to go to war.

It is not easy to stick with the long road of tough negotiations when many are clamoring for a military solution rather than negotiations. It is the same today as it was back in the time of the Cuban Missile Crisis.

Today we are considering an agreement at the end of such negotiations between the United States and our allies, and Russia, China, and Iran to curb an illicit nuclear program that threatens the Middle East and the world.

I know from my conversations with the President and with Secretary Kerry and Secretary Moniz how difficult this was. I also know from my conversations with them that they were prepared to walk away rather than settle for a bad deal. But based on what I have heard so far, this is not a bad deal.

There are aspects of the agreement that I and others have legitimate questions about, but we already know a lot about it.

We know that prior to negotiations, Iran's nuclear program was hurtling forward despite multinational sanctions.

I remember back in September of 2012, I had been named the Senate delegate to the U.N., and Israeli Prime Minister Netanyahu spoke. He warned that Iran was within months—months—of producing a nuclear bomb. Well, whether or not that was accurate then, it certainly is not accurate if this agreement is implemented.

We know negotiations succeeded in freezing Iran's nuclear development in place, and now we have an agreement to roll back Iran's program.

We know that this is the most rigorous monitoring and inspection regimen ever included in a nonproliferation agreement. Actually, I think it is a lot more rigorous than many observers predicted it would be.

We know that without this deal, the monitoring and the onsite inspections would go away, and so would support for the international sanctions we painstakingly built. Remember, it took years for us to put together a coalition of other countries to impose the sanctions. Many of them did so at great economic cost to their own economies, but they stuck with us because they thought we would negotiate in good faith and that diplomacy could succeed. If we walk away now, many of these countries are going to say: OK, you are in this by yourself. The United States can impose sanctions, but they will be nowhere near as effective as they were when we joined you.

We know that the sanctions reprieve in this agreement is limited and reversible. It is structured so that many sanctions remain in place, sanctions in which other countries have joined us. If Iran fails to meet its commitments, we and our partners can revoke the limited relief and we can impose additional sanctions.

Some criticized this agreement within minutes of the agreement being announced. They are long on scorn, but they are short on alternatives.

Again, I remember that speech by Prime Minister Netanyahu years ago when he warned that Iran was just months away from building a nuclear weapon. Today, people are expressing concern about what may happen 15 years from now, not a few months from now. They ignore the fact that if Congress rejects this agreement, Iran can immediately resume its development of highly enriched uranium. Iran can build a nuclear weapon in far less than 15 years. I would ask, is that the alternative they support?

Or is it another war in the Middle East, which our senior military leaders say could spiral out of control and at best would delay the resumption of Iran's nuclear weapons programs by 2 to 3 years, after which it would not be subject to international inspections?

Some of the most vociferous critics of this agreement reflexively supported sending American troops to overthrow Saddam Hussein and occupy Iraq. We did this after having hearings and meetings in which the Vice President of the United States implied that Iraq was involved in the attack on 9/11 and made it very clear that they had weapons of mass destruction.

I voted against that war because I read the intelligence files, and they were very clear that there was no credible evidence that Iraq had weapons of mass destruction, and it was very clear that they had nothing to do with 9/11. That colossal mistake killed or maimed thousands of Americans, hundreds of thousands of innocent Iraqis, and by now has cost more than $2 trillion and the meter is still running—$2 trillion. It is the first time in this Nation's history when we went to war on a credit card; we didn't enact a tax to pay for it. Even unpopular wars, like Vietnam and Korea, were paid for.

Is it the critics' alternative to reject this agreement and then somehow convince the other parties to it—Russia, China, and the rest of the P5+1—to impose even stronger multilateral sanctions? Have they bothered to ask officials in any of those governments what the chances of that would be? Certainly the statements those officials have made make it very clear that those chances—to use a precise expression—are zilch.

I am as outraged as anyone by Iran's support of terrorism, its arbitrary arrests and imprisonment of Americans, its denial of due process, its use of torture and other violations of human rights, and its summary executions of political opponents, just as I object to similar abuses by many countries we deal with every day.

But as horrific as Iran's behavior is, it pales compared to the havoc Iran could wreak if it obtains a nuclear weapon. A nuclear-armed Iran could commit acts of terrorism that dwarf by thousands or even millions of times over those it engages in today. There is simply no comparison.

A workable agreement doesn't just buy more time, it can also buy more opportunities. In Iran, the impetus for reforming its hostile and destabilizing foreign policy comes from the Iranian people. For decades, the Iranian middle class has been smothered—first by a revolution that crushed their aspirations and then by a regime that imposed the harsh consequences of its own criminal behavior on the Iranian population.

Ordinary Iranians overwhelmingly do not want an empire; they want more economic opportunities, freedom of expression, and to reengage peacefully with the world. With this agreement, the Iranian middle class can continue to be a factor in future negotiations.

It is well understood that in the Congress, we agree or disagree, we debate, and we vote. That is one of the reasons I wanted to be a Member of this body. Ideally, we do so in a manner that reflects the respect each of us owes to this institution. For a nation of over 300 million Americans, there are only 100 of us who have the privilege at any given time to serve in this body. We are but transitory occupants of the seats the voters have afforded us the opportunity to occupy. In carrying out our responsibilities, we should do our best to live up to the standards of those who created what we take pride in calling the world's oldest democracy.

I mention this because, as I said earlier, I listened to portions of the hearings in the various House and Senate committees on the Iran nuclear agreement at which the Secretaries of State and Energy testified. Presumably, they were asked to testify because the members of those committees had questions and concerns about those agreements and wanted to hear the witnesses' responses. However, rather than a respectful, substantive exchange, what has too frequently occurred has been an embarrassing display of political theater.

What we have heard is a series of speeches often containing assertions or accusations that are either contradicted by the actual words of the agreement or without factual basis, and then they are followed by questions the witnesses were unable to answer because when they tried, they were interrupted or told the time had expired.

Many Vermonters have talked to me about those hearings. They were often embarrassing to watch, and they did a disservice to the American people who deserve to know that their representatives are engaged in a substantive, in-depth exchange of views on the hugely important issue of how to prevent Iran from obtaining a nuclear weapon.

I have questions myself because, short of unilateral surrender by one party, every agreement involves compromise. That is as true for international diplomacy as it is for the Senate. Neither side gets everything it wants. Anyone who suggests that was a possible outcome here is fooling themselves or, even worse, deceiving the voters who sent them here.

The President has been unwavering in his insistence that the goal of this agreement is to prevent Iran from obtaining a nuclear weapon. I commend him for his vision and resolve. I have spoken with him at length about this.

I will say to my colleagues what I said to the President. It is now up to Congress to carry out its oversight responsibility. We can strive to make this work, keeping in mind the vital national security interests at stake for our country and for our allies, or we can impulsively sabotage this chance.

But we should engage in this process in a manner that enhances the image of the U.S. Senate and that affords those in our government who spent years forging this agreement the respect and appreciation they deserve.

Mr. President, there have been many thoughtful articles and opinion pieces written about the Iran nuclear agreement. I am sure there will be many more. I ask unanimous consent to have printed in the RECORD one of those articles, authored jointly by Eric Schwartz and Brian Atwood, two former Assistant Secretaries of State.

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

[Commentary, July 30, 2015]

CHEERLEADERS FOR WAR ARE STILL SO WRONG CONGRESS NEEDS TO ''PRACTICE HISTORY'' AND OK THE AGREEMENT.

(By Eric Schwartz and Brian Atwood)

In ''Practicing History,'' historian Barbara Tuchman observed that there are ''two ways of applying past experience: One is to enable us to avoid past mistakes and to manage better in similar circumstances next time; the

other is to enable us to anticipate a future course of events.''

Tuchman would find it strange today that many of the loudest opponents of the Iran nuclear agreement are the same prominent individuals and organizations who unequivocally supported the most significant national security blunder by the U.S. in recent memory, the war of choice in Iraq.

As evidence has accumulated since the failure to find weapons of mass destruction in Iraq, the price of that foreign policy engagement has become obvious to most. The cost to the U.S. includes trillions of dollars lost to future generations of Americans, tens of thousands killed or injured, the opening of a Sunni-Shia Pandora's box of sectarian strife, the ascendance of Iran and the diminished influence of the U.S. in the Middle East.

Remarkably, there are still unrepentant cheerleaders for that war, as well as those who argue that the U.S. invasion was a good idea in principle that was just executed poorly. And they are among the most influential voices opposed to the agreement with Iran.

Why does it matter that the pundits who were so convinced about invading Iraq more than a decade ago now pursue with passionate certainty the defeat of the diplomatic effort involving Iran?

It matters because, then and now, these voices suffer from a greatly exaggerated view of the ability of the U.S. to unilaterally dictate geopolitical outcomes that we desire. In the case of Iraq, this was perhaps best expressed by former Vice President Dick Cheney who, when pressed before the war on our capacity to remake Iraqi society, argued that we would be ''greeted as liberators.'' Of course, the experience in Iraq, the resulting ascendance of Iran and reduced U.S. influence in the region have only further diminished our capacity to act without the support of others and have underscored the importance of smart power—diplomacy backed with all of the resources at our disposal to achieve our objectives.

The nuclear agreement, now endorsed unanimously by the United Nations Security Council, is long and complex, and it is presumed that Congress will study carefully the details. Are the verification provisions adequate and does the International Atomic Energy Agency have the resources to monitor compliance? What is the process by which sanctions could be reimposed if violations occur? Are all paths to a nuclear bomb blocked? What are the alternatives to this approach and are they acceptable to the American people?

Our expectation is that a serious examination of this agreement should win over a bipartisan majority. The agreement's substantial reductions in uranium stockpiles and installed centrifuges, robust inspection regime and dramatically diminished capacity for an Iranian breakout and ''race to a bomb'' provide unprecedented means to ensure Iran will meet its stated commitment to never build a nuclear weapon.

But these elements will not win over those with an unrealistic view of the capacity of the U.S. to play the Lone Ranger in international politics. And while opponents say they support diplomacy, the so-called alternatives they would prefer—like pressing for a harder line on sanctions relief—would put us at odds with our allies, be rejected by Iran and increase the risks of another war in the Middle East that would be tragic for both the U.S. and for Israel.

The nuclear agreement will of course pose challenges for U.S. policymakers, as sanctions relief will provide benefits to Iran and opportunities to make mischief in the region. But through our continued presence, support of regional friends and allies, and an enforceable nuclear agreement, we have the strongest capacity to manage such challenges effectively.

Americans must hope that Congress will be preoccupied with the substance of the Iran agreement and the poor alternatives to it, and not be influenced by voices of the past that cling to dangerous views about our prospects as a go-it-alone superpower. Congress should ''practice history'' and recognize that this agreement has the potential to interrupt the downward spiral in the region, from conventional war and terrorism to nuclear conflict.

Forcing the president to veto a rejection resolution would reflect badly on the Congress and the United States of America. Even worse, overriding a presidential veto would have grave implications for the U.S., for Israel and for the region for many years to come.

Mr. LEAHY. Mr. President, I will speak further on this subject, but I see no other Senators seeking the floor. While I do appreciate the opportunity to be here, I must admit that, looking at the weather and live views of Vermont this morning, I will look forward to the time we complete our work because after the last vote of this week, I will be on the first flight I can get on and look forward to being in Vermont. I will miss all of you, of course, but not so much I want you all to come and join me.

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

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

WORKING TOGETHER IN THE SENATE

Mr. BARRASSO. Mr. President, as Senators get ready to head home for the August recess, I think it is a good time to look back at what we have been able to achieve so far this year.

I would say, by any measure, the record of the Senate this year has been one of great accomplishments and bipartisan achievements because we have worked together to find solutions to help the country move ahead.

With Republicans in charge, the Senate set a very fast pace for the first 100 days of the new Congress. We have kept up that pace now over the first 6 months of the Congress, and we are going to continue to build on that momentum for the rest of the year and, I believe, achieve even greater success on behalf of all Americans.

Under Majority Leader MITCH MCCONNELL, Senate Republicans are now governing, and we are doing it in a bipartisan way, just as we promised.

The Senate passed the first budget resolution with the House since 2009—the first one since 2009. The Appropriations Committee passed all 12 spending bills for the first time in 6 years. We passed the longest reauthorization of the highway trust fund in almost a decade. The Senate passed trade promotion authority for the first time since 2002. We passed a permanent doc fix to prevent Medicare payment cuts—after 17 temporary patches since 2002. And the Senate ended Washington's test-based education policies by making States responsible and accountable.

A lot of people in Washington have written about gridlock, and they had gotten used to the gridlock when Democrats ran the Senate. Now they are starting to realize the Senate really is working again. They realize we can actually get things done. That is not me speaking. That is what the Bipartisan Policy Center recently said. This is a group of former Republican and Democratic Members of Congress. They came out with a report called their ''Healthy Congress Index.'' They did it for the first 6 months of 2015.

The headline of the report was ''Continued Signs of Life in Congress.'' Continued signs of life—imagine that—actual signs of life and activity taking place in Congress this year.

This bipartisan group reported that the total number of days worked is up from previous years—15 more days worked just so far in the first 6 months of the Senate compared to last year. That is 3 more weeks of work on the Senate floor than the year before under HARRY REID.

The Bipartisan Policy Center also said the committees are actually working again. ''Congressional committees have been extremely active, reporting a significantly larger number of bills than the previous two Congresses.'' That is because the committees are working again. In the first 6 months of this year we had 102 bills reported out of committees in the Senate, compared to just 69 in the first 6 months of the last Congress and just 42 in the Congress before that. Now, that is just through the end of June. Our committees have produced even more bills since then. So committees are working—and we are working together—to push out bipartisan bills.

Right now both Houses of Congress are in a 60-day period of scrutinizing the Iran nuclear agreement. We are able to do that because the Iran Nuclear Agreement Review Act had unanimous support in the Foreign Relations Committee—Republicans and Democrats voting together—and then it got overwhelming bipartisan support on the Senate floor. That is just one more way the Senate is working again.

So far in this Congress we passed more than 64 different bills. The highway trust fund legislation was bipartisan. It will fund highways and transportation all across the country, and 26 Democrats voted in favor of that legislation. We passed the education reform bill with 40 Democrats in favor. When we passed the trade promotion authority, 14 Democrats joined Republicans to get that done. These important pieces of legislation are just part of our commitment to work together to solve problems for the American people.

Even Tom Daschle—Tom Daschle, the former Democratic Senate leader—

recently said: ''The good news is that Congress is continuing to move in the right direction: staying in session more often, empowering committees to work together.'' That is from a former Democratic majority leader in the Senate, Tom Daschle. He is exactly right. The Senate is working again, we are moving in the right direction, and we are just getting started. I am hopeful that we can continue to work together to find solutions on more issues that matter to the American people.

There is still a lot of work to be done, specifically related to our economy. People want a healthy economy. But there is still far too much redtape and regulation coming out of Washington, and it continues to strangle our economy.

New numbers came out last week about the slow pace of economic growth over the first half of the year. One of the headlines came out last Friday about the slow pace and it said: ''Worst Expansion Since World War II Gets Even Worse.'' ''Worst Expansion Since World War II Gets Even Worse.'' The article says: ''The economy expanded at a 2.3 percent annual rate in the second quarter [of the year], once again falling short of projections for a decisive rebound and raising concerns that the six-year old expansion will never pick up steam''—will never pick up steam, ever. So the recovery from the last recession has been far weaker than recoveries from other recessions under Presidents Reagan and Clinton.

One reason is that the Obama administration has tied the hands of those who hire others. It makes it much harder to get our economy going again. Hard-working families are still struggling because their wages are not growing.

That is what another set of government numbers said on Friday. According to the Bureau of Labor Statistics, employment costs had their worst gains ever in the second quarter of the year.

What does the White House plan to do about it? What is President Obama's plan for ''Worst Expansion Since World War II Gets Even Worse''? What does the President want to do about it? Well, on Monday President Obama and the administration announced its so-called—so-called—Clean Power Plan, and it is going to mandate massive new redtape and job-crushing regulations. It is a national energy tax.

More Americans will lose their jobs, and more hard-working families across the country will be hit with higher electric bills. Congress can stop this costly and destructive regulation from taking effect, and that is where we are headed.

The way to do it is by passing a bipartisan piece of legislation called the Affordable Reliable Electricity Now Act.

The American people have seen that Congress is capable of coming together to take on important issues, and this is certainly one.

Hardworking Americans are extremely anxious for us to continue working together to solve some of these problems that continue to face our country. We have done it before, and we can do it again, as long as we have a willing partner.

The Senate passed the bipartisan Keystone XL Pipeline jobs bill. Then President Obama vetoed it.

We passed an appropriations bill out of committee that funded the Department of Defense at the levels the President requested, and the Democrats here in the Senate have blocked those funds for our troops. In fact, Democrats are blocking all of the appropriations bills, including ones that passed out of the committee with bipartisan support.

The American people want their elected representatives in the Senate to deal with these issues. The American people want to see us get past the gridlock once more—as we have already done so many times this year. The American people want us to tear down the barriers to stronger economic growth so they can get back to work, they can earn a decent wage, and they can take care of their families.

This Senate has accomplished a lot in the first half of the year. I believe we can do even more in the second half of the year. That is the commitment Republicans made to the American people, and we are keeping that commitment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. DURBIN. Mr. President, I have had the honor of serving in the Senate now for three terms, and I'm in my fourth term. I have been on the Senate floor a major part of my public life and witnessed a lot of things that have occurred here. I remember quite a few of them, but the one that sticks in my memory goes back to 2002. It was the end of September or the beginning of October—I will get the exact date—and there was a critical debate taking place on the floor of the Senate that went late into the night. The final vote happened around midnight. The question was whether the United States should be authorized to invade Iraq.

I remember that debate because we were still reeling from the tragedy of 9/11. We were still determined to keep America safe. We worried about our vulnerabilities and our strengths. The George W. Bush administration, after several months of preparing for this debate, led most Americans to believe that Saddam Hussein, the leader in Iraq, possessed weapons of mass destruction. Some of the testimony even suggested those weapons could threaten our allies, our friends, and even the United States of America.

It was in that context that a decision was made to invade Iraq, but first the decision had to come through Congress. The American people had their chance through their elected representatives in the Senate and the House to make that decision.

The public sentiment behind the war in Iraq was overwhelmingly positive as we voted. The belief was that we had to stop Saddam Hussein before there was another attack on the United States like 9/11. Sentiments ran very high. The rhetoric was heated.

I remember that night. I remember there were two of my colleagues on the floor after everyone had gone home. One was Kent Conrad, the Senator from North Dakota, and the other was Paul Wellstone, the Senator from Minnesota. Now, 23 of us had voted no on authorizing the war in Iraq. It included the three of us who remained.

I was up for reelection, as was Senator Wellstone. I went to Paul Wellstone in the well of the Senate and I said: Paul, I hope that vote doesn't cost you the election in a few weeks.

Paul Wellstone said to me: It is all right if it does. This is who I am and this is what I believe, and the people of Minnesota expect nothing less.

The story unfolds. In the ensuing weeks Paul Wellstone died in a plane crash before the election took place, but I still remember that moment, and I remember what I considered to be an act of conscience by my friend and colleague from Minnesota.

I thought about the thousands of votes that I have cast in the House and the Senate, and only a handful are still right there in front of me. They include the votes that you cast that relate to war. You know if you vote to go to war even under the right circumstances, innocent people will die. Americans will die. There is no more serious or grave responsibility than to take those questions of foreign policy as seriously as or more seriously than virtually any other issue.

Fast forward to where we are today. We will leave this week and be gone for 4 or 5 weeks and return in September. The first item of business will be the Iran agreement. I view this vote on the Iran agreement in the same class as the vote on the war in Iraq. It is a question, a serious foreign policy question, about whether Iran will be stopped from developing a nuclear weapon. We have added into this conversation the decision of Congress as to whether they approve the President's treaty. That doesn't often happen, but it will in this case.

We have to look at the possibility that Congress will reject the Iran treaty. Even if the President vetoes it, there is still a question as to whether

Congress would override that veto. We have to ask ourselves: What happens if this Iran agreement comes to an end? Military action—some form of military action.

One of the Senators on the other side of the aisle assured us 4 days—we will take care of the Iranian nuclear problem in 4 days. He wasn't here when we were told the war in Iraq would last 2 weeks. So 4,844 American lives later, with tens of thousands injured, and trillions of dollars spent, that war ended with a result that none of us really view as a success for American foreign policy. Now we face that same question. Those who would reject the Iranian agreement have a responsibility to come to this floor and explain what happens next.

Yesterday we called a meeting. I asked the Ambassadors from the five nations that joined us in the negotiations with Iran to come meet with Members of the Senate on the Democratic side. We had the Ambassador from Russia, the Ambassador from China, the Ambassador from the United Kingdom, and the Deputies Chief of Mission from Germany and France. About 30 Democratic Senators gathered to ask questions in a completely off-the-record, informal atmosphere.

The first question asked was, what happens if Congress rejects this Iranian agreement? What happens the next day? What is the next step? They said the notion that we will sit back down at the table with the Iranians, in the words of one of these Ambassadors, is far-fetched.

We have spent 35 years bringing Iran to this table. These nations joined us in an effort to try to stop Iranians from developing a nuclear weapon. These nations are satisfied that what we have put together is an agreement that is verifiable with inspections.

When I think back to Ronald Reagan, I didn't agree with him on a lot of things, but I sure agreed with what he said when it came to these agreements, ''trust, but verify.'' There is verification in this agreement. The IAEA, which is the United Nations group that inspects atomic facilities around the world, is tasked with inspecting and reporting and continuing to investigate Iran throughout the life of this agreement.

Can we trust them? Well, just as a historic reminder, it was the IAEA that said to the United States: There are no weapons of mass destruction that we can find in Iraq.

We ignored them. We invaded. We paid a heavy price for it. It turns out they were right. Some of our leaders were just plain wrong. The agency has credibility, it has a track record, and it is authorized under this agreement to move forward.

What struck me, as I looked at those Ambassadors sitting across the table from 30 Members of the Senate yesterday, was how historic this moment is. China, Russia, the United Kingdom, Germany, France, and the United States were all together negotiating, trying to bring at least some modicum of peace to the Middle East. Some of the statements that were made were compelling.

A gentleman from the German side said: I won't go into the history of Germany—you know it well—but I will tell you we are more committed to the survival of Israel than any nation in Europe.

Any student of history knows exactly what he was speaking of. Now we have an opportunity to turn to diplomacy to avoid the military and avoid war. And what do we find? In April of this year, 47 Senators on the other side of the aisle sent a letter to the Ayatollah in Iran, the Supreme Leader of Iran, and said: Do not negotiate with President Obama and the United States. Whatever you think you have agreed to is subject to congressional approval, and don't expect the next President of the United States to abide by any agreement.

Forty-seven Senators from the other side of the aisle signed that letter. What would have happened if 47 Democratic Senators had sent a letter to Saddam Hussein before the invasion of Iraq and said the same thing: Don't negotiate with President Bush. Don't even think that you can avoid a war.

I think they would have had us up on charges. At least Vice President Cheney would have. But in April, before the agreement was even announced on the other side of the aisle, 47 Senators said: Don't waste your time negotiating. I think they are wrong.

I think we ought to go back to the words of John Kennedy. John Kennedy said: We should never negotiate out of fear, but we should never fear to negotiate.

Leaders in our country—Republican Presidents—have stepped up to that negotiating table with a flurry of criticism that they would even sit down with these enemies of the United States and try to find a more peaceful world. Ronald Reagan sat down with Gorbachev looking for containment of nuclear weapons. It was Richard Nixon, another Republican President, who sat down with the Chinese to open relations with them while the Chinese were supplying and fortifying the North Vietnamese fighting American forces. Despite that criticism, they had the courage to sit down and look for a diplomatic way to find a more peaceful world, and that is what we face today.

This Iran agreement is our opportunity to test diplomacy, and I invite Israel, our friends and allies in Israel, to join us in holding Iran to the letter of the law in this agreement. Join us in reviewing these inspections. Join us in calling for the availability of these facilities so we know exactly what is going on with Iran from this point forward. Let's join together in a force to make this a more peaceful world. I think this is our chance. I know this is a vote of conscience for me, and I am sure it is for all of my colleagues. I hope there will be the courage to try diplomacy before we turn to war.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, in the days ahead, we are facing one of the most consequential issues we will face as a nation—this issue of an agreement with Iran. Some people want to make this into a partisan conversation. It is not a partisan conversation. It is a national security issue, and it is a world security issue.

The Senate has already held multiple hearings on Iran and on this particular agreement with the Intelligence Committee I sit on, the Armed Services Committee, and the Foreign Relations Committee. I personally met with Secretary of Treasury Jack Lew, Secretary of Energy Ernest Moniz, and Secretary of State John Kerry. I have been through the agreement and the classified portion of this agreement in every detail.

I wish I could also go through the IAEA information about how the inspections will actually occur because the agreement itself gives broad statements. The IAEA agreement will be the narrow, practical version of how they will actually do inspections. I have been told over and over again by the administration and by officials that the United States will not have a role in determining how the inspections will be done and that they will not even see the methods of how we will do inspections before they actually begin.

They told me they have been orally briefed on the process, but they have not actually seen it, which means since they haven't seen it, I can't see it. It seems odd to me that the final aspect of the agreement that actually gives the greatest detail of how the inspections will occur none of us can actually see. It is difficult to have this ''trust, but verify'' attitude when we were not given the ability to verify how they are verifying it and to see how much trust is actually being given in this process.

The White House has told us over and over again that if you don't like this deal, there are two options—it is either war or provide a better solution. I am telling everyone: Let's slow down. Let's look at both of those things, and let's also back up and see where we are.

For years the United States and the United Nations said that Iran should not enrich uranium. In fact, there are six U.N. resolutions saying that Iran should not enrich uranium. Why? Because Iran is the single largest state sponsor of terrorism in the world. Iran has propped up the Assad regime in Syria. They are paying the soldiers to walk side by side and to fight with Assad right now and hold up that Syrian Government. Iran is paying for and propping up the coup that is in Yemen right now on Saudi Arabia's southern border. They are still chanting in the streets ''Death to America,'' and they are actively pursuing larger and larger

weapons. I think there is a reason to take this seriously.

Now, back to the statement by the White House. They have said: If you don't agree with this agreement, then it is either war or you come up with a better option.

I will briefly touch on those two issues. I think in many ways this agreement actually pushes us faster to a process towards war. Why would I say that? Because the conventional weapons ban is lifted under this agreement, and Iran can freely purchase weapons from around the world that have been banned by a U.N. treaty, and that is now lifted under this agreement.

To pacify the Gulf States and Israel, the administration immediately went to the Gulf States and said: We understand the conventional weapons ban is being lifted there, so we are going to provide you greater technology and weapons, and we are going to provide you greater access to weapons and help to be able to get those weapons.

So help me understand why encouraging the Middle East to start dialing up with more and more weapons on both sides of this doesn't actually push us towards war even faster?

Then there is this statement about providing a better solution, as if this is the only option that is sitting out there. Well, the agreement itself was written in such a way that the U.N. would approve this first, the European Union would approve it second, and then the U.S. Congress would get it third. That was intentionally done to try to add pressure to this Congress to say: You can't turn away from this. The rest of the world has signed on to it, so you can't turn away from it.

This Congress should not process things under fear, and this Congress should not process things by saying: You are the last in line so you better sign up to where the rest of the world is.

We have to look at this because we are directly affected by this issue. Remember, Iran has said over and over again that the United States is the great Satan in the world. Anyone who believes that Iran wants to be able to come alongside us and be a peaceful member of the club is not listening to what Iran is actually saying, not to mention this whole theory of, if you don't sign onto this agreement, there is no better deal.

Last week Bloomberg reported that the French senior diplomat, Jacques Audibert—the senior diplomatic adviser to President Hollande, the individual who led the French diplomatic team in discussions with Iran in the P5+1 group, and the one who was in the room—earlier this month directly disputed Kerry's claim that a congressional rejection of the Iran deal would result in the worst of all words, the collapse of sanctions, and Iran racing to a bomb without restrictions.

The French senior diplomat actually said: If Congress votes this down, there will be saber-rattling and chaos for a year or two, but in the end nothing will change and Iran will come back to the table and negotiate a better deal that will be to our advantage.

I will run that by again. He said he thought if Congress votes this down, we will get a better deal. That means two things: He believes, again, that Iran will come back to the table on this, and he also believes there is a better deal out there, and that this is not the best deal we can get.

After going through the agreement, I have very serious concerns about it. I am concerned there are loopholes in this agreement that are big enough to drive a truck through. Specifically, this truck is the truck that is big enough to drive it through.

I will go through some of my concerns. This agreement assumes that the intelligence community can identify locations in a country the size of Texas—all the locations—for a possible inspection, notify the IAEA which places they should go, and that we would be able to contact Iran and get permission from them to visit those sites, which takes approximately 1 month—I will go into greater detail on that—and that we will actually access those sites and find the information we want there.

The IAEA is reporting that they can actually only track for uranium. So all of the other research that goes into building a nuclear weapon, they couldn't actually track that after 24 days, but if there was uranium there, they feel confident they could actually track that. So basically, if we are in the final stages of their assembling something, and we catch them and we are able to get permission to get in there, we could get to it. Not to mention the fact that the Iranian leaders have said over and over again since the agreement was signed that there is no way that the IAEA will get access to military sites in Iran. That is a loophole big enough to drive this truck through.

The IAEA has to give 24 hours' notice of its intent to inspect, and then Iran has 14 days to let the inspectors in. Of course, they can stall for 10 more days in the agreement itself. That is 25 days, minimum, to hide whatever they are working on. That is a lot of time to be able to move computer equipment and all sorts of installed things. At the end of it, the IAEA would say, we can actually determine if there were ever uranium there even after 25 days, but basically nothing else.

We have incredible people who work for us in the intelligence community that most Americans will never see and never meet. There are some amazing, patriotic Americans, but they can't see everything and they can't catch every needle in the haystack that is in Iran. It would help the intelligence community, and it would help us in our inspections, if we had access to the previous military dimensions for the nuclear weapons program that Iran has had on board. But the agreement itself only says we have to get all things from right now forward, that we don't have to have the documents previous. And if we do, Iran will actually pick the documents that we will see previous in their nuclear practice.

So now we have to find a location with no previous documents, with no way to be able to really see what research they have done and how far advanced they are. We are looking for different things, if there are different stages of their research and development on a nuclear weapon. To say in the agreement we are not going to have to get all the previous research they have done in the past is an enormous loophole and it is a definite detriment to what we are doing in our own discovery.

Iran has to dramatically decrease the number of centrifuges that are spinning and cascading to enrich uranium. That is true, and I am glad for that. They have to pull out what is a known stockpile and reduce it. I am glad of that, and that is a positive thing. But Iran can continue to enrich uranium with 5,000 cascading centrifuges, just in smaller amounts and using their older centrifuges. Again, that sounds like a win. But there is no reason, if they have peaceful purposes for uranium, to keep 5,000 centrifuges spinning—if they are only doing it for peaceful purposes.

Iran can continue testing their advanced centrifuges in small cascades—their IR–6s, their IR–8s.

Iran can continue doing research and development on their most advanced form of centrifuges. Worst of all, they can keep over 1,000 of their most advanced centrifuges still in a cascade in their most heavily fortified facility. They just have to promise they won't put uranium in there. But they can continue to do testing and development so when that time comes, they will be ready to accelerate uranium faster. So, basically, they can do everything in the process, except include uranium at that point.

We are allowing them time to increase their research, with 1,000 centrifuges in their most advanced level. Why would we agree to that? That doesn't seem to be a pathway to peaceful purposes. That seems to be a pathway to high-grade uranium and the development within country.

I have already mentioned that within just a very few years, the conventional weapons ban is lifted in this agreement, allowing additional conventional weapons to flood into the single largest state sponsor of terrorism in the world—not to mention the fact that what is flooding in before all of those conventional weapons are billions of dollars that have been held in sanctions.

Now, again, there has been no change on tactics of terrorism. There has been no change of statement from the leadership of Iran, but they are getting billions of dollars. Under sanctions, they used their money to prop up Yemen to form a coup there and to prop up Assad

in Syria. What are they going to do with an additional $60 billion, $70 billion?

The administration has said they desperately need that money so they can do infrastructure. They are getting billions of dollars. No one is going to tell me a major portion of that is not going to be used for terrorism.

As the administration has said, we have built in snapback sanctions so that if Iran violates something, immediately we will snap back the sanctions. But if we actually look at the details of how those snapback sanctions happen, it is months and months in the process of getting everyone back together and forming an agreement that we are going to do that. And if we snap back sanctions, written into the agreement it says Iran can then—if we snap back sanctions—kick out their part of the agreement as well and consider it a violation of the agreement and walk away, and now there are no restrictions on them. So, basically, we are the ones that are punished if we ever snap back sanctions. If we snap back sanctions, Iran could say, see, I told you so, and then immediately kick into the normal process they were into before. By the way, their advanced centrifuges are already spinning. They are still continuing. Nothing was diminished. I haven't even mentioned that their research and development can continue on all of their weapons systems. All of that is unabated. The only limitation seems to be around enriched uranium, but everything else continues the same.

I was also appalled as I went through this agreement and saw the leader of the Quds Force, General Suleimani, who personally coordinated the creation, distribution, and installation of improvised explosive devices in Iraq designed to kill Americans. This leader personally was engaged in killing hundreds of American soldiers in the war in Iraq—hundreds. The sanctions on that general are lifted so he can have normalized relationships worldwide, and four American hostages remain. Can someone tell me why for the murderer-of-Americans general, his sanctions are lifted, but American citizens still remain hostages in Iran?

I have to tell my colleagues, I was stunned by many things that were in this agreement and how many loopholes were built into it, but none surprised me more than the part of the agreement that we made as a country, apparently, that if Iran is attacked, the United States will now come to their defense. Help me understand this. As they continue a nuclear weapons program, if a country steps in and attacks them and says no, you can't do that, that is a violation and we are going to stop that, the United States is now agreeing to come defend Iran as they are advancing their nuclear program? Have we lost our mind?

Now, the administration, when asked about this, just said it won't happen. If it won't happen, why did we put it in the agreement? Why is it there at all? There seems to be a struggle to be able to get an agreement more than it is a struggle to say we have to prevent the world's largest sponsor of terrorism from getting a nuclear weapon at any cost. This is not about slowing their nuclear program. It should be about stopping their nuclear program.

This cannot come to our doorstep. This cannot come to the Middle East. And while the Middle East further weaponizes to prepare for a more aggressive Iran, we continue to step up and say we will help you weaponize, and I don't see how that is deterring us from war.

There is a better agreement out there, and we should push to get it. We should take care of the loopholes that are big enough to drive a truck through. We should resolve this issue. We should not pretend this is a partisan issue. This is not about Republican versus Democrat. This is about peace. This is about trying to work out the differences—and the differences are strong—with all nations and Iran. Let's work that out together, and let's keep pushing until we get this resolved.

I cannot support this agreement with Iran.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise today to speak in favor of the Cybersecurity Information Sharing Act of 2015.

I wish to first recognize the hard work of Chairman BURR and Vice Chairman FEINSTEIN and their leadership on this very important legislation. As a member of the Senate Intelligence Committee, I am well aware of the need to strengthen our computer networks against our adversaries, whether they be nation-states, such as China, Russia, and Iran, or terrorist groups or international criminal gangs or hacktivists.

Along with former Senator Joe Lieberman, I authored the Intelligence Reform and Terrorism Prevention Act of 2004. This bill implemented many of the recommendations of the 9/11 Commission report in the wake of Al Qaeda's terrorist attack on our country that took the lives of nearly 3,000 people. Many of the reforms enacted in our law were well-known and recommended prior—far before—the attacks on our country on 9/11, but they simply were never implemented, despite the clear and present threat posed by Al Qaeda.

Today, my concern is that we are repeating much the same mistake when it comes to the cyber domain. Our Nation has unparalleled strength, but cyber space allows much weaker adversaries to target our people, our economy, and our military.

Just as modern passenger planes designed in the United States were turned against us and used as weapons back in September of 2001, so too could the digital tools designed in the United States be turned against us to deal a devastating blow to our economy, our national security, and our way of life.

We already know many of the steps necessary to reduce the likelihood of a cyber 9/11, yet many of these actions have not yet been taken in either the government or the private sector. As one former official told the 9/11 Commission last year in preparation for its 10th anniversary report, ''we are at September 10th levels in terms of cyber preparedness.'' How many experts have to tell us that it is not a matter of if we are going to be the subject of a major cyber attack but when? How many more serious intrusions do we have to have in the private sector with banks, major retailers affected or in the public sector, where we have had the huge and serious OPM breach which affects some 21 million Americans? How many more of these do we have to have occur before Congress finally acts?

Consider the fact that the economic and technological advantages that the United States enjoys today required decades of research and development and investment of literally billions of dollars. Yet these competitive edges are eroding because hackers and other countries are stealing the intellectual property that gives us our competitive edge in the world.

Three years ago, when I stood on the Senate floor with Senator Joe Lieberman to urge the passage of the Cyber Security Act of 2012, which we wrote, I quoted the then-NSA chief, General Keith Alexander, who said that we are in the midst of the greatest transfer of wealth in our Nation's history. Yet this transfer of wealth continues and accelerates. Information sharing remains fragmented, and the private sector is still hesitant about sharing and receiving information with government. We have lost 3 years and endured endless, expensive data breaches since the Senate refused to stop a filibuster on our cyber bill in 2012. I urge my colleagues: Let's not make the same mistake today.

Passing the Cybersecurity Information Sharing Act of 2015 would make it easier for public and private sector entities to share cyber threat vulnerability information to stop the theft of trade and national security secrets, to stop the theft of personally identifiable information, and to help stop the theft of important information that all of us hold dear and consider to be private.

The bill would eliminate some of the legal and economic disincentives impeding voluntary two-way information sharing between private industry and government. It is a modest but essential first step, especially for businesses, large and small, trying to protect their networks and information.

Just this week, I met with an individual whose trade association has been compromised, according to the FBI. Indeed, back in 2012, when we were debating whether to bring the Lieberman-Collins cyber security bill to the Senate floor, one of the chief opponents was being hacked at that very time but did not know it until the FBI went to

that business organization and informed them.

While this bill promotes sharing between the government and the private sector—and that is an important and essential step—it does little to harden the protection of Federal networks or to guard the critical infrastructure on which we rely every day. Thus, I am introducing, with several of my colleagues, two amendments to further strengthen our Nation's cyber security posture. It would be a good first step if we could just pass this bill as it was reported by the Intelligence Committee, but I believe also strengthening the civilian side of the Federal Government and our critical infrastructure is essential for us to do the job completely and effectively.

I want to make clear that I recognize there is no law we could ever write that is going to prevent every cyber attack. That is not possible. But there are effective actions we can and should take that would lessen the chances of these attacks occurring and that would decrease the opportunities for these intrusions. So we must act. It is incumbent upon us.

For the millions of current, former, and retired Federal employees whose personal data was stolen from the poorly secured databases at the Office of Personnel Management, the threat posed by adversaries to inadequately protected Federal networks is all too real. As the FBI Director testified before the Intelligence Committee in open session last month, this breach is a ''huge deal'' and represents a treasure trove of information for potential adversaries. But this cyber hack also points to a broader problem—the glaring gaps in the process for protecting sensitive information stored in Federal civilian agency networks.

To respond, 2 weeks ago I introduced bipartisan legislation with Senators WARNER, MIKULSKI, COATS, AYOTTE, and MCCASKILL that would strengthen the security of the networks of Federal civilian agencies. Most importantly, our legislation would grant the Department of Homeland Security the authority to issue binding operational directives to Federal agencies to respond in the face of a substantial or imminent threat to Federal networks to ensure that immediate action is taken.

Think of all those IG reports that OPM leaders completely ignored. They go back to 2008. Last fall the IG issued a report which sounded a warning which was so serious that he recommended that certain networks be taken down until they were better protected. But OPM officials largely ignored those warnings, those calls for action. That is why we need to empower the Department of Homeland Security in a situation like that to act, just as NSA acts to protect the dot-mil domain, the military and intelligence agencies in the Federal Government.

I am pleased to report that all of the key elements of our bill were incorporated into legislation unanimously approved last week by the Senate homeland security committee. I thank the chairman, Senator RON JOHNSON, and the ranking member, Senator TOM CARPER, for making those improvements in their bill and incorporating our bill. We have joined together to file an amendment to add the committee-approved bill to the cyber security legislation.

The primary problem our amendment would solve is that the Department of Homeland Security has the mandate to protect the dot-gov domain, but it only has limited authority to do so. As I said, this approach contrasts sharply with how the National Security Agency defends the dot-mil domain, the information in the military and intelligence agency networks. The Director of the NSA has the responsibility and the authority from the Secretary of Defense to monitor all DOD networks and to deploy countermeasures on those networks. If the Director finds that there is an insecure computer system and wants to take it off the network, he has the authority to do so.

Although the Secretary of Homeland Security is tasked with a similar responsibility to protect Federal civilian networks, he has far less authority to accomplish this task. Yet—think about it—Federal civilian agencies, such as OPM, the Internal Revenue Service, the Social Security Administration, and Medicare, are the repositories of vast quantities of very sensitive personal data of Americans that must be better protected. We have that obligation. Our bill would help ensure that occurs.

Our amendment would harden Federal computer networks from cyber threats. I urge my colleagues to support the Johnson-Carper-Collins-Warner amendment.

I have also filed a second amendment aimed at protecting our country's most vital critical infrastructure from cyber attacks. For 99 percent of private sector entities, the voluntary information sharing framework established in this cyber legislation will be sufficient, and the decision to share cyber threat information should be left up to them. It should be voluntary.

A second tier of reporting is necessary to protect the critical infrastructure that affects the safety, health, and economic well-being of every American. My amendment would create a second tier of reporting to the government that would be mandatory but only for critical infrastructure where a cyber intrusion could reasonably be expected to result in catastrophic regional or national threats on public health or safety, economic security, or national security.

The Department of Homeland Security has already identified fewer than 65 entities—that is all we are talking about—out of all the hundreds of thousands of businesses and private sector entities in the United States, they have identified 65 entities where damage caused by a substantial but single cyber attack could cause catastrophic harm. How is ''catastrophic harm'' defined? It is defined as causing or having the likelihood to cause $50 billion in economic damage, 2,500 fatalities, or a severe degradation of our national security. My amendment would just take that definition and require reporting from those entities—that would be mandatory if there were a cyber attack—and no one else.

Without information about intrusions into our most critical infrastructure, our government's ability to defend our country against advanced persistent threats will suffer in a domain where speed is critical.

Let me further explain why this amendment is necessary. The fact is that 85 percent of our country's critical infrastructure is owned by the private sector, and we are not nearly as prepared as we should be for a cyber attack that could cause deaths, destruction, and devastation. A recent study by the University of Cambridge and Lloyds Insurance found that a major cyber attack on the U.S. electric grid could result in a blackout in 15 States and Washington, DC, that could cause more than $1 trillion in economic impact and $71 billion in insurance claims.

Under my amendment, the owners and operators of our country's most critical infrastructure would be required to report significant cyber intrusions, similar to the manner in which incidents of communicable diseases must be reported to public health authorities and the Centers for Disease Control and Prevention. Think about the ironic situation we have. Does it make sense that we require a single case of measles to be reported to the Federal Government but not an intrusion into the industrial controls controlling a piece of critical infrastructure that if it were attacked successfully could result in the deaths of 2,500 people?

The threats to our critical infrastructure are not hypothetical; they are already occurring in increasing frequency and severity. ADM Mike Rogers, the Director of NSA, has described the cyber threat posed against critical infrastructure this way: ''We have . . . observed intrusions into industrial control systems. . . . What concerns us is that . . . this capability could be used by nation-states, groups or individuals to take down the capability of the control systems.''

Multiple natural gas pipeline companies were the targets of a sophisticated cyber intrusion campaign beginning in December of 2011, and our banks have been under cyber attacks repeatedly, most likely from Iran during the past 2 years.

By implementing this tiered reporting system for our country's critical infrastructure at greatest risk of a devastating cyber attack, our government can develop and deploy countermeasures to protect its own networks as well as the information systems of

other critical infrastructure and help these critical infrastructure owners and operators to better safeguard their systems from further attacks.

Simply put, the current threat is too great and the existing vulnerability too widespread for us to depend solely on voluntary measures to protect the critical infrastructure on which our country and citizens depend.

Again, I want to emphasize, 99 percent of private sector entities would just have a voluntary system. I am talking about fewer than 65 entities that operate critical infrastructure that the Department of Homeland Security has identified as at risk and has described that the consequences would be either $50 billion in economic damage, 2,500 deaths or a severe degradation of our national security.

Surely, if we have a cyber attack of that severity, we want to know about it. We will need to act. Our laws have simply not kept pace with the digital revolution. We must not wait any longer to make these reforms or be lulled into the mistaken belief that small incremental steps will be enough to stay ahead of our adversaries in cyber space or, worse yet, that we take no action, that we allow a filibuster against even a modest bill to help us be more secure.

By adopting the underlying legislation, plus the two amendments my colleagues and I have offered, we can begin the long overdue work of securing cyber space. In doing so, we will be securing our economic and national security for the next generation.

I was in the Senate on that terrible day in September of 2001, on 9/11/2001, when our Nation was attacked. I was assigned the responsibility, along with Joe Lieberman and the other members of what was then the Governmental Affairs Committee, to look at whether that attack could have been prevented if the dots had been connected. The 9/11 Commission's conclusion was that most likely it could have been.

I don't want to be here after a massive cyber attack that has resulted in the deaths of thousands of our fellow Americans, severe economic damage or a terrible degradation of our national security and ask the question: Why did we not act? I am not saying any law can prevent every attack. Clearly, that is not the case. Our adversaries are infinitely creative, and they will keep probing our computer systems, our cyber networks, but surely we ought to be doing everything we can to make it far more difficult for any of these attacks to be successful, surely we ought to pass the bill reported with only one dissenting vote by the Intelligence Committee, and surely we ought to strengthen the protection of our critical infrastructure and our Federal civilian agencies.

We need to make sure we are doing everything we responsibly can do to lessen the possibilities of a cyber 9/11. I urge my colleagues to proceed to consider this important bill.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, for the information of my colleagues, I just wanted to list the cosponsors of the amendment that I described having to do with critical infrastructure. I listed the cosponsors of the amendment that deals with protecting civilian agencies but neglected to do so on the other. It is a bipartisan amendment. It is cosponsored by three other members of the Intelligence Committee: Senator WARNER, Senator COATS, and Senator HIRONO.

I just wanted that to be clear. I think it is significant that those members of the Intelligence Community do believe we need to go further in this arena.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REMEMBERING DAVID ''DAVE'' RUHL

Mr. ROUNDS. Mr. President, I rise to honor a fallen hero, David or ''Dave'' Ruhl of Rapid City, SD. Dave was an engine captain on the Mystic Ranger District of the Black Hills National Forest near Rapid City. Since June 14, Dave had been serving our country on a temporary assignment as the assistant fire management officer on the Big Valley Ranger District on the Modoc National Forest near Adin, CA.

Dave had been bravely and selflessly fighting the Frog Fire near Alturas, CA, along with many other firefighters who were risking their lives to protect the people and communities near that fire incident. Friends say he took this voluntary assignment to learn more about firefighting and improve his skills because he was so passionate about his profession.

Tragically, the team lost contact with Dave on Thursday evening, July 30. Search and rescue teams worked diligently to locate Dave with the hope that he would be found safe. Sadly, Dave did not survive.

An investigation will reveal details about this very unfortunate and tragic loss of life, and there will be a learning which comes from this. His death is a great loss to the State of South Dakota, and his legacy and heroism will not be forgotten. Dave will be memorialized forever on the South Dakota Firefighter Memorial in Pierre, his name etched in history for all to honor.

Professionally, Dave will be remembered as a passionate, knowledgeable, and well-trained firefighter. That is according to his colleagues who admired him and respected him. His commitment to helping others was evident throughout his life. Dave began his Forest Service career in 2001 as a seasonal forestry technician. Prior to that, he served in the U.S. Coast Guard and as a correctional officer with the State of South Dakota.

Dave will also be remembered personally as a dad, a husband, and a selfless public servant who longed to help others. Dave leaves behind his wife Erin and their two children Tyler and Ava of Rapid City. To them, I offer my deepest sympathy.

While we cannot take away the hurt, please know we will never forget the sacrifice Dave made, and we will not forget the sacrifice that you as his family have made. Not everyone is willing to put their life on the line to protect us, but Dave did just exactly that. He put others before himself. Dave is a true hero.

We ask the Good Lord to bless the Ruhl family and their friends during this difficult time and we ask all Americans to keep the Ruhl family in their thoughts and in their prayers.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. MURPHY. Mr. President, one thing we all agree on is that Iran cannot obtain a nuclear weapon. That has been the foundation of American policy. For a long time, it has been at the root of these negotiations. That has been our guidepost as a body. It certainly has been my guiding principle as I review the course of these negotiations and the agreement that is now before us. That is because we know what a nuclear-armed Iran would mean for U.S. security, for Israeli security, and for regional security. Not only would it make their provocations in the region even more dangerous by giving them a nuclear cover of protection, but it would also lead to a nuclear arms race in the region.

That doesn't mean Iran's unacceptable conduct begins and ends with its pursuit of a nuclear weapons program. This is one of the largest state sponsors of terrorism in the world. This is a country that has called for the obliteration of the Jewish State still to this day, chants for ''Death to America,'' a country that denies basic human rights and political liberties to its own citizens, and executes and imprisons thousands upon thousands of people who disagree with the regime.

But this agreement and these negotiations from the beginning have been about the nuclear issue. It has not attempted to resolve all of these other very dangerous and malevolent behaviors that Iran engages in, in the region. We are focused on the nuclear issue because we frankly believe we are more likely to deal with this other activity if we remove the question of a potential nuclear weapons arsenal cover from the equation.

So the test for this agreement is simple: Is Iran less likely to obtain a nuclear weapon with this deal than without it? Because I answer yes to this question—because I believe they are less likely to get a nuclear weapon with this agreement than without it—I am going to support the agreement when it comes before the Senate for a vote this September.

That doesn't mean there aren't parts of this agreement that I find distasteful. I would have preferred for the duration of the agreement to be longer than the 10 to 15 years of many of its components. I would have preferred to see fewer conditions on the inspections and on our access to contested sites. I would like for Congress's ability to impose new sanctions on nonnuclear activity of Iran to be clearer and less clouded as part of this agreement.

That being said, I think we achieved our objectives. Our negotiators achieved their objectives that they set out at the beginning. We have lengthened the breakout time from 2 to 3 months to now over a year. We have reduced by 95 percent the amount of stored nuclear material that is housed within Iran's borders. We get an inspection regime which is absolutely unprecedented. No other country has been subject to this kind of an inspection regime, not just as a declared site, not just the ability to get to undeclared sites but a view of the entire supply chain that backs up their nuclear program.

There is an ability to snap back sanctions should they cheat, an ability that is not conditioned on the support of countries such as Russia and China, and then an international consensus that undergirds this entire agreement.

To me, this isn't a referendum on the agreement, the decision we are going to make in the Senate; it is a choice. It is a choice between one set of consequences that flow from supporting the agreement and then another set of consequences that flow from a congressional rejection of the agreement.

The set of consequences that occur if Congress rejects this agreement are pretty catastrophic. I would argue it would result in a big win for Iranians. What would happen? First, the sanctions would fray, at best; at worst, they would fall apart. Iran would resume their nuclear program. Maybe they wouldn't rush to a bomb, but they would get closer. Inspectors would be kicked out of the country so we lose eyes on what Iran is doing.

For those who believe we should just come back to the table and get a better deal, you have a very high bar to argue. You have to make a case that there are going to be a set of conditions that will cause Iran to come back to the table and agree to something different, more strenuous, and more rigorous than they did today. How does that happen if the sanctions are weaker and their nuclear program is stronger? It doesn't. So this idea that you can get a better deal to me appears to be pure fantasy.

Finally, I wish to spend a few minutes talking about this juxtaposition that the President has created that I know has caused some in this Chamber to blanch—the idea that this is a choice between this agreement or going to war. I understand that feels and sounds very unfair because no one who votes against this agreement believes they are voting to go to war. I want to make the case it is not as unfair as some may think it is because if there is no deal, if there is no ability to stop Iran from getting a nuclear weapon through a negotiation, and if we accept the premise that we are not going to stand still, do nothing, and take a wait-and-see approach if they were to move closer to a bomb, then the only option is the military option. And I frankly think it is time we start taking seriously the rhetoric we are hearing from some Members of this body. Senator COTTON said this week that we could bomb Iran back to day zero if we took a military route to divorcing Iran from a nuclear weapon.

Let us get back to reality for a second about what a military strike would mean. You can set back Iran's nuclear program for a series of years, but you cannot bomb Iran back to day zero unless you are also prepared to assassinate everyone in Iran who has worked on the nuclear program. Why? Because you can't destruct knowledge. You can't remove entirely from that country the set of facts that got them within 2 to 3 months of a nuclear weapon.

So I know Members bristle at this notion the President is suggesting that it is a choice between an agreement or war, but there are Members of this body who are openly cheerleading for military engagement with Iran, who are oversimplifying the effect of military action, who are blind to the reality of U.S. military activity in that region over the course of the last 10 to 15 years. This belief in the omnipotent unfailing power of the U.S. military is not based in reality.

We could set back a nuclear program for a series of years, but the consequences to the region would be catastrophic. So I get that people don't like the choice the President presents, but at some point we have to take Senator COTTON and his allies seriously when they continue to make a case for war and oversimplify the effects of a military strike.

But let us be honest. This is all just a political agreement we are talking about here today. So we do have to reserve the possibility that if all else fails and there is no other way to stop Iran from getting a nuclear weapon, we may have to take military action. None of us have taken that wholly off the table. But a military strike, if it is necessary, is made more effective if this deal is in place.

We will have more international legitimacy if we try diplomacy first and Iran rushes to the bomb in the context of this deal. We would have more partners in this military action if we stuck together on this agreement.

I won't say war isn't an option, but I know it is more likely to be successful and effective in the context of this agreement than without it. And I certainly would challenge anyone—Senator COTTON and others—who try to simplify the effects of a military strike or suggest that it is the immediate alternative to this agreement.

In 1993, Yitzhak Rabin said, when talking about Israel's decision to recognize the PLO, that ''you don't make peace with your friends, you make it with very unsavory enemies.'' Diplomacy is never easy, and the results of diplomacy are never pretty.

This isn't peace with Iran. We still reserve the right to fight them tooth and nail on their support for terrorism, on their denial of the right of Israel to exist, and their miserable human rights record. But the question still remains: Is the world better off with this agreement or is the world better off if this agreement falls apart at the hands of the Congress and we are right back to square one?

I believe Iran is less likely to become a nuclear weapons state with this agreement than without it, and I am going to support it.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Iowa.

WHISTLEBLOWERS

Mr. GRASSLEY. Mr. President, I come to the floor, as I often do, to speak about the efforts of whistleblowers. Many of you know my belief in and my respect for those patriotic people—men and women who, often at great cost to their own careers and personal well-being, raise their voices when they see things happening they know are wrong, usually against the law or the misuse of taxpayer money. So it was with great joy that I participated just last Thursday with about two dozen whistleblowers and hundreds of their families, friends, and supporters in the first annual congressional celebration of National Whistleblowers Day.

In my remarks to that group, I said that agency leadership needs to follow the example my colleagues and I set with the Whistleblower Protection Caucus. They need to send a strong signal that whistleblowers are valued and that retaliation will not be tolerated. After all, the need to protect whistleblowers is not new and it is not going away.

In the midst of the whistleblowers appreciation day celebration, I received yet another harsh reminder that retaliation is alive and well in the executive branch's bureaucracies. At the very time several of my colleagues and I shared our appreciation for whistleblowers, U.S. Marshals Service whistleblowers told me the hunt was on for folks in that agency who disclosed wrongdoing to my office.

How ironic, as we recognized the bravery and the benefits of whistleblowers in the past, a new set of

truthtellers were facing harsh consequences that all too often come with their brave action in exposing wrongdoing.

Agencies use many pretexts to hunt, to punish, and to intimidate whistleblowers. So what is the pretext the Marshals Service is using? I am told the Marshals Service has launched an internal affairs investigation to find what they describe as a leak to the media and what harm a leak to the media does.

Well, this is a dubious claim. For one, news stories about the problems at the Marshals Service are not new. Second, there are many stories in several different magazines and newspapers that strongly suggest there are many sources of those news leaks.

Finally, I understand the Marshals Service internal affairs has allegedly seized the personal property of at least one of its so-called targets. I also understand this personal property contains privileged communications with the target's attorneys and protected disclosures to Members of Congress.

I wish to note some things for leaders at the Marshals Service and at any Federal agency. First, protection for whistleblowers under the Whistleblowers Protection Act is not just there for reporting to Congress or reporting to the inspector general or reporting to the Office of Special Counsel. The Supreme Court has said disclosures to media may be covered if the disclosure is not specifically prohibited by statute or Executive order, even if such disclosure violates an agency rule.

So not only does this investigation appear to be retaliatory, but its supposed justification is obviously not legitimate.

Second, even if there were nothing suspicious or retaliatory about the so-called investigation, it cannot be true that investigators need protected and privileged material to carry it out.

Third, the recent track record of the Marshals Service on whistleblower protection is pretty dismal. The internal affairs inquiry follows months of investigation by Congress, the inspector general, and the Office of Special Counsel into allegations of misconduct at the U.S. Marshals Service. It also follows at least two inaccurate and misleading responses from the Marshals Service and the Justice Department to letters from my committee. And it follows numerous letters reporting allegations of widespread retaliation and very deep fears that employees have of such reprisal.

Just so we are very clear, over 60 current and former U.S. Marshals Service employees have made disclosures to my office since March. That is over 1.1 percent of the agency. Many of the reports include allegations that the Marshals Service frequently uses internal affairs investigations as mechanisms for reprisal. Reprisal for what, one might ask—for engaging in activities that are explicitly protected by law.

Multiple whistleblowers from all across the Marshals Service have also told me that internal affairs does whatever it can to charge employees with misconduct, regardless of what the evidence actually says. So I thought the Justice Department would understand why I have concerns about this investigation and about the way the marshals are apparently handling it.

Remarkably, the Justice Department has told me that is all none of my business, and, of course, I strongly disagree. When you hear these sorts of things once or twice, there is a bit of a problem. When you hear them more than 60 times, coming directly to my office in less than 5 months, you start to understand there is a pattern out there.

From where I sit, it seems to me the best thing for the agency to do is to get some outside input into this so-called investigation. The Department should be willing to work with me, other Members of Congress, the inspector general, and the Office of Special Counsel to ensure that whistleblower rights are fully protected as the law intends. But officials won't even sit down and talk to us about it.

Senator LEAHY and I sent a joint letter to the Attorney General last Friday asking for a briefing as soon as possible. The answer? They claimed it would be inappropriate to discuss it with the two of us. I will tell you what would be inappropriate: using internal administrative inquiries to hunt down whistleblowers and stiff-arm a congressional scrutiny. That is what would be inappropriate.

If the Justice Department and the Marshals Service think I am going to go away or give up on this, they are even less competent than I fear.

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. SULLIVAN. 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. SULLIVAN pertaining to the introduction of S. 1944 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SULLIVAN. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. HEINRICH. Mr. President, in the first decade of this century, when the policies of President George W. Bush entangled our Nation firmly in the war in Iraq, Iran's nuclear program surged ahead rapidly and unchecked. They added thousands and thousands of centrifuges. They built numerous and complex nuclear facilities. They stockpiled highly enriched uranium. As we evaluate the proposed nuclear accord with Iran, it is important to compare what we have achieved with our allies against this reality.

I firmly believe that as we work to ensure that Iran is never able to develop nuclear weapons, facts, data, and details actually matter far more than the rhetoric you hear here in Washington, DC. Perhaps it is just the engineer in me, but when the accord became public, I sat down that morning and I started highlighting numbers. People in Washington are amazingly adept at arguing that up is down and that right is left. But numbers and data are a little harder to bend to our rhetorical will.

Let's start with this most important and critical data point: Without a deal, Iran has enough nuclear material stockpiled that they could acquire enough highly enriched material for a bomb in 2 to 3 months. That is what you hear talked about on the news as breakout time. Today Iran's breakout time is 2 to 3 months. They have enough material that were they to move forward, they could break out in just a matter of months. With this accord in place, their pathway forward is blocked. What is more, the breakout time is pushed back to over a year, giving us and our allies around the world enough time to make sure they don't move down this very dangerous path.

Let's move on to another key data point. If you went back to 2003, Iran only had 164 centrifuges. They surged forward—adding centrifuges, adding more advanced and complex centrifuges—to where they now have 19,000 centrifuges today.

With this deal, once again, that number has rolled back. It has rolled back by two-thirds. But more importantly, of the 6,000 that remain, 1,000 of those cannot be used for enrichment, and all of them are the most basic and primitive IR–1 models.

In addition, without a deal, Iran has amassed 12,000 kilograms, which is over 26,000 pounds of enriched uranium. This slide shows the public a representative example of what that would look like today. Under this accord, that is rolled back by 98 percent to just 300 kilograms. So starting from over 26,000 pounds, or 12,000 kilograms, and reducing it by 98 percent, they no longer have the capacity or the stockpile to be able to quickly move forward to a weaponization scenario.

In addition, it is important to realize Iran had enriched some of its stockpile to 20 percent. That is a very dangerous figure because 20 percent is actually a lot closer to weapons grade, and that would enable them to move quickly to weapons grade. It actually takes far longer to get to 4 percent than it does to get from 20 percent to a weaponized enrichment level.

Under this accord, what previously was an enormous stockpile—and where some of that stockpile had actually reached dangerous levels of enrichment—will be rolled back to a point

where all of the very limited 300 kilograms have to be below 4 percent, a level of concentration and enrichment that is appropriate for peaceful energy purposes but not for a weapons program.

In addition, without this accord, Iran's uranium stockpile today is large enough to yield 10 to 12 nuclear bombs. With this accord, they won't have enough stockpile—enough material—to produce even a single nuclear bomb.

Now, we all know that verification is key to success, and under this deal Iran must allow 24/7 inspections and continuous video monitoring at its nuclear infrastructure, including Natanz, Fordow, the Arak reactor, and all of its uranium mining, milling, and processing facilities. Furthermore, there is a mechanism in place that will allow inspections of any additional sites, should we suspect covert action is being taken to build a bomb outside of their existing supply chain. Consequently, this accord breaks each and every pathway that Iran has developed to create a weaponized nuclear device, including any potential covert effort that they might pursue. We should welcome each of those developments as a major step toward both regional and international security.

I have thought about these issues for a long time. I have thought about both the science and the politics of the nuclear age since I was a young boy. I remember growing up listening to my dad because he was there when this age started. He watched nuclear devices being exploded in the Marshall Islands in the South Pacific. He told me stories of what it was like to watch a mushroom cloud form over Enewetak Atoll.

When I was studying engineering at the University of Missouri, I worked at one of the largest research reactors in the country. I know what it is like to look down into that blue glow of a reactor pool. As a Senator from the State of New Mexico, I have seen firsthand many of the world's centrifuges which are housed in my home State of New Mexico and dedicated to the peaceful production of energy.

Serving on the Armed Services Committee, I helped set policy on nonproliferation and nuclear deterrence. As a member of the Senate Select Committee on Intelligence, I have received numerous briefings on both Iran's nuclear program and their capabilities. I am well acquainted with the steps necessary to successfully construct a nuclear weapon and the steps necessary to detect that kind of activity. It is because of this familiarity that I am confident in this accord.

The comprehensive, long-term deal achieved earlier this month includes all of the necessary tools to break each potential Iranian pathway to a nuclear bomb. Further, it incorporates enough lead time—the breakout time that we talked about before, which we currently are in dire need of—so that should Iran change its course in the future, the United States and the world can react well before a device can be built. We hope that scenario never occurs, but should that happen—even with this accord—it truly leaves all of our options on the table, including the military option.

Some of my colleagues in the Senate object to this historical accomplishment, saying that we could have done better; however, none of them have offered any realistic alternatives. The only concrete alternative, should Congress reject this deal, has been to engage in a military strike against Iran. While the military option will always remain on the table for the United States, even as we implement this accord, it should remain our absolute last resort.

As one can imagine, our military and intelligence leaders have looked at the potential repercussions should a direct military conflict with Iran occur. That dangerous path would provoke retaliation, instability, and would likely lead to a nuclear-armed Iran in a matter of just a few years rather than decades or never. Needless to say, this would be an irresponsible mistake.

As former Brigadier General and Deputy to Israel's National Security Advisor Shlomo Brom has said, ''This agreement represents the best chance to make sure Iran never obtains a weapon and the best chance for Congress to support American diplomacy—without taking any options off the table for this or future presidents.''

For too long, our country has been engaged in overseas military conflicts that have cost our Nation dearly in both blood and treasure. We must always be ready at a moment's notice to defend our country, to defend our allies, and even our interests, but we must also look to avoid conflict whenever a diplomatic option is present and possible. At this extraordinary moment, I am convinced that this accord is in the best interest of our Nation and that of our allies.

I am still deeply distrustful of Iran's leadership. To make peace, you negotiate with your enemies, not with your friends. Obviously any deal with Iran will not be without risk, but the risks and the consequences of rejecting this deal are far, far more dire. This deal sets the stage for a safer and more stable Middle East and, for that matter, a more secure United States of America. We must seize this historic opportunity.

I yield the rest of my time.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent to withdraw the cloture motion with respect to the motion to proceed to S. 754.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 28, S. 754; I further ask that Senator BURR then be recognized to offer the Burr-Feinstein substitute amendment and that it be in order for the bill managers or their designees to offer up to 10 first-degree amendments relevant to the subject matter per side.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. For the information of all Senators, the first amendments on the Republican side will be the following: Paul No. 2564, Heller No. 2548, Flake No. 2582, Vitter No. 2578, Vitter No. 2579, Cotton No. 2581, Kirk No. 2603, Coats No. 2604, Gardner No. 2631, Flake No. 2580.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I assume we would alternate with Republican and Democrat amendments; is that right?

Mr. MCCONNELL. Yes.

Mr. REID. Mr. President, I ask unanimous consent that the agreement be modified to allow 11 Democratic amendments instead of 10.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. They will be as follows: Carper No. 2627, Coons No. 2552, Franken No. 2612, Tester No. 2632, Leahy No. 2587, Murphy No. 2589, Whitehouse No. 2626, Wyden No. 2621, Wyden No. 2622, Mikulski No. 2557, and Carper No. 2615.

Mr. MCCONNELL. I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 61

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Tuesday, September 8, the Senate proceed to the consideration of H.J. Res. 61 and that the majority leader or his designee be recognized to offer a substitute amendment related to congressional disapproval of the proposed Iran nuclear agreement.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Mr. President, reserving the right to object, I want the debate we are going to have in a matter of weeks to be—and I think all of us do—dignified and befitting the gravity of one of the most important issues of the

day. This is a step forward, and I do not object.

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

The majority leader.

Mr. MCCONNELL. Mr. President, with this agreement, we set up expedited consideration of the cyber bill and the Iran resolution. The Senate will hold voice votes on Executive nominations, but there will be no further rollcall votes this week.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, so that all are clear with respect to where matters are with the cyber security legislation, a couple of days ago it was my fear that this bill would be brought up—it is a badly flawed bill—with no opportunity for Senators on either side of the aisle to fix the legislation. I was afraid that it would come up with no amendments and people would say ''Oh my goodness, there are serious cyber threats.'' And that is unquestionably correct. My constituents in Oregon, for example, have been hacked by the Chinese. I was concerned that people would say ''We have all of these cyber threats; we have to act'' and there would be no real opportunity to show how the legislation in its current form creates more problems than it solves.

So that all concerned understand where things are, there are going to be more than 20 amendments to this badly flawed bill. Those of us who want to make sure there is a full airing of the issues have come to understand that there is no time limit that has yet been agreed to on those amendments. So there is going to be a real debate, and, of course, that is what the Senate is all about.

I particularly wish to commend the millions of advocates around the country who spoke out. I understand there was something like 6 million faxes that were sent to Members of this body.

I am going to take a few minutes—I see my colleagues are here as well—to describe where I think this debate is and give a sense of what the challenge is going forward.

I start with the basic proposition that we have a very serious set of cyber security threats, and I touched on seeing it at home. Second, information sharing can be valuable. There is certainly a lot of it now. It can be constructive. Information sharing, however, without vigorous, robust privacy safeguards, will not be considered by millions of Americans to be a cyber security bill. Millions of Americans will say that legislation is a surveillance bill.

So what I am going to do tonight—just for a few minutes because it is my understanding there are colleagues who would also like to speak—is describe exactly where this debate is.

As written, the cyber security legislation prevents law-abiding Americans from suing private companies that inappropriately share their personal information with the government. When I say personal information, I am talking about the contents of emails, financial information, basically any data at all that is stored electronically. CISA, as the bill is called, would allow private companies to share large volumes of their customers' personal information with the government after only a cursory review. Colleagues who want to look at that provision ought to take a look at page 16 of the bill.

We were told repeatedly that this legislation is voluntary. The fact is, it is voluntary for the companies, but for the citizens of Pennsylvania, the citizens of Oregon, citizens across this country, it is not voluntary. The people of Pennsylvania won't be asked first whether they want their information sent to the government. Oregonians won't have the chance to say whether they want that information sent. For them, this legislation is mandatory.

To explain the damage that I believe this legislation would do, I want to take a minute to explain how cyber security information sharing works now. Right now the Department of Homeland Security operates a national cyber security watch center 24 hours a day, 7 days a week. This watch center receives cyber security threat information from around the Federal Government and from private companies, and this watch center sends out alerts and bulletins to security professionals to provide them with technical information about cyber security threats. In fiscal year 2014, this watch center sent out nearly 12,000 of these alerts to more than 100,000 recipients. That happens today, with lots of companies participating.

The system that is in place today includes rules to protect the privacy of law-abiding Americans. These rules ensure that companies have a strong interest in protecting the privacy of their customers. But the legislation as it has been written now overrides those rules. The bill in front of us prevents individual Americans from suing companies that have mishandled their private information. As a result, companies would suddenly, in my view, not have the same incentives with respect to caring about sharing their customers' personal information with the government. And my concern and the concern, I believe, of millions of Americans is that the interests of some who are overzealous—overzealous in government, overzealous in the private sector—would overwhelm the interests of all of those customers who voluntarily handed over their information.

I thought I would give a couple of examples of the problems the bill in its current form causes. Imagine that a health insurance company finds out that millions of its customers' records have been stolen. If that company has any evidence about who the hackers were or how they stole this information, of course it makes sense to share that information with the government. But that company shouldn't simply say ''Here you go'' and hand millions of its customers' financial and medical information over to a wide array of government agencies.

The records of the victims of a hack should not be treated the same way that information about the hacker is treated. If companies are sharing information for cyber security purposes, they ought to be required to make reasonable efforts to remove personal information that isn't needed for cyber security before that information is handed over to the government. And those government agencies ought to focus on using that information to combat a cyber security threat.

That, I say to my colleagues, is not what the bill says. Page 16 of the bill would very clearly authorize companies to share large amounts of personal information that is unnecessary for cyber security, after only a cursory review.

Now I wish to speak about just one other issue specifically that I think Senators are not familiar with, and that is the issue of cyber signatures. Cyber signatures are essentially recognizable patterns in online code. A number of informed observers have raised the concern that once individual cyber signatures are shoveled over to the government by private companies, they could be used as the basis for broad surveillance affecting law-abiding Americans. I am not going to confirm or deny any of the press reports that have raised concerns about cyber signatures being used in this way, but I believe Senators should understand that this is certainly—and it is being widely discussed in the public arena—a theoretical possibility, and that helps underscore the importance of including a strong requirement for private companies to remove unrelated personal information about their customers before dumping data over to the government.

In wrapping up, I would be remiss if I didn't note that a secret Justice Department legal opinion that is clearly relevant to the cyber security debate continues to be withheld from the public. This opinion interprets common commercial service agreements, and in my judgment it is inconsistent with the public's understanding of the law. So once again we have this question of what happens when the people of Pennsylvania, Virginia, or Oregon think there is a law because they have read it in the public arena or on their iPad at home and then there is a secret interpretation.

I have urged the Justice Department to withdraw that secret Department of Justice opinion that relates directly to the cyber security debate. They have declined to do so. I suspect many Senators haven't had the chance to review it. As I have done before on this type of topic, I would urge Senators or their staffs to take the time to read it because I believe that understanding the executive branch's interpretation of these agreements is an important part of understanding the relevant legal landscape on cyber security.

I am going to close by speaking about the question of effectiveness. I think we all understand that we are facing very real cyber threats. I am of the view that this bill in its present form would do little, if anything, to stop large, sophisticated cyber attacks like the Office of Personnel Management had.

I don't think Senators ought to just take my word for it. In April, 65 technologists and cyber security professionals expressed their opposition to the bill in a letter to Chairman BURR and Vice Chairman FEINSTEIN. In referring to the bill and two similar bills, they wrote:

> We appreciate your interest in making our networks more secure, but the legislation proposed does not materially further that goal, and at the same time it puts our users' privacy at risk.

As they wrap up their letter, this group of technologists and cyber security professionals state:

> These bills weaken privacy law without promoting security.

That has always been my concern. If we look back at our experiences, we have tried to write these new digital ground rules. Fortunately, we took a step in the right direction as it related to NSA rules. The challenge has always been the same. The people of our country want to be safe and secure in their homes and in their businesses and in their communities, and they want their liberty. Ben Franklin said anybody who gives up their liberty to have security doesn't deserve either.

What troubled me and why I am glad that the Senate has stepped back from precipitous action where we would have just passed this bill without any amendments—we will have a chance in the fall to look at ways to address cyber security in a fashion that I think does respond to what our people want, and that is to show that security—in this case, cyber security—and liberty are not mutually exclusive. It is sensible policies worked out in a bipartisan way that will respond to the needs of this country in what is unquestionably a dangerous time.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

ISLAMIC STATE

Mr. KAINE. Mr. President, we are about to start our traditional August recess. Congress is in an interesting place because we not only get a recess—a vacation—as many Americans do, but we are legally required to take one. That is right. By an act of Congress, Congress is required, absent a separate agreement, to take a month off during August. I learned that just yesterday during a great presentation from one of our Senate Historians, Kate Scott.

This mandated August adjournment is part of the Legislative Reorganization Act of 1970. The act provides that in odd-numbered years, the Houses adjourn from the first Friday in August until the Tuesday after Labor Day. There is an exception: The mandated recess ''shall not be applicable if on July 31 of such year a state of war exists pursuant to a declaration of war by Congress.'' Again, the mandated recess is not applicable if on July 31 of such year a state of war exists pursuant to a declaration of war by Congress. This provision makes basic sense, doesn't it? Congress shouldn't go out for a mandatory 30-day vacation when the Nation is at war. It is not right that American troops should risk their lives overseas far from home while Congress takes a month off. The Congress that passed this bill in 1970 had an expectation about how serious war was and how Congress—the institution charged with declaring war—would treat such a serious obligation.

Well, we are about to go on a 1-month adjournment with the Nation at war. In fact, this Saturday, August 8, marks 1 year since President Obama initiated U.S. airstrikes against the Islamic State in northern Iraq.

In the past year, more than 3,000 members of the U.S. military have served in Operation Inherent Resolve—and thousands are there now—launching more than 4,500 airstrikes, carrying out Special Forces operations, and assisting the Iraqi military, the Kurdish Peshmerga, and Syrians fighting the Islamic State. Virginians connected with the USS Roosevelt carrier group are stationed there right now.

We have made major gains in northern Iraq and, more recently, in northern Syria, but the threat posed by the Islamic State continues to spread in the region and beyond. The war has cost over $3.2 billion through mid-July—an average of $9.5 million a day—and seven American servicemembers have lost their lives serving in support of the mission.

Recently we have heard that the administration may be expanding the scope of the war to defend U.S.-trained Syrian fighters against attacks, including from the Assad regime. We are expanding our cooperation with Turkey in the region. We even hear rumors of a U.S.-Turkish humanitarian zone in northern Syria. Each of these steps is potentially significant and could lead to even more unforeseen expansions of the ongoing war. We have already had testimony by military leaders to suggest that the war will likely go on for years.

But as the war expands and our troops risk their lives far from home and as we prepare to go on our traditional 1-month recess, a tacit agreement to avoid debating this war persists in Washington.

The President maintains that he can conduct this war without authorization from Congress. He waited more than 6 months after the war started to even send Congress a draft authorization of the mission.

Congressional behavior has been even more unusual. Although vested with the sole power to declare war by article I of the Constitution, Congress has refused to meaningfully debate or vote on the war against the Islamic State. A Congress quick to criticize any Executive action by the President has nevertheless encouraged him to carry out an unauthorized war. As far as our allies, the Islamic State, or our troops know, Congress is indifferent to this war.

I first introduced a resolution to force Congress to do its job and to debate this war in September of 2014. That led in December to an affirmative vote by the Senate Foreign Relations Committee to authorize the war with specific limitations. But the matter wasn't taken up on the floor because the Senate was about to change to a new majority, and that party wanted to analyze the issue afresh.

Six months then went by, and Senator JEFF FLAKE and I introduced, finally, a bipartisan war resolution in June to prod the Senate to take its constitutional responsibility seriously after so many months of inaction. We wanted to show there is a bipartisan consensus against the Islamic State. The result: a few discussions in the Senate Foreign Relations Committee, but otherwise silence.

One year of war against the Islamic State has transformed a President who was elected in part because of his early opposition to the Iraq War into an Executive war President. It has stretched the 2001 Authorization for Use of Military Force that was passed to defeat the perpetrators of 9/11 far beyond its original meaning or intent. It has shown to all that neither the Congress nor the President feels obliged to follow the 1973 War Powers Resolution, which requires the President to cease any unilateral military action within 90 days unless Congress votes to approve it. And it has demonstrated that Congress would rather avoid its constitutional duty to declare war than have a meaningful debate about whether and how the United States should militarily confront the Islamic State.

This 1-year anniversary also coincides a few minutes ago with a vigorous congressional effort to challenge U.S. diplomacy regarding the Iranian nuclear agreement. The contrast between congressional indifference to war and its energetic challenge to diplomacy is most disturbing.

So, why isn't Congress doing its job?

Last month I asked Marine Commandant Joseph Dunford, nominated to be the next Chairman of the Joint Chiefs of Staff, whether congressional action to finally authorize the war against the Islamic State would be well received by American troops. His answer said it all. ''I think what our young men and women need—and it's really all they need to do what we ask them to do—is a sense that what they're doing has purpose, has meaning, and has the support of the American people.''

A debate in Congress by the people's elected representatives and a vote to authorize the most solemn act of war is how we tell our troops that what they

are doing—what they are risking their lives for—''has purpose, has meaning, and has the support of the American people.'' Otherwise, we are asking them to risk their lives without even bothering to discuss whether the mission is something we support. Can there be anything—anything—more immoral than that—to order troops to risk their lives in support of a military mission that we are unwilling even to discuss?

One year in, our servicemembers are doing their jobs, but they are still waiting on us to do ours. And as I conclude—oh, yeah, what about that August recess? How can we go away and adjourn for a month in the midst of an ongoing war?

Why, that is easy. The part of the statute that creates an exception for the mandatory August adjournment applies only if there has been ''a declaration of war by the Congress.'' Because we haven't even bothered to debate or authorize this war in the year since it started, we are still entitled by statute to take the month of August off.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

ECONOMIC SECURITY FOR AMERICAN WORKERS

Mrs. MURRAY. Mr. President, in today's economy, too many of our workers across this country are underpaid, they are overworked, and they are treated unfairly on the job. In short, they lack fundamental economic security.

In Congress, we have got to act to give our workers much needed relief. We need to grow our economy from the middle out, not the top down. And we should make sure our country works for all Americans, not just the wealthiest few. There is no reason we can't get to work on legislation to do just that. That is why I am here this afternoon, joining my colleagues in calling for us in the Senate to move on some important policies that will help restore economic security and stability to more of our workers.

Mr. President, I understand that we are waiting for one of my Republican colleagues to come to the floor before I ask unanimous consent, so I will pause for just a minute.

But I will say while we are waiting that we are very concerned about many Americans today who make few dollars an hour, who don't have paid sick leave, who are told to go to work at hours that they cannot control or know about, and we are introducing legislation or asking to introduce legislation today to deal with all of those issues.

UNANIMOUS CONSENT REQUEST—S. 1150

Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Democratic leader and no later than Friday, October 30, the HELP Committee be discharged from further consideration of S. 1150, the Raise the Wage Act; that the Senate proceed to its immediate consideration; that the bill be read a third time; that the Senate vote on passage of the bill, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, on behalf of the chairman of the HELP Committee, Senator ALEXANDER, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—S. 497

Mrs. MURRAY. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Democratic leader, and no later than Friday, October 30, the HELP Committee be discharged from further consideration of S. 497, the Healthy Families Act; that the Senate proceed to its immediate consideration; that the bill be read a third time; that the Senate vote on passage of the bill, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, on behalf of the chairman of the HELP Committee, Senator ALEXANDER, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 1772

Ms. WARREN. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Democratic leader and no later than Friday, October 30, the HELP Committee be discharged from further consideration of S. 1772, the Schedules That Work Act; that the Senate proceed to its immediate consideration; that the bill be read a third time; that the Senate vote on passage of the bill, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, on behalf of the chairman of the HELP Committee, Senator ALEXANDER, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, reclaiming the floor, it is disappointing to us that the Republican majority has objected to bringing these bills forward and blocking our efforts to provide some much needed economic stability and security for our workers in this country. Our workers have been waiting a long time for relief from the trickle-down system that has hurt our middle class.

This Senator wants to put the Senate on notice that the Democrats are going to keep working on ways to grow our economy from the middle out, not the top down, and we are going to be working to make sure our workers and our families have a voice at the table. We are going to continue to focus on making sure our country works for all Americans, not just the wealthy and few.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Texas.

Mr. CORNYN. Mr. President, the Senator from Washington knows how much I admire and respect her. We have had great opportunity to work together in a very productive way, but what we have just seen from our friends across the aisle is not designed to actually get anything done. It was a show to try to claim political advantage and to try to create a narrative which simply isn't borne out by the facts.

The facts are that these costly proposals are unfunded mandates designed to make it hard for Americans to find jobs or become employers and create jobs for millions of people working for a step up the economic ladder. What Americans need, rather than show votes, are more job opportunities, more flexibility at work, and the freedom to negotiate a schedule that works for them.

Our friends across the aisle have been in charge and we have seen the results: an economy that grew last year at 2.2 percent—as a matter of fact, in at least one quarter it actually contracted. So we know what the fruit of these policies are because they have had their chances.

Their policies will destroy jobs, smother innovative startups in job creators like Uber, and perpetuate the Obama part-time economy, which has left a shocking 6.5 million Americans in part-time work as they search in vain for full-time work—and, I might add, a 30-year low of the labor participation rate—the percentage of people actually in the workforce that are employed, people that would otherwise want to work. We have seen what the results are.

The voters last November decided to try something different. They have given us a chance to show what we can do while we are in the majority, and I think the results are pretty good. We passed a budget for the first time since 2009. We passed a 6-year highway bill just recently, and we are still working with the House to try to figure out how to do that on a bicameral, bipartisan basis. We passed unanimously the Justice for Victims of Trafficking Act to fight the scourge of human trafficking, which targets teenage girls predominantly for sex. We have passed the Defense authorization bill to make sure our men and women in uniform have the authority and what they need in order to keep us safe here and abroad.

We actually have had a very productive year so far in the 114th Congress under Republican leadership. What our

Democratic colleagues want to do is take us to the past with slow economic growth and policies that simply don't work.

That is why I am happy to stand here today and object to these show requests that aren't actually designed to do anything but are designed for fundraising, press releases, and other publicity stunts that simply are not what is going to help the American people the most.

TRIBUTE TO RUSS THOMASSON

Mr. President, on another note, I want to talk a little bit about my chief of staff who is leaving. My chief of staff in the whip office is Russ Thomasson, who I hope is somewhere around here. He is at the back of the Chamber. His son Austin is down here as one of our pages.

The bottom line is, Russ and I learned together from the time he came as my military legislative assistant in 2003. From that time until now, we learned how to be effective on behalf of the 27 million people I work for in the State of Texas and to work with all of our colleagues to try to produce positive results for the American people.

He is leaving now for greener pastures. I mean that not exactly literally, but he is going into the private sector where he will no doubt be compensated for what his skills and experience are worth.

Back when I started in the Senate, Russ came on board as my military legislative assistant. He brought with him great experience as an Air Force intel officer. He is an engineer; I am not. It was helpful to bring with him the attention to detail that engineering training brings. He is also a Russian specialist, which we didn't need a lot of in my office in Texas, but he brought great knowledge and experience to the forefront, helping me in my job on the Armed Services Committee, given that great background.

We had some big challenges in 2005 as all of our colleagues here at the time remember. That was the Base Closure and Realignment Commission. Texas likes to tout the fact that 1 out of every 10 persons in uniform comes from Texas. Our military is very important to us. I was raised in a military family. Being effective on behalf of our men and women in uniform who happen to call Texas home is particularly important to me, and Russ did a tremendous job there and elsewhere.

As a matter of fact, he did such a good job as my MLA, my military legislative assistant, that when the opportunity came, he was promoted to legislative director. There he got to apply his knowledge and expertise far beyond just national security and foreign affairs and helped me navigate all of the various policy issues we confronted during the time he was my legislative director from 2007 to 2012.

Some of these are issues that particularly hit home in Texas, things like immigration, Supreme Court nominations, and the ObamaCare debate. Not only did Russ bring valuable policy perspectives to that role as legislative director, but he was also able to help on the communications side because he understands it is not just important for us to do a decent job—or at least to the best of our ability—it is important to be able to communicate what you are doing in a way so the American people, and in particular the people of Texas, can understand. Yet he also understood the politics that go along sometimes with the job we have in the Senate.

Perhaps just as importantly, he brought with him his good judgment to help me hire an outstanding legislative staff. I believe firmly that part of my responsibility—and I am sure the Presiding Officer and our other colleagues feel the same way. I believe one of the most important things we can do is hire the best and brightest staffers because if we do that, and we work with them, we can benefit tremendously and our constituents benefit tremendously from their advice.

Russ has set a high bar as my legislative director. He is a tireless worker who has given a lot of himself.

Then I would like to say just a word about his job as my chief of staff—as the whip. When I became the whip, he came with me to the whip office. We have found ourselves in a few nail-biting situations in tense moments, and Russ's calmness and personality, his calm demeanor and his diligence have simply helped us get the job done for the Senate and for the new majority.

Whether it is trafficking, trade, highways, funding the government, a budget—the first budget that we have passed since 2009—his fingerprints are all over those, along with those of other members of my whip staff who have done a great job. As I learned from the majority leader, he wants to know where the votes are before the vote is actually cast. My whip team, both staff and my deputy whip team, of which the Presiding Officer is one, have done a great job providing that essential information and knowledge to the majority leader so we can efficiently and effectively represent our constituents in the Senate.

By the way, I would say that Russ's intelligence background has proven to be invaluable—gathering information, talking to people, and understanding the situational awareness that is so necessary in order to be as effective as we can be. The results prove he has made a big contribution to helping us turn the Senate around, going from dysfunction to function and actually producing important results for the American people.

So here is how Russ describes the task ahead in the Senate. He likes to talk about the four P's. This is supposedly the key to what makes the Senate work and how to be effective in the Senate. The first P is policy. The second is pressure. The third is politics. The fourth is power. So I think by his four P's, he encapsulates one of the ways to be most effective in the Senate.

I guess, in the end, everything comes down to people and our relationships, the level of trust we are able to build working with each other because that is what helps us be effective and helps Russ be an effective chief of staff in the whip office. The truth is, as I have gone from No. 99 in the Senate when I came here, sitting in that back row over there, down to this desk over the last 12 years, I could not have done it without great staff like Russ Thomasson and all of my staff, both in the whip office as well as my staff in my official office. Many of them I know are here sitting in the back.

So on behalf of all of Team Cornyn, I want to wish Russ, his wife Cindy, Sasha, and Austin all the very best in the next chapter of their lives. We used to kid that it is sort of like the Eagles song ''Hotel California,'' you can check out, but you can never leave, once you become part of Team Cornyn. That is as true today as it was then.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

NUCLEAR AGREEMENT WITH IRAN

Mr. KING. Mr. President, I have never faced a more difficult decision than the vote on the Iran nuclear weapons agreement which is currently scheduled for mid-September. The stakes could not be higher, the issues more complex or the risks more difficult to calculate. In approaching this decision, I have taken a two-pronged path. The first is to have learned everything I possibly could about the agreement itself and then carefully analyzed the alternatives.

This second step is critically important, particularly in this case. No negotiated agreement is perfect. It is easy to pick apart whatever agreement is before you, but the question is, Compared to what? Often, an imperfect agreement is preferable when compared to the likely alternatives. Starting with a close reading of the agreement over several nights and early mornings back in July, and following hearings, classified briefings and sessions, meeting with experts inside and outside the administration, extensive readings about the agreement and its implications and discussions with my colleagues, this is where I have come out: First, if implemented effectively, I believe this agreement will prevent Iran from achieving a nuclear weapon for at least 15 years and probably longer; second, at the end of that 15 years, if we take the right steps, we will have the same options then that we have today if Iran moves toward the building of a bomb; third, the current alternatives, if this agreement is rejected, are either unrealistic or downright dangerous.

So based upon what we know now, I intend to vote in favor of the agreement. This is why: The deal itself, I believe, is strong and explicit in terms of the burdens it places upon Iran's nuclear program for the first 15 years—a

98-percent reduction in their current stockpile of enriched uranium, strict numerical limits on further enrichment, the effective dismantling of the plutonium reactor at Arak, and dismantlement of two-thirds of their current fleet of enrichment centrifuges.

But many argue that after 15 years, Iran could become a nuclear threshold state, which is certainly a possibility we need to be prepared to address, but Iran is a nuclear threshold state today. To be arguing about what may or may not be the case in 15 years and ignore the fact that they are a nuclear threshold state today, it seems to me, is the height of folly. If they decided to build a bomb today, they could get there in 2 to 3 months. After the rollbacks required in this agreement, however, this period is extended to at least 1 year, and we would know almost immediately if they were on track to a bomb.

I might mention that we will have a much greater insight into their activities if this agreement is enacted than we do today. The inspection and verification provisions, as I mentioned, which will be monitored and enforced by the International Atomic Energy Agency, coupled with the tools and capabilities of the U.S. intelligence community and those of our international partners which, by the way, is an important part of the verification regime.

There is a lot of discussion about the IAEA, as if those are the only people who will be watching, but indeed the intelligence agencies of at least half a dozen countries will also be watching. I believe the combination of the IAEA and our intelligence assets provide us with a high level of confidence that any attempt by Iran to cheat on its enrichment program will be detected.

IAEA inspections at known nuclear sites indeed are anytime, anywhere, and include Iran's entire uranium supply chain. While it is true that inspections at hidden sites—sites we don't know about—could be delayed for up to 24 days from when the IAEA requests access and that some covert work at such a site could be harder to detect, it is in the nature of uranium that traces can be detected long after 24 days, no matter how much they try to clean it up.

The half-life of uranium-235 is 700 million years. They are not going to be able to clean it up in 24 days. In the end, to build a bomb, there has to be nuclear material. But what about after 15 years when most of the restrictions on enrichment are lifted? If the Iranians try to break out at that point, we have the some options we have today, including the reimposition of sanctions or a military strike.

In other words, we are in a similar place in 15 years to where we are now, but we will have achieved 15 years of a nuclear weapon-free Iran. If Iran violates the terms of the agreement at that point, I believe reimposing the effective international sanctions involving the rest of the world would be stronger and more likely than it would be today because it would be Iran breaching the agreement, not us walking away from it. I cannot argue, nor can anyone, that this deal is perfect. For example, I would prefer that the 15-year limits be 20 or 25 or 30 years or that the U.S. arms embargo would remain in place indefinitely. I would prefer to see that in the agreement.

In fact, I think Congress can and should have a role to play in seeking to ensure the strict enforcement of the agreement and to mitigate some of its weaknesses, as well as reassuring our regional allies and partners and further strengthening our ability to ensure Iran never becomes a nuclear weapons state, but then we get to the central question. As I said, it is easy to pick apart a deal: I don't like this aspect. I don't like that. I think it should be longer. I think it should be shorter.

But the question is, Compared to what? What are the alternatives? What happens next if we reject this agreement? The usual answers I have heard in this body, in hearings, and in meetings over the last month or so are sort of vague references to reimposing or strengthening the sanctions, bringing Iran back to the table, and getting a better deal.

The problem with this is that the countries which have joined us in the sanctions—and by doing so have considerably strengthened the impact of those sanctions on Iran—believe this deal is acceptable. They have accepted it. Our unilateral rejection would almost certainly lead to those sanctions eroding rather than getting stronger. I would not argue they will collapse, but they will definitely erode. It is hard to argue that the sanctions will get stronger when the countries that have helped us to enforce and make those sanctions effective believe we should endorse and enter into this agreement.

If that happens, we have the worst of all worlds: Iran is unfettered from the terms of the agreement, and they are subject to a weaker sanctions regime. It is important to remember, and this often is not conveyed much in the information that is shared, this is not simply an agreement between the United States and Iran, this is an agreement between the United States and Germany and Great Britain and France and China and Russia and Iran. This is not a unilateral agreement. This is an agreement that has been entered into by the major world powers. They have found it acceptable.

The other option, if we cannot somehow find our way to a better deal—and I have not heard anybody credibly argue why or how that would happen. The only other option, of course, is a military strike, which the experts estimate would only set the Iranian nuclear program back between 2 and 3 years. Where are we then? Are we in a position where there would have to be follow-on strikes to prevent the reconstitution of Iran's nuclear facilities every 2 or 3 years? That would be at an unpredictable and incalculable cost.

It is true that as a result of Iran's acceptance of the limitations of the agreement, they get relief from the nuclear sanctions and the release of approximately $50 billion of restricted foreign assets that they will be able to spend, but it is important to remember they only get that after they comply with the limitations. If we sign on to this agreement, they don't get the money the next day. They have to meet the limitations in the agreement and the IAEA has to verify that. Let me repeat. There is no sanctions relief until Iran implements and the IAEA verifies that its nuclear commitments have been met. To get that relief is why they entered into these negotiations in the first place. And to get them into the negotiations is why we led the imposition of the nuclear weapons sanctions in the first place.

In other words, sanctions relief in exchange for acceptance of limitations on their nuclear program is the essence of the deal. Neither the sanctions nor the negotiations were ever about Iran foreswearing terrorism or recognizing Israel or releasing hostages. All of those things are things I wish we could do. I believe those are good policies, but that isn't what this negotiation was about. To try to add them now or argue that the deal falls short because they aren't included is simply unrealistic.

The United States, along with our allies and partners, must redouble our efforts outside of the nuclear agreement to address these issues. They are critically important issues. We need a strategy to deal with an expansionist Iran that is completely separate from the nuclear issue—I don't deny that—and to deal with Iran's malign activities in the region. It is also important to reiterate that all U.S. sanctions on Iran related to terrorism and human rights will remain in place.

When President Kennedy was negotiating the removal of the Soviet missiles from Cuba, he did not throw in that Cuba had to depose Castro or that the Soviets had to foreswear their dangerous enmity to the West. The phrase they used was this: ''We will bury you.''

He simply wanted to get those missiles out. He didn't try to settle all the issues in the Cold War. And, indeed, so it is with this deal. The idea is to constrain. The idea has always been to constrain Iran's nuclear capability, not settle all the issues of the Middle East—no matter how desirable that might be.

In my book there is only one thing worse than a rogue Iran seeking to make trouble for its neighbors and us, and that is a rogue Iran seeking to make troubles for its neighbors and us armed with nuclear weapons. That is the issue before is.

Finally, of equal importance as the terms themselves of the nuclear agreement is ensuring that it is effectively implemented. One of the principles of my life is that implementation and

execution are as important as vision. If this agreement is approved, that is day 1 of the critical implementation and execution period. There is a real risk, I believe, that as time wears on, the attention of the international community on this issue will diminish. It will be vital to the United States, across successive Presidents, to maintain focus on implementing and enforcing the terms of the agreement.

Congress also will have a crucial role to play, both in oversight of the deal's implementation and in making certain that the IAEA and our intelligence agencies have the resources they need to monitor and assure compliance, and more broadly to ensure that all of our options to prevent Iran from developing a nuclear weapon—whenever they may decide to take that step—remain viable if the agreement collapses.

I have negotiated lots of contracts over the years, and one side or the other rarely wins in a negotiation. The idea is that all sides get something they want or need, and, in the end, I believe that is what happened here. If this deal is implemented properly, I believe it will accomplish our national security objectives, while preserving or improving all of our existing options to ensure that Iran never develops a nuclear weapon.

There is no certainty when it comes to this question. As I said at the beginning, I believe this is the most difficult decision I have ever had to make. There are risks in either direction, and there are credible arguments on both sides. But, in the end, I have concluded that the terms of this agreement are preferable to the alternatives—and that is the crucial analysis; what are the alternatives—and that it would be in the best interests of the United States to join our partners in approving it.

I intend to remain deeply engaged in this issue in the weeks and months ahead because the process does not end the day of our vote. If this agreement moves forward, it will fall to future Presidents and future Congresses to oversee it and make it work. We owe the American people our best judgment, and it is my belief that this agreement, if implemented effectively and in conjunction with the other measures we must take to ensure its ongoing vitality, will serve our Nation, the region, and the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I wish to say a few words about the deal negotiated between the P5+1 and Iran to deny Iran's access to a nuclear weapon.

First, I commend the administration and others involved in the negotiations for seeking a diplomatic solution. There always needs to be a credible threat of military force to deny Iran a nuclear weapon, but it is incumbent upon us to test every avenue for a peaceful solution before resorting to such force.

I am mindful that—like any agreement involving multiple parties that are friendly, belligerent, and somewhere in between—this agreement can't be used against the ideal. It has to be judged against the alternative. On the whole, this agreement measured against the ideal doesn't look all that good. Against the alternative, it is a much closer call.

I must say that I am not as sanguine as some of my colleagues about the ability to reassemble the multilateral sanctions regime that has brought Iran to the negotiating table.

On the nuclear side, Iran's ability to amass sufficient fissile material to assemble a nuclear weapon would be severely curtailed for up to 15 years. The inspections regime to ensure compliance, at least as it pertains to known nuclear facilities, is fairly detailed. That is no small achievement. Much credit is due to the scientists and others who assisted with the negotiations.

On the other hand, I have grave concerns regarding our ability—and if not our ability, our willingness—to respond to nefarious nonnuclear activities that Iran may be involved with in the region.

We are assured by the administration that under the JCPOA, Congress retains all tools, including the imposition of sanctions, should Iran involve itself in terrorist activity in the region. However, the plain text of the JCPOA does not seem to indicate this. In fact, it seems to indicate otherwise. Iran has made it clear that it believes that the imposition of sanctions similar to or approximating those currently in place would violate the JCPOA.

My concern is that the administration would be reluctant to punish or deter the unacceptable nonnuclear behavior by Iran in the region if it would give Iran the pretext not to comply with the agreement as it stands. I don't believe this is an idle concern. The degree to which the administration has resisted even the suggestion that Congress reauthorize the Iran Sanctions Act, for example, which expires next year, just so that we might have sanctions to snap back, makes us question our willingness to confront Iran when it really matters down the road.

Now, if this were a treaty, that could be dealt with with what are called RUDs—or reservations, understandings and declarations—where we could clarify some of these misunderstandings. But since this was presented to Congress as an Executive agreement, we don't have that option.

We have had numerous hearings and briefings in the Senate Foreign Relations Committee. I commend Senator CORKER, the chairman of the committee, and the minority ranking member, Senator CARDIN, for the manner in which they have engaged in these hearings and briefings.

We have had a lot of questions raised. Some have been answered; some have not. These hearings will continue. I will leave from this Chamber to go to another briefing that we are having. I expect to hear more in the coming weeks and will seek to answer questions that I still have about the agreement. The bottom line is I can only support an agreement that I feel can endure—not just be signed but that can endure—and that will serve our national interests and the interests of our allies.

Again, I commend those who have been involved in this process. I commend those involved in ensuring that Congress had a say here. I will continue to evaluate this agreement based, as I said, not on the ideal but the alternative. There are many questions I wish to have answered.

I encourage the administration to work with Congress in the coming weeks on legislation that would clarify some of these misunderstandings. It would take the place of so-called RUDs if this were a treaty.

I have mentioned before that this kind of legislation is going to come. It will come prior to implementation day, and I think it behooves the administration and the Congress to begin now to work together on items that we can agree on that clarify this, assuming that this agreement will go into effect. It ought to be clarified now and not down the road. That would make it far more likely to be an enduring document rather than one that is simply signed and forgotten later.

With that, I yield the floor.

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. LEE. 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 Senator from Utah.

RECESS

Mr. LEE. Mr. President, I ask unanimous consent that the Senate stand in recess until 6:15 p.m.

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

Thereupon, the Senate, at 5:05 p.m., recessed until 6:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. TILLIS).

The PRESIDING OFFICER. The Senator from Ohio.

DRINKING WATER PROTECTION ACT

Mr. PORTMAN. Mr. President, I come to the floor once again to make an attempt at passing a very important, commonsense piece of legislation that is bipartisan. It helps to ensure that the drinking water supplies in northern Ohio, Lake Erie, and throughout our State, the freshwater reservoirs and other lakes that are providing water—and also around the

country—to make sure that will be something the U.S. Federal Government is helping with as much as possible through new legislation to get the EPA more involved.

I bring this legislation to the floor for the third time in the last several days to try to pass it. I do so with the hopes that we can get this done tonight.

I thank my colleague from Ohio, SHERROD BROWN, who has been cosponsoring and supporting this effort. I thank my colleagues on both sides of the aisle for working with us. We have been working for several weeks to get this cleared. Most recently, we had an issue with regard to legislation the Democrats wanted to add to it. I think we have now resolved those issues. I thank Robert Duncan of the floor staff for working so closely with us on this. I thank my colleague from Rhode Island, Senator WHITEHOUSE, for working with us. This is legislation which is both important and urgent.

This week marks the 1-year anniversary since the water supplies in Toledo, OH, had to be cut off because there were toxic algal blooms in the lake that were going into the water intake system. There were 500,000 people who were told they couldn't drink the water. It was a crisis. I was there. I was given bottled water along with others.

Unfortunately, this year we are seeing toxic algal blooms growing again. We are seeing it not just near the water intake valve for the city of Toledo but also near other water intake valves where 3 million Ohioans get their drinking water, from Lake Erie. By the way, about 8 million people from other States get water from Lake Erie, including Michigan and other States represented here in this Chamber.

I am also very concerned by the fact that we have other reservoirs in Ohio that are seeing increased levels of toxic algal blooms. This includes Grand Lakes St. Marys, Buckeye Lake, and it includes the reservoirs in Columbus.

It is time to ensure that we are doing everything we possibly can at the local, State, and Federal level to ensure that we can deal with this issue and that it can be resolved.

Finally, I will say this is not just about drinking water; it is also about the recreational value of these waterways, including Lake Erie, which is an incredibly important economic asset for the State of Ohio, our No. 1 destination for tourism. Having been on the lake a couple of weeks ago fishing, I will tell you that toxic algal blooms make a huge difference and create a real problem for the recreational value of fishing but also people being able to use the beaches, people being concerned about having their pets in the water, and people being concerned that their kids may not be safe even being close to these bodies of water.

We passed legislation previously to help get the Federal Government more involved. About a year ago, we passed legislation to get EPA but also NOAA—the National Oceanic and Atmospheric Administration—USGS, and other Federal entities more involved and engaged and working together better.

We also passed legislation to try to help with regard to getting EPA to give us what the standards ought to be in terms of the drinking water.

Now it is time to pass this legislation that requires the EPA to put out a report on how to mitigate the problem and how to encourage the local community and incentivize the local community to do more in terms of ensuring that the intake valves are in the right place, ensuring that the treatment is done properly, and provide the good science and the best practices that only the EPA can provide to be able to help with regard to the very serious problem we face on Lake Erie and throughout the State of Ohio.

With that, I ask unanimous consent that the Senate now proceed to H.R. 212, which is at the desk, and that the bill be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 212) to amend the Safe Drinking Water Act to provide for the assessment and management of the risk of algal toxins in drinking water, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, shall the bill pass?

The bill (H.R. 212) was passed.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

The Senator from Rhode Island.

AMENDING THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE NATIONAL ESTUARY PROGRAM

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Environment Public Works Committee be discharged from further consideration of S. 1523, the National Estuary Program, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1523) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. Mr. President, I further ask unanimous consent that the Whitehouse amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed; and that the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2639) was agreed to, as follows:

(Purpose: To modify the authorization of appropriations)

On page 3, line 17, strike ''$27,000,000'' and insert ''$26,000,000''.

The bill (S. 1523), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1523

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL ESTUARY PROGRAM REAUTHORIZATION; COMPETITIVE AWARDS.

Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended—

(1) in subsection (g), by adding at the end the following:

''(4) COMPETITIVE AWARDS.—

''(A) IN GENERAL.—Using the amounts made available under subsection (i)(2)(B), the Administrator shall make competitive awards under this paragraph.

''(B) APPLICATION FOR AWARDS.—The Administrator shall solicit applications for awards under this paragraph from State, interstate, and regional water pollution control agencies and entities, State coastal zone management agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals.

''(C) SELECTION OF RECIPIENTS.—The Administrator shall select award recipients under this paragraph that, as determined by the Administrator, are best able to address urgent and challenging issues that threaten the ecological and economic well-being of coastal areas, including—

''(i) extensive seagrass habitat losses resulting in significant impacts on fisheries and water quality;

''(ii) recurring harmful algae blooms;

''(iii) unusual marine mammal mortalities;

''(iv) invasive exotic species that may threaten wastewater systems and cause other damage;

''(v) jellyfish proliferation limiting community access to water during peak tourism seasons;

''(vi) flooding that may be related to sea level rise or wetland degradation or loss; and

''(vii) low dissolved oxygen conditions in estuarine waters and related nutrient management.''; and

(2) by striking subsection (i) and inserting the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Administrator $26,000,000 for each of fiscal years 2016 through 2020 for—

''(A) making grants and awards under subsection (g); and

''(B) expenses relating to the administration of grants or awards by the Administrator under this section, including the award and oversight of grants and awards, subject to the condition that such expenses may not exceed 5 percent of the amount appropriated under this subsection for a fiscal year.

''(2) ALLOCATIONS.—

''(A) CONSERVATION AND MANAGEMENT PLANS.—Not less than 80 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for the development, implementation, and monitoring of each conservation and management plan eligible for grant assistance under subsection (g)(2).

''(B) COMPETITIVE AWARDS.—Not less than 15 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for making competitive awards under subsection (g)(4).''.

Mr. WHITEHOUSE. Mr. President, I thank the Senator from Ohio for the way we have worked together. There was a slight toll to be paid on the majority side for getting the National Estuary Program passed, but it was one we could live with, and I think these are both good pieces of legislation. I am glad we were able to pass them together.

If I could just briefly read from an editorial that was recently published by the Westerly Sun. Westerly is one of Rhode Island's cities. The area that Westerly is in is called South County, RI. There is a South County coastkeeper whose name is David Prescott, and he went out in a boat that belongs to an environmental group in Rhode Island called Save the Bay. He took some press folk down the Pawcatuck River with elected leaders from both Rhode Island and Connecticut.

I will read from the editorial:

Prescott shared a jarful of smelly green algae from the bottom of Little Narragansett Bay to illustrate how lawn fertilizer, engine oil and all manner of interesting items flushed down storm drains end up below the surface of what appears to be a bucolic setting around Watch Hill, Napatree Point and Sandy Point.

''If we went further up the watershed, we would actually see stuff that came right off the land, down the stormwater outfalls,'' Prescott said. ''This is the stuff that we know is in our developed areas. We see stuff such as oil and gas and grease and sand and trash and dog waste, and guess where it ends up? Eventually, it ends up here in the Pawcatuck River estuary and into Little Narragansett Bay.''

Based on his eight-year study of the river and bay area using water sampling, Prescott urged leaders from both states to heed Save the Bay's ''call to action,'' which would require developing stormwater management plans to better filter runoff, ensuring septic systems are regularly tested, encouraging homeowners to reduce or eliminate use of lawn fertilizers and pesticides, and enforcing ''no-discharge'' laws.

The newspaper concluded:

The Wood-Pawcatuck watershed, from Worden's Pond in South Kingstown to Watch Hill, filters the water in our aquifers and provides a quality of life many envy. We need to protect all aspects of our watershed and treat the Pawcatuck River and Little Narragansett Bay with more respect than has been shown over the decades.

I thank the Westerly Sun for those thoughts. I think they are very helpful. I am glad to have the chance to put them here into the record on the Senate floor.

The reason I read this is because the work of doing that upland planning that allows an estuary to be clean for swimming, fishing, boating, and all of the things that Rhode Islanders and our summer visitors enjoy, is through this National Estuary Program. It shows the common link of the algae problem David Prescott referred to with the algae problem Senator PORTMAN has seen in Ohio.

I thank DAVID VITTER, the Senator from Louisiana, for his cosponsorship of this and for his work to get this through the Environment and Public Works Committee with me. I also thank SHERROD BROWN for cosponsoring this legislation.

If I am not mistaken, there is the Old Woman Creek National Estuarine Research Reserve in Ohio, and this will help support the work of the Old Woman Creek National Estuarine Reserve. This is in Huron, OH, on the south-central shore of Lake Erie. It is one of Ohio's few remaining examples of a natural estuary that transitions between land and water, with a variety of habitats, from marshes and swamps, to upland forests, open water, tributary streams, barrier beach, and near shores of Lake Erie.

I am pleased both of these measures have been able to proceed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I would like to thank my colleague from Rhode Island. I was in support of his legislation. I am glad we got both bills done, and I appreciate the fact that my colleagues on both sides of the aisle realize the urgency of dealing with this blue-green algae issue, which in many cases has become a toxic algal bloom that affects our drinking water, affects recreation, and affects fishing, and it is a significant issue in my State and others.

CYBERSECURITY INFORMATION SHARING ACT OF 2015—MOTION TO PROCEED—Continued

TAX CODE REFORM

Mr. PORTMAN. Mr. President, if I could, I want to report on something that happened this week. I see that the chair of the Finance Committee, Senator HATCH, is here, and he is aware of this. This week we had a bipartisan hearing of the Permanent Subcommittee on Investigations on an issue that is also urgent. It is one that is imminent because right now many U.S. companies are leaving our shores. This means that jobs and investments are leaving America and going to other countries. It is something all of us should be concerned about because it is rapidly accelerating. It is because of one simple reason: Washington, DC, refuses to reform our outdated and antiquated Tax Code. It is Washington's fault. Unfortunately, the brunt of it is being borne by workers across our country.

I would like to put into the RECORD my statement with regard to this hearing. It was a hearing where we were able to hear directly from companies about the impact of the Tax Code. We were able to bring in companies that have left the United States, requiring them to determine why they left. Unfortunately, it was eye-opening to the point that it requires us to deal with our broken Tax Code if we are going to retain jobs in this country, keep investment in this country, and be able to attract more jobs and investment to deal with our historically weak recovery in which we currently find ourselves.

Mr. President, I wish to address an issue that is critical to unleashing job creation and boosting wages in this country—and that is the need to reform our broken, outdated tax code.

This Congress, I took on a new role as chairman of the Senate's main investigative panel, the Permanent Subcommittee on Investigations, PSI, where I serve alongside my colleague Senator CLAIRE MCCASKILL, the subcommittee's ranking member. Last week, PSI held a hearing specifically concerning how the U.S. tax code affects the market for corporate control. It is a topic that involves the jargon of corporate finance, but the impact is measured in U.S. jobs and wages. We see headlines every week about the loss of American business headquarters—more often than not, to a country with a more competitive corporate tax rate, it is not hard to find one, and territorial system of taxation.

Our tax code makes it hard to be an American company, and it puts U.S. workers at a disadvantage. At a 39 percent combined State and Federal rate, the United States has the highest corporate rate in the industrialized world. To add insult to injury our government taxes American businesses for the privilege of reinvesting their overseas profits here at home.

Economists tell us that the burden of corporate taxes falls principally on workers—in the former of lower wages and fewer job opportunities. I am afraid this has helped create a middle-class squeeze that has made it harder for working families to make ends meet. Yet as almost all of our competitors have cut their corporate rates and eliminated repatriation taxes, America has failed to reform its outdated, complex tax code.

As a result, American businesses are headed for the exits, at a loss of thousands of jobs. The unfortunate reality is that U.S. businesses are often much more valuable in the hands of foreign acquirers who can reduce their tax bills. I believe that is one reason why the value of foreign takeovers of U.S. companies doubled last year to $275 billion, and are on track to surpass $400 billion this year according to Dealogic, far outpacing the increase in overall global mergers and acquisitions.

We should be very clear that foreign investment in the United States is essential to economic growth—we need more of it. But a tax code that distorts

ownership decisions by handicapping U.S. business is not good for our economy—and that is what we have today. What is happening is that the current tax system increasingly drives U.S. businesses into the hands of those best able to reduce their tax liabilities, not necessarily those best equipped to create jobs and increase wages here at home. That is bad for American workers and bad for our long-term competitiveness as a country.

To better understand the trend and inform legislative debate on tax reform, PSI decided to take a hard look at this issue. Over the past couple months, the subcommittee reviewed more than a dozen recent major foreign acquisitions of U.S. companies and mergers in which U.S. firms relocated overseas. This was a bipartisan project every step of the way with Senator MCCASKILL, and I am very grateful for that.

Last week's hearing was the culmination of that work. And we heard directly from both U.S. companies that have felt the tax-driven pressures to move offshore and from foreign corporations whose tax advantages have turbocharged their growth by acquisition.

Among the U.S. business leaders we heard from was Jim Koch, the founder and chairman of Boston Beer Company, maker of Sam Adams. At a U.S. market share between 1 percent to 2 percent each, Sam Adams and Pennsylvania-based Yuengling are actually the first and second largest U.S.-based brewers left. All of the great American beer companies—Miller, Coors, and Anheuser-Busch—are now foreign-owned. And Mr. Koch testified that if we fail to reform our tax code, his company could be next.

He explained that he regularly gets offers from investment bankers to facilitate a sale, at double-digit premiums, to a foreign acquirer who can dramatically reduce his tax bill from the 39 percent rate his company now pays. Mr. Koch said he can decline those attractive offers because he owns a majority of his company's voting shares. But when he is gone, he believes that company will be driven by financial pressure to sell.

We also heard from the longtime CEO of the pharmaceutical company Allergan, David Pyott. Allergan was purchased by the Irish acquirer Actavis last year for $70 billion after a year-long takeover pursuit by Canadian business, Valeant Pharmaceuticals. Mr. Pyott estimated that foreign acquirers pursuing Allergan had about a $9 billion valuation advantage over what would have been possible for an American company, ''simply because they could reduce Allergan's tax bill and gain access to its more than $2.5 billion in locked-out overseas earnings.'' Mr. Pyott testified that Allergan would be an independent American company today if it weren't for our tax code. Instead, Allergan is now headquartered in Ireland and Mr. Pyott projects that the new ownership will cut about 1,500 jobs, mostly in California.

To better understand the tax-driven advantages enjoyed by foreign acquirers, PSI took a look at Quebec-based Valeant Pharmaceuticals. Over the past 4 years, Valeant has managed to acquire more than a dozen U.S. companies worth more than $30 billion. The subcommittee reviewed key documents to understand how tax advantages affected Valeant's three largest acquisitions to date, including the 2013 sale of New York-based eye care firm Bausch & Lomb and the 2015 sale of the North Carolina-based drug maker Salix.

We learned that, in those two transactions alone, Valeant determined that it could shave more than $3 billion off the target companies' tax bills by integrating them into its Canada-based corporate group. Those tax savings meant that Valeant's investments in its American targets would have higher returns and pay for themselves more quickly—two key drivers of the deals. The three recent Valeant acquisitions we studied resulted in a loss of about 2,300 U.S. jobs, plus a loss of about $16 million per year of contract manufacturing that was moved from the U.S. to Canada and the UK.

Beyond inbound acquisitions, America is also losing corporate headquarters through mergers in which U.S. businesses relocate overseas. The latest news is the U.S. agricultural business Monsanto's proposed $45 billion merger with its European counterpart Syngenta; a key part of that proposed deal is a new global corporate headquarters—not in the U.S., but in London.

To better understand this trend, the subcommittee examined the 2014 merger of Burger King with the Canadian coffee-and-donut chain Tim Hortons—an $11.4 billion tie-up that sent Burger King's corporate headquarters north of the border. Our review showed that Burger King had strong business reasons to team up with Tim Hortons. But the record shows that when deciding where to locate the new headquarters of the combined company, tax considerations flatly ruled out the U.S. And it wasn't about the domestic tax rates—it was about international taxation.

At the time, Burger King estimated that pulling Tim Hortons into the worldwide U.S. tax net, rather than relocating to Canada, would destroy up to $5.5 billion in value over just 5 years—$5.5 billion in an $11 billion deal. Think about that. The company concluded it was necessary to put the headquarters in a country that would allow it to reinvest overseas earnings back in the U.S. and Canada without an additional tax hit. They ultimately chose Tim Hortons' home base of Canada because their territorial system of taxation allowed them to do just that.

If there is a villain in these stories, it is the U.S. tax code. And if there is a failure, it is Washington's. Our job is to give our workers the best shot at competing in the global marketplace and yet we haven't reformed the tax code in decades while other countries have.

That fact is that if Washington fails to reform our tax code, foreign acquirers will do it for us—one American company at a time. And rather than more jobs and higher wages, we will continue to see a loss of U.S.-headquartered businesses and jobs.

With the deck stacked against American companies, I believe the solution is clear. We need a full overhaul of our current tax code. Cut both the individual and corporate rates to 25 percent, pay for the cuts by eliminating loopholes, and move to a competitive international system. Unfortunately, in our current political environment, that is simply not possible to do immediately. However, I do believe that we can take a positive first step towards reform this fall.

A big part of that first step is included in a bipartisan framework for international tax reform that Senator SCHUMER and I released last month. That includes 1) a move to an international tax system that doesn't provide disincentives for companies to bring their money home from overseas to invest in growing their business and hiring more workers; 2) a patent box to keep highly mobile intellectual property and the high-paying jobs that go with developing that property in the U.S.; and 3) sensible base erosion protections that discourage companies from doing business in tax haven jurisdictions.

I believe it should also include a tax extenders package that makes a lot of our current tax extenders permanent. I think that we can all agree that temporary tax policy is bad tax policy—and whether it is giving families certainty that there is going to be a mortgage insurance premium deduction, small businesses certainty that there is going to be expanded section 179 expensing, or innovative companies assurances that there is going to be an R&D credit, I believe that making these policies permanent would provide a big boost to our economy.

In fact, yesterday, the Joint Committee on Taxation found that the short-term extenders package passed by the Senate Finance Committee last month would create $10.4 billion in dynamic tax revenue. Imagine the growth if those were made permanent?

If we don't start to take steps to reform our code now, I am worried that we are going to turn around in a couple of years and say, ''what happened? Where did our jobs go? What happened to the American tax base?'' If we do get to that place, we will have no one to blame but ourselves.

I thank the Chair for his indulgence this evening.

I yield back my time.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar Nos. 272 through 295 and all the nominations on the Secretary's desk in the Air Force, Army, and Navy and that the commerce committee be discharged from further consideration of PN601 and PN641; that all the nominations be confirmed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. David S. Baldwin

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Aaron M. Prupas

IN THE ARMY

The following named officer for appointment as the Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3033:

To be general

Gen. Mark A. Milley

IN THE NAVY

The following named officer for appointment as Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5033:

To be admiral

Adm. John M. Richardson

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Christopher P. Azzano

IN THE MARINE CORPS

The following named officer for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5043:

To be general

Lt. Gen. Robert B. Neller

IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Theron G. Davis

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John M. Murray

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Anthony R. Ierardi

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Garrett S. Yee

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Patrick J. Reinert

IN THE NAVY

The following named officer for appointment to the grade of admiral in the United States Navy while assigned to a position of importance and responsibility under title 10, U.S.C., section 601, and title 50, U.S.C., section 2511:

To be admiral

Vice Adm. James F. Caldwell, Jr.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Joseph P. Aucoin

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Cedric E. Pringle

IN THE ARMY

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Colonel Brett W. Andersen
Colonel Wallace S. Bonds
Colonel John C. Boyd
Colonel David L. Boyle
Colonel Mark N. Brown
Colonel Robert D. Burke
Colonel Thomas M. Carden, Jr.
Colonel Patrick J. Center
Colonel Laura L. Clellan
Colonel Johanna P. Clyborne
Colonel Alan C. Cranford
Colonel Anita K.W. Curington
Colonel Darrell D. Darnbush
Colonel Aaron R. Dean, II
Colonel Damian T. Donahoe
Colonel John H. Edwards, Jr.
Colonel Lee M. Ellis
Colonel Pablo Estrada, Jr.
Colonel James R. Finley
Colonel Thomas C. Fisher
Colonel Lapthe C. Flora
Colonel Michael S. Funk
Colonel Michael J. Garshak
Colonel Harrison B. Gilliam
Colonel Michael J. Glisson
Colonel Wallace A. Hall, Jr.
Colonel Kenneth S. Hara
Colonel Marcus R. Hatley
Colonel Gregory J. Hirsch
Colonel John E. Hoefert
Colonel Lee W. Hopkins
Colonel Lyndon C. Johnson
Colonel Russell D. Johnson
Colonel Peter S. Kaye
Colonel Jesse J. Kirchmeier
Colonel Richard C. Knowlton
Colonel Martin A. Lafferty
Colonel Edwin W. Larkin
Colonel Bruce C. Linton
Colonel Kevin D. Lyons
Colonel Robert B. McCastlain
Colonel Mark D. McCormack
Colonel Marshall T. Michels
Colonel Michael A. Mitchell
Colonel Shawn M. O'Brien
Colonel David F. O'Donahue
Colonel John O. Payne
Colonel Troy R. Phillips
Colonel Rafael A. Ribas
Colonel Edward D. Richards
Colonel Hamilton D. Richards
Colonel John W. Schroeder
Colonel Scott C. Sharp
Colonel Cary A. Shillcutt
Colonel Bennett E. Singer
Colonel Raymond G. Strawbridge
Colonel Tracey J. Trautman
Colonel Suzanne P. Vares-Lum
Colonel David N. Vesper
Colonel Clint E. Walker
Colonel James B. Waskom
Colonel Michael J. Willis
Colonel Kurtis J. Winstead
Colonel David E. Wood

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Laura L. Yeager

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. William J. Edwards

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Robert W. Enzenauer

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brigadier General Randy A. Alewel

Brigadier General Craig E. Bennett
Brigadier General Allen E. Brewer
Brigadier General Brian R. Copes
Brigadier General Benjamin J. Corell
Brigadier General Peter L. Corey
Brigadier General Steven Ferrari
Brigadier General Ralph H. Groover, III
Brigadier General William A. Hall
Brigadier General Brian C. Harris
Brigadier General Richard J. Hayes, Jr.
Brigadier General Samuel L. Henry
Brigadier General Barry D. Keeling
Brigadier General Keith A. Klemmer
Brigadier General William J. Lieder
Brigadier General Dana L. McDaniel
Brigadier General Rafael O'Ferrall
Brigadier General Joanne F. Sheridan

IN THE MARINE CORPS

The following named officer for appointment as Commander, Marine Forces Reserve, and appointment to the grade indicated in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5144:

To be lieutenant general

Maj. Gen. Rex C. McMillian

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert R. Ruark

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C. section 601:

To be lieutenant general

Lt. Gen. Samuel D. Cox

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Gina M. Grosso

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Paul A. Grosklags

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN608 AIR FORCE nomination of Jesse L. Johnson, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN665 AIR FORCE nomination of Jose M. Goyos, which was received by the Senate and appeared in the Congressional Record of July 15, 2015.

PN691 AIR FORCE nomination of John C. Boston, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN692 AIR FORCE nomination of John A. Christ, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN720 AIR FORCE nomination of Richard H. Fillman, Jr., which was received by the Senate and appeared in the CongQessional Record of July 29, 2015.

IN THE ARMY

PN250 ARMY nomination of Thomas M. Cherepko which as received by the Senate and appeared in the Congressional Record of March 4, 2015.

PN417 ARMY nomination of Eric R. Davis, which was received by the Senate and appeared in the Congressional Record of April 28, 2015.

PN693 ARMY nomination of Stephen T. Wolpert, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN694 ARMY nomination of Jenifer E. Hey, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN695 ARMY nomination of Michael R. Starkey, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN696 ARMY nomination of Deepa Hariprasad, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN697 ARMY nomination of Dale T. Waltman, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN698 ARMY nominations (26) beginning VINCENT E. BUGGS, and ending JAMES M. ZEPP, III, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN699 ARMY nominations (216) beginning SHONTELLE C. ADAMS, and ending JOSEPH S. ZUFFANTI, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN700 ARMY nominations (66) beginning ANDREA C. ALICEA, and ending GIOVANNY F. ZALAMAR, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN701 ARMY nominations (263) beginning ERIC B. ABDUL, and ending SARA I. ZOESCH, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN702 ARMY nominations (185) beginning GARY S. ANSELMO, and ending JOHN G. ZIERDT, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN721 ARMY nominations (3) beginning DEAN R. KLENZ, and ending JAMES J. RICHE, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN722 ARMY nominations (2) beginning RICHARD L. BAILEY, and ending KENNETH S. SHEDAROWICH, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN723 ARMY nominations (21) beginning WILLIAM ANDINO, and ending CHRISTOPHER P. WILLARD, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN724 ARMY nominations (47) beginning DAVID B. ANDERSON, and ending CARL W. THURMOND, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN725 ARMY nominations (5) beginning JERRY G. BAUMGARTNER, and ending MAURI M. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN726 ARMY nominations (22) beginning ELIZABETH A. ANDERSON, and ending MARGARET L. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN727 ARMY nominations (12) beginning TONIA M. CROWLEY, and ending CHERYL M. K. ZEISE, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN728 ARMY nominations (6) beginning JENNIFER M. AHRENS, and ending TODD W. TRAVER, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN729 ARMY nominations (24) beginning RAMIE K. BARFUSS, and ending DENTONIO WORRELL, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN730 ARMY nominations (119) beginning DAVID J. ADAM, and ending VICTORY Y. YU, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN731 ARMY nominations (7) beginning APRIL CRITELLI, and ending GREGG A. VIGEANT, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN732 ARMY nominations (9) beginning THOMAS F. CALDWELL, and ending BRONSON B. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN733 ARMY nominations (3) beginning CAROL L. COPPOCK, and ending MARIE N. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN734 ARMY nominations (3) beginning NORMAN S. CHUN, and ending HARRY W. HATCH, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

PN735 ARMY nominations

(11) beginning LAVETTA L. BENNETT, and ending CRAIG W. STRONG, which nominations were received by the Senate and appeared in the Congressional Record of July 29, 2015.

IN THE NAVY

PN703 NAVY nomination of Audry T. Oxley, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN704 NAVY nomination of Mark B. Lyles, which was received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN705 NAVY nominations (4) beginning RUSSELL P. BATES, and ending HORACIO G. TAN, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN706 NAVY nominations (24) beginning SYLVESTER C. ADAMAH, and ending CHADWICK D. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN707 NAVY nominations (46) beginning RUBEN A. ALCOCER, and ending MELISSIA A. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN708 NAVY nominations (50) beginning ACCURSIA A. BALDASSANO, and ending JACQUELINE R. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN709 NAVY nominations (18) beginning JASON S. AYEROFF, and ending BRENT E. TROYAN, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN710 NAVY nominations (50) beginning JERRY J. BAILEY, and ending ERIN R WILFONG, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN711 NAVY nominations (21) beginning WILLIAM M. ANDERSON, and ending JEFFREY R. WESSEL, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

PN712 NAVY nominations (95) beginning MARIA A. ALAVANJA, and ending VINCENT A. I. ZIZAK, which nominations were received by the Senate and appeared in the Congressional Record of July 23, 2015.

IN THE COAST GUARD

The following named officer for appointment as Vice Commandant, United States Coast Guard, and to the grade indicated under title 14, U.S.C., section 47:

To be vice admiral

Vice Adm. Charles D. Michel

The following named officer for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 211(a)(2):

To be lieutenant commander

Stephen R. Bird

NOMINATION OF DAVID HALE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF PAKISTAN

NOMINATION OF ATUL KESHAP TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES

NOMINATION OF ALAINA B. TEPLITZ TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL

NOMINATION OF WILLIAM A. HEIDT TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF CAMBODIA

NOMINATION OF GLYN TOWNSEND DAVIES TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THAILAND

NOMINATION OF JENNIFER ZIMDAHL GALT TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONGOLIA

NOMINATION OF SHEILA GWALTNEY TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC

NOMINATION OF PERRY L. HOLLOWAY TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COOPERATIVE REPUBLIC OF GUYANA

NOMINATION OF KATHLEEN ANN DOHERTY TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CYPRUS

NOMINATION OF HANS G. KLEMM TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA

NOMINATION OF JAMES DESMOND MELVILLE, JR., TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ESTONIA

NOMINATION OF PETER F. MULREAN TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI

NOMINATION OF LAURA FARNSWORTH DOGU TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NICARAGUA

NOMINATION OF PAUL WAYNE JONES TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND

NOMINATION OF MICHELE THOREN BOND TO BE AN ASSISTANT SECRETARY OF STATE (CONSULAR AFFAIRS)

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 198, 199, 200, 201, 202, 203, 256, 257, 258, 259, 260, 261, 262, 264, and 265; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of David Hale, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan; Atul Keshap, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives; Alaina B. Teplitz, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal; William A. Heidt, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia; Glyn Townsend Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand; Jennifer Zimdahl Galt, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mongolia; Sheila Gwaltney, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kyrgyz Republic; Perry L. Holloway, of South Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Co-operative Republic of Guyana; Kathleen Ann Doherty, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and

Plenipotentiary of the United States of America to the Republic of Cyprus; Hans G. Klemm, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania; James Desmond Melville, Jr., of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Estonia; Peter F. Mulrean, of Massachusetts, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti; Laura Farnsworth Dogu, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua; Paul Wayne Jones, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland; and Michele Thoren Bond, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (Consular Affairs)?

The nominations were confirmed en bloc.

NOMINATION OF RAFAEL J. LOPEZ TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES

NOMINATION OF MONICA C. REGALBUTO TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT)

NOMINATION OF JONATHAN ELKIND TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS)

NOMINATION OF ERIC MARTIN SATZ TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY

NOMINATION OF GREGORY GUY NADEAU TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION

NOMINATION OF DENISE TURNER ROTH TO BE ADMINISTRATOR OF GENERAL SERVICES

NOMINATION OF JOYCE LOUISE CONNERY TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOMINATION OF JOSEPH BRUCE HAMILTON TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOMINATION OF MARIE THERESE DOMINGUEZ TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 211, 216, 249, 251, 254, 255, 270, 271; that the commerce committee be discharged from further consideration of PN524 and that the Senate vote without intervening action or debate on all of the nominations en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of Rafael J. Lopez, of California, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services; Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management); Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs); Eric Martin Satz, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2018; Gregory Guy Nadeau, of Maine, to be Administrator of the Federal Highway Administration; Denise Turner Roth, of North Carolina, to be Administrator of General Services; Joyce Louise Connery, of Massachusetts, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2019; Joseph Bruce Hamilton, of Texas, to be a Member of the Defense Nuclear Facilities Safety Board for the remainder of the term expiring October 18, 2016; and Marie Therese Dominguez, of Virginia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation?

The nominations were confirmed en bloc.

NOMINATION OF KRISTEN MARIE KULINOWSKI TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

NOMINATION OF VANESSA LORRAINE ALLEN SUTHERLAND TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

NOMINATION OF VANESSA LORRAINE ALLEN SUTHERLAND TO BE CHAIRPERSON OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 250, 252, and 253; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and

consent to the nominations of Kristen Marie Kulinowski, of New York, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years; Vanessa Lorraine Allen Sutherland, of Virginia, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years; and Vanessa Lorraine Allen Sutherland, of Virginia, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m. on Tuesday, September 8, the Senate proceed to executive session to consider the following nomination: Calendar No. 82, Roseann Ketchmark to be U.S. District Judge; that there be 30 minutes for debate on the nomination equally divided in the usual form; that upon the use or yielding back of time, the Senate vote without intervening action or debate on the nomination; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

UNANIMOUS CONSENT AGREEMENT—NOMINATIONS IN STATUS QUO

Mr. MCCONNELL. As in executive session, I ask unanimous consent that all the nominations received by the Senate during the 114th Congress, first session, remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate.

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

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND RECESS OR ADJOURNMENT OF THE SENATE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Chair lay before the Senate H. Con. Res. 72, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 72) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and any statements related to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 72) was agreed to, as follows:

H. CON. RES. 72

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Tuesday, August 4, 2015, through Friday, September 4, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, September 8, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Tuesday, August 4, 2015, through Saturday, September 5, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 8, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the junior Senator from West Virginia, the junior Senator from Arkansas, and the junior Senator from Missouri be authorized to sign duly enrolled bills or joint resolutions today through September 8, 2015.

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

APPOINTMENTS AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

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

JOINT REFERRAL—NOMINATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that, as in executive session, the nomination of Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the HELP and Veterans' Affairs Committees.

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

The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to finish this speech regardless of time.

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

FINANCE COMMITTEE'S REPORT ON ITS INVESTIGATION OF THE IRS

Mr. HATCH. Mr. President, earlier today, the Senate Finance Committee finally and at long last issued its report on its bipartisan investigation of the IRS's treatment of organizations applying for tax-exempt status.

As you will recall, this investigation began 2 years and 2 months ago after we became aware of allegations that the IRS had targeted certain organizations for extra and undue scrutiny based on the groups' names and political views.

These were serious allegations. Indeed, they struck at the very heart of the principle—one that everyone should agree on—that our Nation's tax laws should be administered fairly and without regard to politics or partisanship. Despite the inherently political nature of these allegations, the Finance Committee, which has exclusive legislative jurisdiction and primary oversight jurisdiction over the IRS, immediately opened a full bipartisan investigation into this matter.

The investigation officially began on May 21, 2013, under the direction of former Chairman Max Baucus and myself, when I was the ranking member. When Senator WYDEN assumed the leadership of the committee last year, he agreed to continue the bipartisan work we had begun, and I am very grateful to him. This bipartisan cooperation has continued unabated since I became chairman in January of this

year. That investigation concludes today with the release of our report.

While much has been reported about the IRS's political targeting over the last 2 years, it is important to note that the Senate Finance Committee has conducted the only bipartisan investigation into the matter. Consequently, I believe the report we have issued today will serve as the definitive account of the personal political biases, management failures, and other factors that led the IRS to unfairly target certain organizations applying for tax-exempt status.

Once again, the public has a right to expect that the IRS will administer the Tax Code with integrity and fairness in every context. Yet, for many conservative organizations that applied for tax-exempt status during the last 5 years, the IRS fell woefully short of that standard. The committee's bipartisan report examined these events in great detail.

Let's take a look at what we now know after 2 years of exhaustive investigation. We know that the White House's focus on activities of tax-exempt organizations intensified after the Supreme Court issued its Citizens United decision in January 2010, culminating in many ways with President Obama's wrongheaded castigation of the Court in his State of the Union Address and continuing throughout 2010 until the midterm elections.

The Finance Committee's report contains clear evidence that the IRS and other agencies heeded the President's call. For example, just a few weeks after the President's speech before Congress, the IRS made a pivotal decision to set aside all incoming tea party applications for special processing—a decision that would subject these organizations to long delays, burdensome questions, and would ultimately prove fatal to some of their applications.

Around that same time, the Department of Justice was considering whether it could bring criminal charges against 501(c)(4) organizations that engaged in political activities. The Federal Election Commission had also opened investigations into conservative organizations that aired political ads.

The IRS met with both agencies, providing input on the proposals of Department of Justice and information to the Federal Election Commission on organizations that were under investigation. These actions leave little doubt that, when Congress did not pass legislation to reduce spending on political speech, the administration sought alternative ways to accomplish the same goal.

Regardless of whether an explicit directive was given, the President gave the order to target conservative groups at every opportunity—the State of the Union, in press conferences, and in TV interviews. He did not send a smoking gun email because he did not need to. He gave the order for everyone to hear, and his political allies at the IRS followed those orders.

The report clearly shows that conservative groups were singled out because of their political beliefs, and gross mismanagement at the IRS allowed this practice to continue for years.

We know the IRS systematically selected tea party and other conservative organizations for heightened scrutiny, in a manner wholly different from how the IRS processed applications submitted by left-leaning and nonpartisan organizations. Although the IRS knew that the tea party applications were too dissimilar to be grouped under a common template, it continued to segregate them for screening and processing based on the presence of certain key words or phrases in the applicants' names or applications, such as ''Tea Party,'' ''9/12,'' and ''Patriots,'' as well as indicators of political views that included being concerned with government debt, government spending or taxes, educating the public via advocacy, lobbying ''to make America a better place to live'' or being critical of how the country was being run.

Some tried to mitigate these facts, claiming that the IRS similarly targeted left-leaning groups. Indeed, this argument is posited in the additional Democratic views.

However, as our investigation made clear, the IRS's treatment of conservative organizations was without question different from that given to left-leaning and nonpartisan organizations.

True enough, some liberal organizations were also denied tax-exempt status during this period. However, with one exception that affected just two organizations, all left-leaning organizations that were, according to the Democratic views, improperly treated had participated in activities that legitimately called their tax-exempt status into question.

The IRS did not target these groups based on their names or ideology. Instead, it evaluated their actual activities that were known to the IRS—activities that, in many cases, properly resulted in denial or revocation of tax-exempt status.

That same deference and attention to detail was not offered to tea party groups and other organizations. As a result, many of the tea party applicant groups gave up on the process, and some of these groups ceased to exist entirely, based, at least in part, on the failure to obtain tax-exempt status.

Once again, we know all this happened. It is spelled out in great detail in the committee's report. On top of all of this, our investigation revealed an environment at the IRS where the political bias of individual employees such as Lois Lerner—who was, once again, the Director of the Exempt Organizations unit—was allowed to influence agency decisionmaking.

The IRS's upper management gave Ms. Lerner free rein to manage applications for tax-exempt status. During our investigation, the Finance Committee found evidence that Lerner's personal political views directly resulted in disparate treatment for applicants affiliated with the tea party and other conservative causes.

Ms. Lerner orchestrated a process that subjected applicants to multiple levels of review by numerous components within the IRS, thereby ensuring they would suffer long delays and be required to answer burdensome and unnecessary questions. Lerner showed little concern for conservative applicants, even when Members of Congress inquired on their behalf, allowing their applications to languish in the IRS bureaucracy for as long as 2 years with little or no action. The IRS began to resolve these applications only after some of the problems became public in 2012, but, of course, by that time the damage had been done.

Our investigation also uncovered a pattern at the IRS of continually misleading Congress about its handling of applications submitted by tea party organizations. Specifically, top IRS officials, including Doug Shulman, Steve Miller, and, of course, Lois Lerner, made numerous misrepresentations to Congress in 2012 and 2013 regarding the IRS's mistreatment of these groups. As if that wasn't bad enough, the IRS impeded congressional investigations—including our investigation—by failing to properly preserve a significant portion of Ms. Lerner's emails and then concealing the fact that the emails had been lost from the committee for months.

Long before these allegations surfaced, the IRS was already one of the most feared and loathed agencies of the Federal Government. Virtually all Americans had some level of either apprehension or animosity toward the IRS, due in large part to the power it had to impact the lives of everyday, hard-working taxpayers. Then, beginning at least in 2010, if not sooner, the IRS made things even worse, demonstrating a pattern of incompetence, mismanagement, political bias, and obstruction toward congressional oversight. As a result, the agency has in many respects lost the public's confidence.

There is a lot of work that needs to be done if the agency is ever going to restore that confidence and regain the public's trust. I believe the Finance Committee's report gives the best account we have of how that trust was broken. It spells out in great detail the organizational and personnel problems that plagued the agency and allowed partisan agendas and political tribalism to influence important decisions. I hope all of my colleagues will take the time to examine this report and its findings. The report itself is over 400 pages long and includes roughly 5,000 pages of additional supporting documents. In other words, all of my colleagues have a lot of reading to do over the August recess. I hope we will take a close look at the events detailed in the report and come together to work

on legislative solutions that will prevent this kind of misconduct from happening again in the future.

In closing, I want to acknowledge the hard work and countless hours of time spent by the Finance Committee staff who worked on this report. All told, they conducted over 30 exhaustive interviews and reviewed more than 1.5 million pages of documents. They also drafted numerous versions of this report and performed countless other tasks necessary to bring this investigation to a close. The bipartisan committee staff whose diligence and devotion to duty made this investigation and report possible include the following: John Angell, Kimberly Brandt, John Carlo, Austin Coon, Michael Evans, Daniel Goshorn, Christopher Law, Jim Lyons, Todd Metcalf, Harrison Moore, Mark Prater and Tiffany Smith. All of them deserve our gratitude for the work they have put in.

I also thank former Chairman Baucus for his work in starting this investigation, as well as my colleague Senator WYDEN, who once again continued to work with us in a bipartisan fashion to get us to this point. I personally appreciate both of those gentlemen very much. I have to say it wasn't easy for them to sit through some of this stuff. Nevertheless, it has been a privilege to work with them.

This is the first of a number of speeches I will probably give on this subject. Hopefully it gives everybody a little bit of an understanding as to why we are so upset and a little bit of understanding about the report we have issued today and have put on the Web page.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to thank the distinguished chairman from Utah. As Members will see from the views I am going to articulate, we have some strong differences about how the facts ought to be interpreted, but we worked very closely together to ensure that there would be one bipartisan compilation of the underlying facts. The two of us certainly agree that there is evidence of vast bureaucratic bumbling at the IRS.

I will also say that a review of 1.5 million pages of emails and documents and interviews with more than 30 IRS officials does not point to a single shred of political interference. I think as colleagues look at particularly the majority views and the minority views—set them aside for a moment; the fact is, the facts of the report show that no order—no order was ever given to target political groups.

I am very pleased that we now have a bipartisan report that was conducted here in the Congress. That is why the bipartisan findings are especially important. As I have stated, the findings contain absolutely no evidence to support the narrative that has been advanced by other committees and some in the media that tea party groups were targeted by the IRS because of their political views.

My own view is that groups on the progressive side and groups on the conservative side—both of them were handled in a fashion that was unacceptable. Both were handled badly. So as we kind of get into these issues—as I say, I think it was a very thorough and professional effort that was conducted to get at the facts. I want to kind of set the stage with some background.

Under our Federal tax laws, people can establish various types of tax-exempt groups. There are different rules for each type. Under Section 501(c)(4), an organization can be established as a social welfare organization. One of the rules for these social welfare organizations is they have to be operated exclusively for social welfare purposes. That has been interpreted since 1959 to mean, among other things, that the organization can engage in some political campaign activity, but that cannot be its primary activity. There is no precise meaning of ''primary'' for this purpose, and exactly what constitutes ''political campaign activity'' is similarly unclear.

Another type of tax-exempt organization is established under section 527. A 527 organization can engage in an unlimited amount of political campaign activity, but there is an important distinction because a 527 organization has to disclose the identity of its donors.

Finally, the type of tax-exempt entity Americans are most familiar with—501(c)(3)s are not allowed to engage in any political campaign activity.

So now, with that as some legal background, let's unpack the events we looked at.

In February of 2010, the IRS Exempt Organizations Determinations Office, located in Cincinnati, began processing the first application for 501(c)(4) status from a tea party group. Before long, the office was—as one IRS employee was quoted as saying, they were inundated with applications from tea party groups, other conservative groups, and some progressive-leaning organizations. The additional Republican views estimate that a total of 547 applications were the focus of our investigation; 65 percent were from tea party or conservative groups; 19 percent were from progressive organizations. To the IRS employees in the tax-exempt organizations division, these applications raised questions about whether the organizations were planning to engage in more political campaign activity than the 501(c)(4) law allowed.

We also tried to assess the cause of the surge in applications, and I think it would be fair to say no one really knows what was behind that. It may have been related to the Supreme Court's Citizens United decision in January of 2010 which knocked down some of the key limits on political campaign spending. It may have been related to the rise in citizen activism embodied in the tea party movement, the Occupy movement. In any event, there was a surge in applications.

Now let's fast forward to May of 2013. At the conclusion of her remarks at an American Bar Association conference, the Director of the IRS tax-exempt organizations division, Lois Lerner, disclosed that IRS employees had selected 501(c)(4) applications by groups with terms like ''tea party'' and ''patriot'' in their name for further reviews. She stated that the IRS employees had done so simply because the applications had those names in the title. Lerner described this process of selecting cases for review because of a particular name as ''wrong,'' ''insensitive,'' ''inappropriate.''

A few days later, the Treasury Inspector General For Tax Administration, who is known as TIGTA, released a report finding that the IRS ''used inappropriate criteria that identified for rebuke Tea Party and other organizations applying for tax-exempt status based on their names or policy positions instead of indications of potential political campaign intervention.''

At the time of these disclosures from the IRS and the inspector general, there was a very serious concern that the singling out of conservative groups by name may have been a consequence of political bias or motivation on the part of IRS employees, possibly at the direction of political appointees at the IRS, the Treasury Department, or the White House. Although the inspector general report found no evidence of political bias or targeting by the IRS, this was obviously a serious matter.

The then-chairman of the Finance Committee, Chairman Baucus, and the then-ranking member of the committee, now our chairman, Senator HATCH, began an in-depth, bipartisan investigation to assess the facts. The investigation continued after I became chairman of the committee, and it has gone forward under Chairman HATCH this year. So our bipartisan inquiry has been underway for more than 2 years. In the course of the investigation, the bipartisan committee staff has reviewed more than 1.5 million pages of documents and interviewed 32 witnesses.

At the committee's request, the inspector general has undertaken several related but separate investigations. The results of the investigation are in the report the Finance Committee submitted to the Senate today. That consists of a bipartisan report prepared by the committee staff and represents the views of Chairman HATCH and myself; additional views of Chairman HATCH's prepared by the majority staff, which I will refer to as the additional Republican views; and my own additional views, prepared by the minority staff, which I will refer to as the additional Democratic views.

In total, the principal parts of the report are 318 pages long, plus a 90-page chronology of events and another 5,000 or so pages of attached exhibits.

I certainly hope the report is going to clear away some of the smoke and cut through some of the rhetoric to ensure that all sides can see what really

happened. The report also makes a series of recommendations, including bipartisan recommendations, about how to initiate reforms going forward.

I would like to now describe the main conclusions that I draw from the report. First and foremost, the IRS's handling of this matter was an unmitigated bureaucratic disaster. There were some extenuating circumstances.

The Citizens United decision had opened the floodgates to millions of dollars flowing into political activities, with 501(c)(4) organizations seeming to be one of the favored vehicles. As a result, the IRS was facing a dramatic increase in the number and complexity of applications for 501(c)(4) status. At the same time, the IRS was working with vague regulatory standards that have not been updated since 1959. So the staff at the IRS exempt organizations division has one tough job. They were racing against a late-model Mustang in a 1959 jalopy.

Even taking that into account, the IRS handled the situation badly. Essentially, the IRS froze. The bipartisan report shows that for more than 2 years, officials in the tax-exempt organizations division in both Cincinnati and Washington failed to develop a good system for processing 501(c)(4) applications that seemed to present issues about the group's potential involvement in political campaign activity.

During that time, the IRS staff and managers tried a variety of different approaches. They asked one of their experts on tax-exempt organization law to focus on two test cases—in effect, models. That took more than 8 months, and nothing really came of it.

Then they set up task forces, and they tried what has come to be known as the infamous BOLO or ''be on the lookout'' list. They tried to get more information from applicants by asking a long list of detailed questions. This approach actually backfired because of the volume and the inappropriate nature of the questions.

The bumbling and the bureaucratic paralysis just went on and on. By my count, there were seven different efforts over more than 2 years to figure out how to handle these applications, and the first six were for naught. By December 2011, a total of 290 applications for 501(c)(4) status had been set aside for further review. Two of these applications have been successfully resolved, not 202. It wasn't until the late spring of 2012—more than 26 months after the first tea party application had arrived in Cincinnati—that the IRS finally started to get its act together, setting up a triage group that was able to work through the backlog of applications more quickly.

This process could and should have been handled better. Senior IRS leadership should have recognized or been made aware of the problem and should have stepped in much earlier to develop a system that provided fair and expeditious processing of these applications.

In light of all of this, the bipartisan report concludes that ''between 2010 and 2013, the IRS failed to fulfill its obligation to administer the tax law with integrity and fairness to all.''

At a time of rising political activity and under increased political scrutiny and pressure after the Citizens United decision:

> Senior IRS executives, including Lerner, failed to properly manage political advocacy cases with the sensitivity and promptness that the applicants deserve. Other employees in the IRS failed to handle the cases with a proper level of urgency, which was symptomatic of the overall culture within the IRS where customer service was not prioritized.

These are all findings of the bipartisan report.

Further, and I wish to make this clear, most of the applications caught up in this mismanagement were tea party or other conservative groups, including in some cases small and relatively unsophisticated groups who didn't have the resources to engage in a protracted review with the IRS. And I think we ought to make no mistake about it—these groups deserve much better treatment from their government.

If there is any good news in all of this, the Democratic view notes that there have been some positive steps. Four key employees in the IRS who failed to manage properly have been removed from their positions, the backlog of applications has largely been eliminated, and all but 10 of the applications have now been resolved.

The bipartisan report recommends several further steps that should be taken. It makes 16 recommendations, including such reforms promulgating objective criteria to trigger special review, prohibiting requests for donor lists, creating a position in the taxpayer advocate dedicated to assisting applicants for tax-exempt status, and improving the system for tracking resolution of pending applications, with a target of resolving applications within 270 days.

Now let me turn to this question of political influence. Beyond the indisputable gross management, another important focus of our investigation was to deal with these speculative charges and issues with respect to political influence. When the original inspector general report was issued in 2013, there was a concern that it looked like most of the groups that were caught up in all of this were conservative-leaning groups, such as those with ''tea party'' in their names. In light of this, there was concern that we might be looking at something that was much worse than bureaucratic bungling. The concern was that there might have been an attempt to exert inappropriate political influence over the process of reviewing applications for tax-exempt status by disfavoring certain applications because of their perceived political views.

In my view, that would constitute a grave and completely legitimate concern not just for Republicans, not just for conservatives, but for every American. Among the fundamental principles underpinning our system of government are equal treatment for all and an inviolate right to freedom of speech and expression. Both of these principles are especially important when it comes to the IRS, which has great power that must be exercised in an evenhanded fashion. Of perhaps equal importance to an evenhanded exercise of its authority, it is incumbent on the IRS to take great care to ensure against any perception that it is acting because of bias, political or otherwise.

In the committee's investigation—which, as Chairman HATCH has noted, went for more than 2 years—the bipartisan staff carefully reviewed the evidence, and in contrast to the bipartisan analysis and recommendations I have just described, in this instance, the Democratic and Republican views have come to different conclusions. The additional Democratic views conclude that there is absolutely no evidence that there was an attempt to exert political influence. The additional Republican views—in contrast, in the 120 pages—are trying to make the case that there somehow, someway, must have been political interference involved but without identifying any direct evidence, documentary or otherwise, to support the case.

I wish to explain first by laying out the basic facts and then by responding to the main points in the additional Republican view.

First, on the facts, according to the report, the staff found no evidence of involvement by the White House or by Treasury Department political officials. None. The staff found no evidence that any political appointee in the Obama administration was involved in the review of applications or in the establishment of standards for their review. None.

As a side note, during most of the relevant period, the IRS Commissioner was Mr. Douglas Shulman, who was appointed by President Bush, and the principal official responsible for the management of the relevant IRS activities, Lois Lerner, was a career civil servant who was named to her position as Director of the tax-exempt organizations division by IRS Commissioner Mark Everson, who also was appointed by President Bush.

In addition to finding no emails, no memos, and no other documents indicating there was an attempt to exert political influence, the report indicates that the staff asked every IRS employee who was directly involved in the review of the applications whether there had been any attempt to exert political influence over the handling of applications or whether they saw anyone else processing applications in a politically biased way. The staff asked 25 people. Every single one of them said there was no political bias.

In addition, the inspector general audit that spurred the investigation

also found no evidence of targeting or political bias. Let me repeat that because there have obviously been some misconceptions. The 2013 inspector general audit found no evidence of political bias in 501(c)(4) processing. This is discussed further in the committee's report, including an email from the deputy inspector general at the office stating: ''There was no indication that pulling these applications was politically motivated.'' There is an email from the inspector general chief counsel stating that the tea party was not targeted. The inspector general himself testified before our committee that no political motivation was found, and his office further stated that no relevant communications were found coming from the White House or Treasury.

Further, although more conservative-leaning than progressive-leaning groups were affected, several progressive organizations were subject to the same kind of gross mismanagement, long delays, and inappropriate information requests that were experienced by the conservative organizations. The bipartisan report notes that terms such as ''progressive'' and ''ACORN,'' as well as terms intended to capture the various Occupy Wall Street groups, were included with ''tea party'' and ''9/12'' on the IRS BOLO list. Again, ''progressive'' appeared on the same BOLO list as ''tea party'' from day one. The report also shows that progressive groups were subject to mismanagement, delays, and intrusive questions from the IRS.

I also would like to respond to several other particulars to the additional Republican views. Notwithstanding the plain fact that there is no evidence of any attempt to exert political influence over the process, the additional Republican views strive over the course of 120 pages to make the case that somehow, someway, somewhere, there was something sinister going on. This is done through a combination of innuendo, speculation, and unjustified inference.

The additional Republican views make much of the fact that the head of the tax-exempt organizations division and the principal person responsible for the management issues involved, Lois Lerner, appears to have been a Democrat with liberal views about some issues. Much is also made of the fact that the President and some congressional Democrats wanted to impose tighter restrictions on campaign spending. Put these two facts together—say, Republicans—and it becomes clear in their view that the fix was in.

However, the actual evidence to support this theory is nonexistent. For example, the Republican views quote an email from Ms. Lerner's husband in which on election day he told her he had written in the names of Socialist Labor candidates on his ballot. They quote an email from Ms. Lerner—an email she wrote—celebrating Maryland's approval of same-sex marriage. And they note what they apparently consider to be particularly suspicious: that in the 1.5 million pages of documents, the Republican staff found no instance in which Ms. Lerner, members of her family, or her friends ''expressed positive sentiments about the Republican Party, a specific Republican candidate, or the Tea Party.''

So what we have is that Ms. Lerner's husband voted for Socialists, she is a Democrat, she supports same-sex marriage, and she apparently doesn't have a lot of Republican supporters among her family. You just have to ask yourself, what is this supposed to prove? There is no evidence that any of these views were brought to the actual review of the application process, and that, to me, is what is paramount.

Granted, the Republican views also quote various other emails in which Ms. Lerner expresses support for President Obama or is critical—sometimes harshly so—of the Republican Party and specific Republican officials. To my mind, this is pretty much irrelevant chitchat. It is gossip. It is coffeeshop talk, locker-room talk. As the Democratic views puts it, ''There is no evidence that Lois Lerner allowed her political belief to affect how she carried out her duties as a manager of the Exempt Organizations office.''

The Republican views also highlight Ms. Lerner's views about the Supreme Court Citizens United decision. It is pretty obvious she didn't like it. She thought it threatened to unleash a flood of unregulated money in the Federal campaign. The Republican views even suggests that it was somehow nefarious that Ms. Lerner was closely following the Citizens United decision.

All of this tells us nothing. She was the head of the IRS division responsible for applying the law regarding the appropriate level of political campaign activity undertaken by 501(c)(4) organizations. It would be odd, in my view, if she weren't closely following Citizens United. It was an important decision with major implications for political campaign spending.

It is not surprising to me that she didn't like the decision. Eighty percent of Americans felt the same way. I am one of them.

The Republicans also were exercised that President Obama, various congressional Democrats, and the Democratic Party in general opposed the Citizens United decision and supported tighter limits on campaign spending. No question that is true. But the Republican views make a remarkable leap. They say:

> Overall, it is apparent that the need for an explicit Presidential directive to target the Tea Party and conservative organizations was rendered unnecessary by the White House's frequent public statements condemning political spending. Government agencies were acutely aware of the President's wishes and responded accordingly.

So said the majority in their views.

Now, just think about that. Just kind of put your arms around that. The President wanted to limit campaign spending. So the Republicans on the committee would have us conclude that various relatively low-level career government officials, without any direct intervention whatsoever from the White House, from the Treasury Department or from anybody else in a position of political authority, just sprang into action and engaged in a conspiracy of some sort to harass conservative groups. I guess it was almost conspiracy by osmosis. I find these extraordinary leaps to just defy logic.

Federal civil servants are allowed to have a political opinion. The President of the United States and Members of Congress are allowed to express their views about the campaign finance system. Certainly some of Ms. Lerner's personal emails were in poor taste, and it may have been bad judgment for someone in her position to be sending emails to her friends on her office computer expressing political opinions, but the only pertinent question here—the only pertinent question—is whether the political views of Ms. Lerner or other officials influenced the evenhanded administration of the law. Although the majority points to numerous embarrassing emails from Ms. Lerner, they cannot point to even a single one where she directed or encouraged employees to exercise political bias.

The majority views also make another argument. They assert that significantly more conservative-leaning groups than progressive-leaning groups were affected by the dysfunction at the IRS and that this, in and of itself, proves there was a bias against conservatives. This is a more serious argument, but when you unpack this one, it, too, falls short. As I have said before, it appears from the report that most of the groups affected were conservative, but progressive groups were affected too. The bipartisan report indicates that progressive was on the BOLO list, along with ACORN and other terms such as ''Occupy'' that were considered to indicate progressive or Democratic-leaning political engagement.

The report also shows the IRS conducted workshops directing employees to look for terms such as ''progressive'' and ''Emerge'' as well as ''tea party.'' Again, these groups suffered from the same sort of delays and intrusive questions that tea party and other conservative groups suffered from.

Nonetheless, Republicans on the committee insist the fact that more conservative than progressive groups were caught up in the IRS dysfunction necessarily means there was bias. However, this inference can be only drawn if there were equal volumes of applications coming into the IRS from conservative and progressive groups. There is just no evidence this was the case.

Moreover, there is good reason to believe that in the wake of Citizens United, the increasing volume of applications—particularly applications that raised serious issues about involvement

in political campaign activity—came primarily from conservative-leaning groups. Independent watchdogs have determined that 80 percent of political campaign spending by 501(c)(4)s was supported by conservatives, and the IRS staff said they were inundated with tea party applications. If that is the case, it would be unsurprising that most of the delays and other problems included conservative groups. They were mostly the ones who were applying.

Again, I am not trying in any way to justify the poor treatment received by conservative groups, but the report found no evidence that the typical conservative application was any more likely to be mistreated than the typical progressive application, and without such evidence it is inappropriate to infer there was bias.

A third argument the Republican views assert, which also falls short, is that there was a double standard: on one hand the treatment of the conservative groups caught up in the 501(c)(4) dysfunction and on the other hand the treatment of some nonprofit groups supported by Democratic Senators. The Republican views cite three cases in which Democratic Senators asked that the review of applications for tax-exempt status be expedited and where that apparently was done. They contrast the relatively quick resolution of these cases to the delays experienced by tea party and other conservative applicants for 501(c)(4) status.

On the face of it, the facts the three cases relied on do not support the Republican inference there was a double standard. In the first place, according to the information in the report, the three groups supported by Democratic Senators had applied for 501(c)(3) status, under which they can engage in no political activity. Further, in two of the three cases there is nothing in the report indicating the cases were particularly difficult or controversial.

In the Democratic views, it is noted the third case was a request for the expeditious consideration of an application for tax-exempt status by the One Boston Foundation in order to facilitate fundraising and assistance to those who were the victims of the Boston Marathon terrorist attacks in April of 2013. In that case, it appears from public reporting there was an unusual legal issue and that in part at the request of various public officials, the IRS did in fact cut through some redtape and resolve the issue so this organization could get up and running quickly.

As far as I know, there are no allegations that the One Boston Foundation was anything remotely like a political organization, and I am not aware of any partisan or other controversy surrounding it. I was surprised by the Republican views that apparently thought it was inappropriate or unfair for public officials to encourage the IRS to help get the organization up and running or that the IRS did anything wrong by handling this case well. To put it more pointedly, I was surprised this was considered to be in any way relevant to our investigation.

As the bipartisan report makes clear, the IRS took far too long to review 501(c)(4) applications from tea party and other groups, and it subjected many of the groups to unnecessary delay and inappropriate questioning, but the fact that the IRS was able to handle a few very different cases reasonably well does not show a double standard. In effect, the Republican views compare apples and oranges.

Before closing, I want to briefly address several other matters covered in our report. The first is the crash of Lois Lerner's hard drive in 2011 which resulted in the loss of some emails that may have been relevant to our inquiry.

Senator HATCH and I learned about the hard drive crash in June 2014, just before we were originally planning to release the committee's report. The two of us immediately asked the inspector general to investigate to determine whether there was evidence of intentional wrongdoing and whether any of the lost emails could be recovered from other sources.

The inspector general conducted a thorough investigation, which took more than 1 year. Here is what the inspector general found, as explained in the report: Although we do not know why her hard drive crashed, there is no evidence it was crashed intentionally. The inspector general was able to recover about 1,300 additional emails, and the inspector general found that some potentially relevant backup tapes had been unintentionally mishandled and then destroyed, contrary to the document retention policy the IRS put in place after our investigation began. These findings have led to a significant amount of criticism about the current IRS Commissioner, Mr. John Koskinen.

Before closing, I want to make a couple of points in response to the criticism of Commissioner Koskinen. First, it is important to remember that the principal problems we have been talking about—in other words, Chairman HATCH and I have been talking about these issues here for probably close to an hour regarding the IRS handling of applications for section 501(c)(4) status—all occurred before Mr. Koskinen came on board as IRS Commissioner in December of 2013. In fact, during the entire period covered by the original 2013 inspector general investigation, the IRS Commissioner was Mr. Doug Shulman, as I stated, appointed by President Bush. Although Mr. Koskinen inherited these problems, he did not create them.

Second, looking at how the IRS handled the hard drive crash, I do think Mr. Koskinen waited too long to inform the Committee on Finance and that the senior IRS leadership could have done a better job keeping track of the backup tapes. That said, there is zero evidence that these mistakes were politically motivated, and there is no reason to believe the potential loss of some of Lois Lerner's emails compromised the investigation.

We recovered thousands of emails covering this period from the relevant people corresponding with Ms. Lerner. Even taking the potential loss of some emails into account, the bipartisan report concludes that ''the large volume of information we have received gives us a high degree of confidence in the accuracy of the conclusions reached during our investigation.''

Looking forward, Commissioner Koskinen is a skilled and experienced leader. I am confident he is going to work closely and cooperatively with Chairman HATCH, with myself, with Democrats and Republicans on the Committee on Finance to continue to improve the operation of the IRS Exempt Organizations Division.

We also asked the inspector general to investigate four other cases in which there have been allegations of political motivation by the IRS. One involved a White House official who referred to a specific company when criticizing the use of tax loopholes. The question was whether he had received inside information from the IRS, and of course that would be a serious violation of the law.

The other cases involved conservative groups that unfortunately had some of their confidential tax information inappropriately made public. These cases have generated intense congressional interest and lawsuits. The underlying concern, similar to the concern about the handling of the 501(c)(4) applications, was the serious and legitimate worry as to whether there had been an effort to exert political influence over the IRS—in effect, to use the IRS as a weapon against conservatives.

Here, based on the information in the report, the inspector general's investigations have led to clear conclusions. The inspector general investigation of the White House official found he did not receive any confidential information from the IRS. He apparently was just shooting from the hip, which may be bad judgment, but it is not a crime. In the three cases where confidential taxpayer information was inappropriately disclosed, it was because of unintentional mistakes by low-level IRS employees, some of whom have been subject to administrative discipline.

These mistakes were regrettable, and the staff has made bipartisan recommendations to prevent them from recurring, but the bottom line is that in each of these cases there was no effort to exert political pressure.

In summary, our report tells a regrettable story. Many applicants for tax-exempt status were treated badly. They were treated in an unacceptable way, and they deserved better service from their government, but in the end this is a story about gross bureaucratic dysfunction. It is not about an attempt to exert political influence over or inject political bias into how the IRS does its job.

Further, the main culprits are gone, the system has been improved, the committee has made a series of bipartisan recommendations to improve it further, and I think it is fair to say that both Democrats and Republicans on the Senate Committee on Finance—Chairman HATCH has worked very closely with me on this—are committed to making sure nothing like this vast bureaucratic bungling ever happens again.

So we here in the Senate have more to do. We are going to have to do some hard thinking about one of the underlying issues, which is the money and politics, including in the context of tax-exempt organizations that are not supposed to be engaged primarily in political activity.

As part of this—and I respect the views of Chairman HATCH and others who may disagree—I think the Congress has to come up with better standards. We ought to set—again, in a bipartisan way—to overhaul the 1959 regulatory jalopy. Just put our arms around that one. Here we are in the digital world with so many changes in our country, and we still have the basic 1959 approach to regulating these issues. We ought to establish rules of the road that fully respect First Amendment rights and also give all organizations—be they progressive, conservative or in between; whatever they are—better guidance about what they can and cannot do given their tax-exempt status.

My own view is, when it comes to money and politics, we really can't get enough transparency. I hope we will be able to work on those issues in the future. In fact, the last time we had a bipartisan bill here was in the last Congress, when Senator MURKOWSKI, our colleague from Alaska, joined me on a bill that said all major spending from everywhere—wherever you were; progressive, conservative—essentially had to be disclosed. So my own view is that we need more transparency, not less.

Mr. President, I have some brief remarks to make on another subject, unless our chairman wants to make further comments. I will yield on this topic and let the chairman comment. Then after the chairman is done speaking, I will ask unanimous consent—and be certainly no more than 10 minutes on another subject—to speak after the chairman has had a chance.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank my colleague.

Look, people can make up their own minds about this. Read the doggone report. We cannot read it and just say: Brush it off; there is just one rogue employee there. There are all kinds of employees that are mentioned in the report. We can't just wipe it off because we were unable to interview the Treasury Department or the White House. We can't just wipe it off, when we look at all the information there, and just say: Well, this was a bad apple in the IRS, and it was just an ordinary course of events. They mistreated liberal groups or progressive groups, so-called, as much as they did the conservative groups.

There is no question they didn't. There were very few progressive groups, and it was easy to understand which ones they were looking at. My gosh, some of those have had criminal accusations against them. There are only a few of them, compared to the wide group of people on the conservative side—that they knew were conservatives and they put on the BOLO list, the ''be on the lookout'' list.

Now, yes, we weren't able to get into the Treasury Department, and we weren't able to get into the White House and what they did or didn't do in these areas. I don't think we can read this report and conclude that this is just a terribly dysfunctional IRS. I think we can agree that we all knew that before we had this report. But this is a very serious report.

By the way, the report is signed off by both Democrats and Republicans. We can't just wipe it away and say: Well, this is just a bunch of bad apples at the IRS.

Lois Lerner took the Fifth Amendment. She refused to testify in front of the House. Now, she had a right to do that, and I would be the first to stand for that right. But why would she do that?

The fact of the matter is that it was a dysfunctional IRS, and it was being managed by people who were bright enough to not be dysfunctional.

I am not going to say much more because we will answer every one of the distinguished Senator's approaches here this evening. I would just suggest: Read the report. It is signed off by Democrats and Republicans. We can't just blow it off by saying this was just the dysfunction at the IRS. We all know the IRS is dysfunctional, and part of the reason it is is that the IRS is supposed to represent every citizen in this country in a fair and balanced way. But it is governed by a union. They can't even fire somebody at the IRS without going through all kinds of hoops, and then they are going to have a rough time firing them no matter how bad they are. We all know that. We have seen it year after year here. To just brush this off like it is just one bad apple there—there are more apples there than Lois Lerner.

All I can say is this report is a very serious report. It can't be just brushed away. It is a serious report for many reasons.

One reason is that conservative groups, by a vast majority, were mistreated—and mistreated in election years, where they were trying to make a difference. I am not saying I agree with them. All I can say is they had a right to get their 501(c)(4) status determined and not just dragged out past the election.

That alone is something that ought to cause everybody in this country to be a little bit frightened that the IRS can do that. I don't want it done for liberal groups that way. If the Republicans were ever totally in control of the White House, the Justice Department, the IRS, and the Treasury, I wouldn't want anybody treated like these conservative groups were treated. I would probably differ with some of those conservative groups, myself. But they deserve to be treated with respect and with dignity and under the law. And they were not. And we can't just brush it off on just one person being out of line.

I am very concerned about it. I suggest people read the report. Read the report.

There were some things we weren't able to look into. I wish we had been able. I think we might have been able to more definitively lay this out. But to make a long story short, read the report—something that my colleagues on the other side agreed to. Then read the minority views, then read the majority views, and see what you think. But I will tell you this: You have to be alarmed.

The most dangerous agency in our government happens to be the IRS, the Internal Revenue Service. They can break anybody overnight. People are afraid of the IRS, and with good cause. When we see what happened here, they are going to have to be even more fearful—unless we can straighten this mess up. I intend to see that it is straighten up—or straightened out, may be a better way of saying it.

I am very concerned about this. We had people who were mistreated. I might not agree with them, but they were mistreated, in comparison with the liberal groups, which you would have questions about them anyway—some of them.

Well, I am sure we will debate this even more. I don't want to take more of the Senate's time tonight. But I am extremely concerned because I don't think there is an agency in government that causes more fear in the hearts of people than the IRS. And when we see the mess they did, we can't just chalk it up to just a few rogue employees there at the IRS. When we see the mess they did, we have to stop and think: My, gosh, is this the way our country is run? Is this the way the IRS is run? Can we do anything about it? Or do we just have to, as citizens, sit back and forget about it?

Well, we are not going to let them forget about it. This is a very, very important report. I think the majority and minority views are worth reading. I don't see how we can conclude at the end of it that there is not a tremendous problem there.

Keep in mind that when the inspector general investigates and if he doesn't find an absolute, they say he doesn't find anything. They are not going to pick on anybody. I have a lot of respect for the inspector general at the IRS. I remember his being criticized because apparently he is a Republican. But he

is not going to accuse anybody if he doesn't have the evidence.

In this case, there is a whole accumulation of evidence that we cannot ignore and just brush away under the guise that this is just a rogue person. There were other people there as well who caused this calamitous set of events, and we have to not just brush it away. We have to look at it, and we have to find a way of straightening out the IRS so it is not a partisan institution—which most Americans believe it is, and almost every conservative believes it is.

Now, we are making some strides here, and I am going to continue to push on to see that we make strides. But I have to say, ask the American people out there what they think. Read the report, and then we will talk about it some more.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will be very brief. I thank my colleague from Arkansas for his patience. I know he has things he has to have done as well.

FEDERAL WILDFIRE BUDGETING SYSTEM

Mr. WYDEN. I was down here on the floor last night talking about the need for actually getting some real progress to fix the mess that the wildfire budgeting system in our country has become.

I noted there have been several proposals offered, including one by myself and Senator CRAPO called the Wildfire Disaster Funding Act, referred to the Budget Committee. There have been hearings held. There have been speeches given about the need to fix the broken system to provide Federal agencies with the help they need to battle the devastating blazes year in and year out. Senator CRAPO and I have introduced a bill to fix this broken system, and we need to get some real results.

In spite of all the talk, there hasn't been any real action. Twenty-four hours later and I am back, pleased to be able to stand here tonight to say several of our colleagues have heeded my call, and tomorrow I will be putting into the CONGRESSIONAL RECORD a colloquy with all of our signatures—Democrats and Republicans—committed to resolving this issue in the fall. We have been working since last night to set aside a way to work together this summer, with the fires in the West literally fueling the hunger to take meaningful steps this fall, to finally end fire borrowing, and to ensure that Federal agencies have the resources they need to prevent these infernos from igniting in the first place.

Just today, the Forest Service released a report that makes the very clear point that, for the first time in its history, the Forest Service is routinely spending more than half of its budget battling wildfires. They note that the cost of fire suppression could well increase to almost $1.8 billion by 2025. This vicious cycle of underfunding prevention work while huge infernos burn up Federal fire suppression accounts is going to get worse, and what we are going to see as it does is the Forest Service becoming the fire service. That is not in America's interest. It is particularly damaging to my part of the country.

I am pleased to be able to say that, in the last 24 hours, we have made some real progress in addressing this challenge. There is a commitment on both sides of the aisle now, here in the Senate, to get this fixed this fall.

(The remarks of Mr. WYDEN pertaining to the submission of S. Res. 246 are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. WYDEN. I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

JACOB TRIEBER FEDERAL BUILDING, UNITED STATES POST OFFICE, AND UNITED STATES COURT HOUSE

Mr. BOOZMAN. Mr. President, I wish to talk about S. 1707, which will name the Federal building located at 617 Walnut Street in Helena, AR, as the Jacob Trieber Federal Building, United States Post Office, and United States Courthouse.

The Honorable Jacob Trieber paved the way for diversity on the Federal bench as the first Jewish Federal judge. His work on the bench helped fight injustice and laid the foundation for equality with a lasting civic legacy that continues to impact our country.

Born on October 6, 1853, in Raschkow, Prussia, a young Jacob Trieber and his family escaped the growing anti-Semitism in Prussia and moved to the United States. In a few short years they established their homestead and a family story in Helena, AR. In 1873, he began to study law, and 3 years later he entered the Arkansas Bar. In 1897, he was appointed U.S. attorney for the Eastern District of Arkansas in Little Rock.

Three years later, on July 26, 1900, President William McKinley appointed Jacob Trieber to the Federal bench, where for 27 years Judge Trieber served on the U.S. Circuit Court for the Eastern District of Arkansas. Judge Trieber was committed to equal justice for all and ruled for equality for African Americans and women.

Judge Trieber had astounding foresight. Many of his rulings were important to civil rights and wildlife conservation. He also was committed to his local Arkansas community and served as elected official on the Helena City Council and as the Phillips County treasurer.

Judge Trieber played an influential role in saving the Old State House and establishing the Arkansas State Tuberculosis Sanatorium.

In honor of Judge Jacob Trieber, Senator COTTON, Senator COONS, and I have introduced this legislation that designates the Federal building in Helena-West Helena, AR, the Jacob Trieber Federal Building, United States Post Office, and Court House.

Judge Trieber's name will appropriately mark this building and stand as a symbol of his significant work not only for the people of Arkansas but also for the entire United States.

I thank Senator BOXER and Senator INHOFE for helping us advance this in a timely fashion and also the staff of the EPW and the cloakroom staff who does such an outstanding job here.

Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 1707 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1707) to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House.''

There being no objection, the Senate proceeded to consider the bill.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 1707) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1707

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JACOB TRIEBER FEDERAL BUILDING, UNITED STATES POST OFFICE, AND UNITED STATES COURT HOUSE.

(a) DESIGNATION.—The Federal building located at 617 Walnut Street in Helena, Arkansas, shall be known and designated as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING ED LANE

Mr. MCCONNELL. Mr. President, I rise to mourn the loss of an honored Kentuckian, renowned businessman,

and public servant, and my personal friend, Ed Lane. After battling cancer for more than 2 years, Ed passed away on August 2. He was 73 years old.

Ed was passionate about supporting his hometown of Lexington and the Commonwealth of Kentucky. He was well connected to the State's business community through his work as a commercial real estate broker. Seeing a need for a publication for and about Kentucky business, he founded and was the publisher of the Lane Report, a great business news magazine for Kentucky.

Encouraged by his friends in the community to seek public office, Ed also represented the 12th District of Lexington on the Lexington-Fayette Urban County Government Council since 2005. He was reelected without opposition in 2014. As a council member, he brought his business experience and his wisdom to fight for and represent Lexington businesses and his district.

In addition to his public service as a council member, Ed supported his community through many philanthropic efforts and volunteer service. He served on the boards of many community, arts and civic organizations, including the Breeders' Cup Host Committee, the UK Sanders-Brown Center of Aging Foundation Board, the Lexington Downtown Development Authority Board, the Lexington-Fayette Urban County Airport Board, the Kentucky Arts Council, the 2010 FEI World Equestrian Games Advisory Committee, LexArts, the Lexington Ballet, the Lexington Philharmonic, the Better Business Bureau of Lexington, Junior Achievement of the Bluegrass, the Mayor's American Recovery and Reinvestment Act Committee, the Fayette County Equine Task Force, the Commerce Lexington Agribusiness Committee, and others.

Ed was an artist, photographer, and art collector. He loved cooking, reading, gardening, and talking politics. He also loved fast cars, earning him the nickname ''Fast Eddie'' in the 1960s. Ed is survived by his daughters Susan Brett Lane and Katherine Meredith Lane.

I was deeply saddened to hear of Ed's passing. He was a good friend, and I always enjoyed reading the Lane Report, especially Ed's engaging One-on-One interviews. Elaine and I send our condolences to his family.

The Lexington Herald-Leader recently published an article detailing Ed's life and achievements. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Lexington Herald-Leader, Aug. 3, 2015]

LEXINGTON COUNCIL MEMBER, BUSINESS MAGAZINE FOUNDER AND PUBLISHER ED LANE DIES AT 73

(By Greg Kocher and Karla Ward)

Lexington Urban County Councilman Edwin ''Ed'' Green Lane III, founder and publisher of The Lane Report magazine, died Sunday night. He was 73.

Lane, a longtime commercial real-estate broker, had battled cancer for more than two years, according to a statement Monday afternoon from The Lane Report, an online and monthly print magazine of business news.

He made his first run for public office in 2004, when he was elected to represent the 12th District on the council. He took office in 2005 and had been re-elected to two-year terms ever since.

Lane is survived by daughters Susan Brett Lane and Katherine Meredith Lane, who were with him when he died, according to The Lane Report.

''The staff is saddened by the passing of an amazing man, but it is lessened by how we marvel at the legacy Ed Lane leaves,'' said Mark Green, editorial director of Lane Communications Group.

''His energy, his intelligence, his enthusiasm, his optimism and concern for his family, community and the nation will be missed but will continue to influence us. He was a true leader. The man had enthusiasm for life.''

Mayor Jim Gray issued a statement: ''Not only was Ed highly successful in his own business, he was an outstanding public servant who brought his business experience and expertise to City Hall to fight for Lexington's business men and women. He also was a strong advocate for his district. Our city will miss his leadership and experience.''

Sen. Mitch McConnell said he ''was saddened to hear of the passing of my good friend Ed Lane. Ed was a dedicated public servant and a tireless advocate for the people of Kentucky. He was also a successful businessman and publisher. I always enjoyed reading the Lane Report, a great publication for and about Kentucky's business community, especially Ed's engaging 'One-on-One' interviews.''

Councilman Bill Farmer Jr. said Lane's knowledge about real estate proved valuable whenever the council considered whether to buy property.

''He could make or break any land deal,'' Farmer said. ''He could sit and go through the numbers at the microphone, off the top of his head, about what the overhead would be, how much something would cost, what the cost would be per square foot. . . . He could look at any deal like that and criticize it or laud it, and immediately you would go, 'Yep, that's it and why.' ''

That talent for finances made Lane a strong member of the council, former Mayor Jim Newberry said.

''His financial acumen was way above average,'' Newberry said. ''He was really helpful when it came to budget issues or the pension problems, or whether or not we ought to refinance bonds.''

He said Lane also was ''a fun person to be around'' and they became good friends.

''Ed just had a personality that I would characterize as delightful,'' Newberry said. He ''had a good sense of humor, didn't get too worked up about things, certainly didn't take himself or what he was doing too seriously. . . . He gave a lot to the community and had so much more to give.''

Lane was born in Nashville and graduated from the University of Georgia.

After college, he worked for a major advertising agency in New York for a couple of years, according to The Lane Report website. He later moved to Atlanta, where he was sales manager for WRNG radio and was president of the Atlanta Young Republicans.

He also got into the commercial real-estate business, which led to a job as national director of real estate for Lexington-based Jerrico in its Atlanta regional office, The Lane Report said. Lane came to Lexington regularly as he scouted new locations for the company, and he was involved in many site acquisitions for Long John Silver's Seafood Shoppes nationwide.

In 1981, Lane started the Lexington-based commercial real-estate brokerage Lane Consultants and, later, Lane Communications Group, publisher of The Lane Report.

Running a magazine is ''a risk that very few people have been able to be successful in,'' but Lane ''did it terrifically well,'' said Jim Host, founder of Host Communications and former Kentucky secretary of commerce.

''It ended up kind of being the official business magazine of the state,'' he said.

Host said Lane was kind, insightful and had a non-threatening demeanor during interviews ''but also really got to the core of what he was trying to communicate.''

''I admired the dickens out of him,'' Host said.

Former councilman Doug Martin said he and Lane were from opposite ends of the political spectrum, but they enjoyed breaking bread together in a restaurant or at Lane's home.

''He was a fine chef,'' said Martin, who sat next to Lane in the council chambers from 2009 to 2013. ''He was always very proud of coming up with some great concoction or some great recipe or some great ingredient that he'd found. He would have pots of herbs and fish and seasonings, and it would all just kind of stew together, and it would end up in this fabulous presentation.''

Services will be at 7 p.m. Aug. 15 at Kerr Brothers Funeral Home on Harrodsburg Road. Visitation will begin at 6 p.m.

TRIBUTE TO JIM RUTLEDGE

Mr. MCCONNELL. Mr. President, I rise to recognize and congratulate a distinguished Kentuckian who is closely associated with the Commonwealth's most famous product. Jim Rutledge, the master distiller of Four Roses Bourbon, has announced his retirement from that position effective September 1, 2015.

Jim is in his 49th year working in the bourbon business, and has been the master distiller at Four Roses since 1995. As master distiller, Jim is in charge of perfecting each Four Roses bottle. He oversees every stage of the distillation process and oversees the character, quality and consistency of each barrel.

Jim began his career in the distilled spirits industry with Seagram's Louisville Research & Development operation in 1966. He was transferred to the Four Roses distillery in Lawrenceburg, as the Kentucky area manager, in 1994 and then named master distiller in 1995. In 1998, Jim received Seagram's top award, the Mel Griffin Quality Award for North America, and in 2001, Jim was indicted into the inaugural class of the Kentucky Bourbon Hall of Fame.

In 2007, Jim received the Lifetime Achievement Award from Malt Advocate Magazine, and in 2008, the leading liquor industry publication, Whisky Magazine, named him the Ambassador of the Year for American Whiskies as part of their annual Icons of Whisky Awards. Jim was also inducted into Whisky Magazine's Hall of Fame in

2013. He was only the second American inducted into this elite group.

Jim was also active with the Kentucky Distillers Association board of directors for 13 years, and served as chairman of the internationally attended Kentucky Bourbon Festival for 7 of the 9 years he was on the board. The Kentucky Bourbon Festival is a 6-day event that takes place in Bardstown, KY.

Jim graduated from the University of Louisville with a BSC in marketing and a minor in chemistry. Let me add that not only did Jim and I both attend the University of Louisville, we are also fraternity brothers.

In retirement, Jim hopes to stay involved with bourbon and the distilled spirits industry. I suspect he will also get to spend more time with his wife Beverly Anne, as well as his children Dennis, Deborah, Cynthia, and Doralee, and his grandchildren.

Jim will be missed as the face of Four Roses Bourbon but I know the entire distilled spirits industry in Kentucky joins me in recognizing his lifetime of accomplishment and wishing him the best in retirement. I want to wish congratulations again to Jim Rutledge for his many successes in the world of bourbon.

TRIBUTE TO DANIELLE BLAKENEY

Mr. MCCONNELL. Mr. President, I rise to pay tribute to an honored Kentuckian who is bringing home Olympic gold. Danielle Blakeney of Erlanger is a rhythmic gymnast who has won three gold medals at the 2015 Special Olympics World Games in Los Angeles.

Danielle won the gold medal in the ball routine competition. She also won gold in all-around rhythmic gymnastics, and was part of the gold medal-winning team in the group ball competition.

Danielle also won a silver medal in the ribbon competition, a bronze medal in the clubs competition, and placed fifth in the hoop competition.

Danielle is 24 years old and a graduate of Boone County High School. She is one of six Kentucky athletes competing in this year's Special Olympics, among 7,000 athletes representing 177 countries.

Danielle is no stranger to winning medals. She is competing in her second Special Olympics World Games. In addition to winning the all-around gold medal in rhythmic gymnastics at the 2011 Games in Athens, Greece, she won two golds, a silver and a bronze in individual events at that games as well.

The mission of the Special Olympics is to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them the opportunity to see the power of sport change lives. The first Special Olympics Games was held in 1968 in Chicago, and saw a thousand people with intellectual disabilities from 26 States and Canada participate.

Today, Danielle Blakeney and her fellow athletes are the inheritors of that legacy. I want to congratulate Danielle for her many athletic achievements. She truly makes Kentucky proud and we are pleased she will be bringing her medals home to the Bluegrass State.

RECOGNIZING THE ANNIVERSARIES OF SOCIAL SECURITY, MEDICARE, AND MEDICAID

Mr. REID. Mr. President, I rise today to recognize the respective anniversaries of three of the most important programs for American seniors: Social Security, Medicare, and Medicaid.

On August 14, 1935, President Franklin D. Roosevelt signed the Social Security Act into law. Among other things, this bill created the Social Security Program and made a promise to all Americans: that if you work hard, contribute, and play by the rules, you can retire and live in dignity.

Before Social Security, more than 50 percent of older Americans in this country lived in poverty. Many of these seniors worked hard their entire lives but became dependent on others and often had to beg for basic necessities, such as food, shelter, and medical care. ''Poverty-ridden old age'' was a pressing national concern both for seniors and younger Americans, who wondered if their years of hard work would provide enough for them to survive in their old age.

Today, less than 9 percent of seniors live in poverty. This significant decrease in poverty among seniors is a direct result of Social Security and the secure retirement it provides.

As we approach the program's 80th anniversary, Social Security is the most successful program in American history, and its trust fund contains sufficient assets to fully fund all promised benefits for almost 20 years. Yet, notwithstanding its success, Social Security remains deeply controversial among many Republicans and super-wealthy Americans, who are committed to weakening and ultimately destroying the program.

Just 10 years ago, President George W. Bush tried to privatize Social Security, which would have forced deep cuts to guaranteed benefits and a massive increase in debt. More recently, several leading Republicans have called for delaying the retirement age and cutting benefits. I have strongly opposed all these proposals to break our promises to seniors, and I will continue to do so.

On July 30, 1965, President Lyndon B. Johnson expanded our Nation's commitment to seniors by signing into law the Social Security Amendments of 1965—the legislation that created Medicare. For 50 years, this program has helped millions of American seniors live longer, healthier lives and has also provided them with the peace-of-mind and economic security that comes with having comprehensive health coverage.

I remember what it was like for seniors who became sick or injured before Medicare was enacted. In fact, Medicare was implemented during my tenure on the board of trustees for the Southern Nevada Memorial Hospital, now the University Medical Center of Southern Nevada. Prior to Medicare, 40 percent of seniors who came into that hospital were required to have a signature from a friend or relative who agreed to be responsible for their medical bill if they could not pay. If the patient could not produce a signature, they were turned away. Nationwide, nearly half of all seniors age 65 and older were uninsured, and if you were fortunate enough to have health insurance, you paid more than 50 percent of the cost out-of-pocket. That is how bad it was for seniors. Today, 98 percent of all seniors are insured and can go to the hospital or see their doctor when they need care. This program has truly been a lifeline for millions of seniors throughout the country.

And let us not forget about Medicaid, which was also created under the Social Security Amendments of 1965. Medicaid provides health care and long-term services to 16 million low-income seniors and individuals with disabilities. Medicaid pays for services that Medicare does not cover. It ensures that low-income seniors and individuals with disabilities have access to a wide variety of services. These options often allow them to remain in their communities rather than relocating to nursing homes.

I have long worked to protect and strengthen Medicare and Medicaid for the millions of seniors and younger Americans who depend on these benefits. In 2010, I proudly cast my vote in support of the Affordable Care Act, which is strengthening Medicare and working to keep seniors' hard-earned savings in their own pockets. Since this law was enacted, millions of seniors throughout the country have saved more than $15 billion dollars on their prescription drug costs and the program's solvency has been extended for 13 years. The Affordable Care Act has also given States the option of expanding their Medicaid Programs so that more low-income Americans can access the care they need.

Sadly, Republicans have repeatedly attacked and tried to eliminate Medicare and Medicaid, just as they have done with Social Security. Throughout the last 50 years, they have tried to privatize Medicare, convert Medicaid into a block grant program, and cut benefits for both programs. Now, they have set their sights on the Affordable Care Act, with repeated challenges to the law before the courts, more than 50 votes to repeal or undermine the law, and Republican Governors turning back millions of Federal dollars to expand their Medicaid Programs and expand access to health care in their States. Republicans are determined to destroy effective health care programs in spite of all the good they have done, but my Democratic colleagues and I will continue to work to prevent this from happening.

As President Roosevelt signed the Social Security Act into law 80 years ago, he said, ''Today, a hope of many years' standing is in large part fulfilled . . . We have tried to frame a law which will give some measure of protection to the average citizen and to his family against the loss of a job and against poverty-ridden old age.'' Similarly, five decades ago President Johnson declared, ''No longer will Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years.'' Let us remain mindful of these words and the promise that our country has made to seniors as we commemorate the 80th anniversary of Social Security and the 50th anniversary of Medicare and Medicaid. I am committed—just as President Roosevelt and President Johnson were decades ago—to giving Americans the health and economic security they need, deserve, and have earned.

CELEBRATING THE 20TH ANNIVERSARY OF THE UNITED LABOR AGENCY OF NEVADA

Mr. REID. Mr. President, I rise today to recognize the 20th anniversary of the United Labor Agency of Nevada.

Since it was established in a joint venture with United Way of Southern Nevada and Nevada State AFL–CIO in 1995, the United Labor Agency of Nevada, ULAN, has been assisting Nevada families who are experiencing unexpected crises. Whether it be job loss or a medical emergency, ULAN provides individuals and families throughout our community with assistance so they may have access to vital resources, such as housing and nutrition, during their time of need. ULAN also offers guidance to those battling hardship to prepare plans for long-term self-sufficiency and financial stability. These imperative services have made a lasting impact on Nevadans, and the benefits of ULAN's services are felt across the Silver State.

ULAN began as a small dream, with only Audrey Arnold and $30,000 to help the community. Under Ms. Arnold's steadfast leadership, ULAN has grown into a $2 million organization. Today, Ms. Arnold and her dedicated staff and volunteers are now able to provide a one-stop shop for those experiencing hardship. By offering immediate housing, nutrition, job outreach, and financial counseling services, the organization works to prevent financial situations from becoming worse and helps individuals and families transition to living within their means on a new reduced income through federal programs and other resources. This two-pronged approach has had a remarkable effect on countless families over the past 20 years.

I applaud ULAN on their decades of dedicated public service and extend my best wishes for much continued success.

WOOD DALE AND GRAYSLAKE, ILLINOIS STORMS

Mr. DURBIN. Mr. President, once again, Illinois communities are assessing damage from severe storms. A confirmed tornado along with heavy winds, hail, and lightning moved through the Chicago area on Sunday leaving a path of damage in several communities.

The city of Wood Dale was hit Sunday afternoon during the last day of its Prairie Fest, an annual 4-day festival with rides, food, and music. Due to the storm, rides were stopped and organizers tried to evacuate. But the storm approached too quickly, and its winds knocked down the festival's main tent where many people had gathered to take shelter.

Twenty people were hurt and, tragically, Steven Nincic was killed. He was at the festival with his wife and two young daughters. Our thoughts and prayers are with Steven Nincic's family, as they are with those who were injured by the storm. I spoke this morning with Wood Dale's Mayor Nunzio Pulice, and I know he is leading the community through this loss.

Severe weather continued throughout the day in the Chicago area. Chicago's Lollapalooza music festival evacuated its festival grounds at Grant Park before its scheduled closing. Mayor Emanuel and I also spoke this morning. He is working to assess the damage and help residents clean up and recover from the damage.

My office is also in touch with Mayor Rhett Taylor of the Village of Grayslake, Mayor Kristina Kovarik with Village of Gurnee, and Illinois Representative Sam Yingling. These communities are hurting in the aftermath of Sunday's terrible storms that brought winds at 60 miles an hour and golf ball-sized hail.

A tornado touched down in Grayslake, ripping the roof off the high school and damaging several other buildings and homes. These storms also toppled power lines and trees, making several roads in the area impassable. Crews are working to clean up debris and restore electricity. Over 16,000 people were left without power this morning. Thankfully, no injuries were reported as a result of the Grayslake storms.

Along with other members of the Illinois congressional delegation, I stand ready to help in any way I can as the people in Dale Wood and Grayslake begin the clean-up and recovery from this weekend's deadly storms.

The State of Illinois has sustained extensive damage and managed clean-up costs following a number of severe storms already this year. I stand ready to support any request for Federal disaster aid, including the Governor's request today for FEMA's assistance with damage assessments in downstate communities still recovering from earlier storms.

COMPOUNDED PHARMACEUTICALS IN THE DEPARTMENT OF DEFENSE

Mr. DURBIN. Mr. President, we all know the Department of Defense's record with bungled acquisitions that led to $500 hammers and $7,000 coffee makers. The Pentagon has a tough time keeping up with unscrupulous contractors who have figured out how to get rich on the taxpayer's dime, and unfortunately I have learned of yet another example of this.

Several dozen pharmacies around the country specialize in compound pharmaceuticals. These are drugs that are combinations of two or more prescription medications. Many of these pharmacies are on the up-and-up, helping people, and our servicemembers, recover from illnesses or wounds. But a good number of these compounding pharmacies have linked up with high-pressure salesmen and disreputable physicians to scam the Department of Defense out of as much as $1.2 billion in taxpayer money in this year alone.

The sales pitch went like this. A U.S. servicemember, a military retiree, or their spouse might get a phone call at home asking whether a TRICARE beneficiary is suffering from pain. The telemarketer might ask a few simple questions, get a little bit of personal information, and suddenly, weeks later, prescription creams would start showing up in the mail. In other cases, a food truck may pull up in front of a military base. If a servicemember wanted a hot dog, he or she could listen to a pitch about compounded pharmaceuticals and sign a piece of paper. In many cases, that servicemember had no idea they were signing up for an expensive prescription that might have no medical value. These sneaky marketers would pass personal information on to doctors, often hundreds or thousands of miles away, who would then write prescription after prescription, never having seen the patient.

These ointments and creams were then custom made by a compounding pharmacy, and the bill was sent to the Department of Defense. According to health officials in the Department of Defense, one of these pain creams had a value of about $150 each. But the Defense Health Program was billed more than $9,000 each. This scam has added up to big dollars. In 2004, the Department of Defense spent just $5 million on compound pharmaceuticals. By 2014, as these efforts began to ramp up, the total rose to $514 million. In April of 2015, just 1 month alone, the bill to the Pentagon was nearly $500 million. DOD says the total cost of compound pharmaceuticals for this fiscal year could be as much as $1.2 billion.

What is tragic about this waste of money is that it could have been prevented. In 2013, the Pentagon considered policy changes it could make to the approval process for compound pharmaceuticals. DOD officials came under heavy pressure, both from Members of Congress and from some of these companies, not to move forward.

This pressure continued right up through March of this year.

Finally, in May, the Department of Defense was able to institute a screening procedure to get at this problem. And the costs charged to TRICARE have dropped dramatically—down to $10 million per month.

Let me repeat that. The Department paid $500 million for compound drugs in April. The Department changed its approval process, and it now pays $10 million a month for compound drugs. I met with Assistant Secretary for Health Affairs Dr. Jonathan Woodson about this. He is confident that this safeguard—and others—will protect the taxpayer in the future. Regrettably, in this case, the horse ran out of the barn and cost the American taxpayer $1.2 billion before anyone could stop these scams. But no one can escape the long arm of the law forever. The Department of Justice has opened more than 100 criminal investigations, and $60 million has been recovered so far. The DOD has suspended 26 providers for wrongdoing, and identified 71 individuals or entities who are believed to be associated with these scheme.

As vice chairman of the Defense Appropriations Subcommittee, working with Chairman COCHRAN, we have the responsibility to look after how the Pentagon is spending its funds. I bring this episode to light because there are many lessons to be learned about the need to demand a bureaucracy agile enough to catch profiteers and about the ways that congressional oversight can hamper enforcement rather than encourage it. I hope my colleagues takes those lesson to heart.

I will also say that THAD COCHRAN and I will continue to root out these incidents wherever they occur and work in partnership with the department to provide for our servicemembers in ways faithful to the taxpayer.

RECOGNIZING WENDY WERTHEIMER

Mr. DURBIN. Mr. President, I want to acknowledge Wendy Wertheimer, an outstanding Federal employee who has spent decades working to advance the domestic and international HIV/AIDS research effort. Wendy is about to complete nearly 30 years of Federal service that began in the Senate and is now coming to an end at the National Institutes of Health.

Like many bright young people in Washington, Wendy began her career right here in the U.S. Senate, working for Senator Jacob Javits. Later she joined the legislative staff of what was then called the Senate Labor and Human Resources Committee, led by Chairman Edward Kennedy and Ranking Member Jacob Javits. Wendy's first assignment was the Venereal Diseases Control Act, which many on staff saw as a form of hazing for a new, young staff member. But Wendy was personally connected to the issue. Her grandfather had been the chair of Dermatology and Syphilology at a hospital in Pittsburgh and had conducted early clinical studies of syphilis. She embraced the assignment, and the bill passed with bipartisan support. It was the first bill Wendy had ever worked on—she was off to a good start.

In 1979, the American Social Health Association established the first advocacy group for venereal disease control and research, and Wendy was offered a job as its director of government affairs. After hearing the news, Wendy's mother was horrified and told her she will never get another date because everyone will assume that she has a venereal disease. Wendy accepted the job anyway and became the first venereal disease, or VD, advocate in Washington. She was a pioneer in the field and began working on a number of new education and research training programs, including the National VD Hotline.

On June 5, 1981, the first cases of what we now know as AIDS were reported by the Centers for Disease Control and Prevention. By the end of 1981, five to six new cases of the disease were being reported each week and an epidemic of fear was breaking out. The American Social Health Association became one of the first organizations to advocate bringing attention to this disease, and Wendy found herself on the frontlines combatting the HIV/AIDS pandemic. In 1991, she was recruited by the NIH to help establish the Office of Research on Women's Health. And since 1992, Wendy has been the senior advisor, responsible for planning, policy, legislation and communications at the Office of AIDS Research at the NIH.

It is hard to imagine, but when Wendy Wertheimer began at the NIH, an AIDS diagnosis meant a sure and agonizing death. We have come a long way since the disease was first reported, and in many ways progress on HIV/AIDS is one of the most remarkable success stories in the history of biomedical research. Wendy Wertheimer shares in this success and the research accomplishments that led to lifesaving treatments and a hopeful future about what more can be achieved.

For more than two decades, Wendy has worked with Dr. Jack Whitescarver—the longest serving director at the Office of AIDS Research at NIH—who is also retiring this year. And here is what he said:

> We have made critical and even breathtaking progress in AIDS research against many odds. We have been challenged to confront and address stigma, homophobia, racial disparities, and criticisms of the AIDS research investment. We have come a long way, but the AIDS pandemic is far from over and remains a threat to global populations. Any declaration that the end is near is premature, inaccurate, and perilous to progress against the pandemic.

He is right. Being HIV-positive is not the death sentence it once was, but the battle is far from over. And although Dr. Whitescarver and Wendy Wertheimer are retiring, the fight goes on, and the work continues. I want to thank them for all they have done and all they will do to combat this terrible disease. They have set a high bar for the dedicated public servants who follow them.

I will close with this. I strongly believe in the role of public service to create change and make a difference. Wendy Wertheimer's years of service reflect these values. I am honored to congratulate her on a job well done, and I am lucky to count her as a friend.

REMEMBERING YOSHI KATSUMURA

Mr. DURBIN. Mr. President, last Sunday, the legendary chef Yoshi Katsumura passed away after a battle with cancer.

You would never guess that a 15-minute walk from Wrigley Field, where hot dogs and beer reign supreme, would take you to a place bringing together the foods of Tokyo, Paris, Lyon, and Chicago. But that is what Yoshi built at the quiet, unassuming place known simply as Yoshi's Café. Honored by his peers for the past 30 years of exquisite food preparation, Yoshi was a master of his art.

Yoshi was born in Japan's Ibaraki Prefecture—a region on the main island of Japan—in 1950. At the age of 20, he apprenticed under another legendary chef, Hiroyuki Sakai in Tokyo. Through Sakai, Yoshi began learning the complexities of French cooking.

In 1973, Yoshi ventured to Chicago, where he quickly advanced in fine French culinary arts. He studied under Chicago's first celebrity chef, Jean Banchet, at Le Francais. Yoshi would go on to refine his skills in Paris and Lyon, and he returned to Chicago as a chef and partner at the city's premier French fusion restaurant, Jimmy's Place. In 1982, Yoshi opened his own restaurant with his wife Nobuko, Yoshi's Place.

For more than three decades, Yoshi's Café has won the hearts and stomachs of Chicago and the country. Yoshi's has been featured on the Food Network and listed among ''America's Top Tables'' by Conde Nast's Gourmet magazine. His fusion of cultures brought diners to North Halsted Street for dishes like Hamachi tartare and the Wagyu burger.

If you look closely for a sign next to Yoshi's Café, you will find that Aldine Avenue east of Halsted is designated ''Yoshi Katsumura Way.'' His way was creating wonderful food for his community and making it a better place. He served on the Northalsted Business Alliance board and organized charitable events, including Hurricane Sandy relief and aid for victims of the 2011 Japanese tsunami. And he always took the time to talk to his customers.

Loretta and I love Yoshi's. I once showed up at the restaurant on a Monday evening, forgetting it was closed. Stranded on the corner, trying to decide where to go, I heard someone call my name. It was Yoshi, who lived

above the restaurant, calling down to me and offering to fix a meal for me on his day off. That was the moment when service became friendship and I came to know the goodness of this man.

Yoshi was indeed a special kind of man. His last message was to keep Yoshi's Café going. He will be missed. Loretta and I send our prayers and thoughts to his wife, Nobuko; his daughter, Mari; his son, Ken; his brother Kazuhiro Katsumura; and grandson Hiro.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, we began this year with a new Republican majority in the Senate promising to govern responsibly. Unfortunately, this promise has so far proven hollow. Beginning with the shameful treatment of the nomination of Loretta Lynch to be Attorney General, the Republican leadership has used excuse after excuse to keep the Senate from voting on those nominated to serve in our justice system.

It took 4 months for the Republican majority to schedule a vote on a single judicial nomination. So far this year, the Republican-controlled Senate has allowed confirmation votes on just five judicial nominees. The slow trickle of confirmations is a dereliction of the Senate's constitutional duty to provide advice and consent on judicial nominees. Since the beginning of this year, the number of Federal court vacancies deemed to be ''judicial emergencies'' by the nonpartisan Administrative Office of the U.S. Courts has increased by 158 percent. There are now 31 judicial emergency vacancies that are affecting communities across the country. Many are concerned that this obstruction threatens the functioning of our independent judiciary, as Juan Williams recently pointed out. I ask unanimous consent that his column in The Hill titled ''The GOP's judicial log jam'' be printed in the RECORD.

There is a different way to lead. Similar to the balance of power today, in the last 2 years of the George W. Bush administration the Democrats were in control of the Senate. And by this time in 2007, when I was chairman of the Judiciary Committee, we had confirmed 26 judges. In contrast, this Congress, the Republican majority has confirmed just five judicial nominees appointed by President Obama. That is more than five times more judges confirmed under a Democratic majority with a President of the opposite party than today's Senate Republican majority.

The delay and obstruction is occurring even though all 14 of the current judicial nominees pending on the Executive Calendar have bipartisan support and were voted out of the Judiciary Committee by voice vote.

These nominees are highly qualified and deserve better treatment from Senate Republicans. Of great concern is the treatment of Judge Luis Felipe Restrepo, who will fill an emergency vacancy on the U.S. Court of Appeals for the Third Circuit in Pennsylvania. Judge Restrepo was unanimously confirmed 2 years ago by the Senate to serve as a district court judge. I have heard no objection to his nomination. Yet it took 7 months just to get him a hearing in the Judiciary Committee.

He has strong bipartisan support from the two Pennsylvania Senators, and was voted out of the Judiciary Committee unanimously by voice vote. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit. He has the strong endorsement of the nonpartisan Hispanic National Bar Association, HNBA. At his hearing in June, Senator TOOMEY stated that ''there is no question [Judge Restrepo] is a very well qualified candidate to serve on the Third Circuit'' and underscored the fact that he recommended Judge Restrepo to the White House. Senator TOOMEY then described Judge Restrepo's life story as ''an American Dream story'' recounting how Judge Restrepo, born in Medellín, Colombia, came to the United States, became a U.S. citizen, and rose to the very top of his profession by ''virtue of his hard work, his intellect, his integrity.''

Given his remarkable credentials, recent Senate confirmation, and strong bipartisan support, you would think this Chamber would have confirmed Judge Restrepo months ago. No Senate Democrat opposes a vote on his nomination. Senate Republicans are the only thing holding up his nomination. I know Senator TOOMEY can be a fierce advocate for issues he cares passionately about, and I hope he will get a firm commitment from the majority leader on a date for a vote on his confirmation. The continued delay on such a qualified judicial nominee is a poor reflection on this body. I ask unanimous consent that a recent column by Carl Tobias in the Pittsburgh Tribune-Review titled ''Confirm Judge Restrepo'' also be printed in the RECORD.

Another eminently qualified nominee who is also strongly supported by the HNBA is Armando Bonilla. Mr. Bonilla has been nominated to serve on the U.S. Court of Federal Claims, and would be the first Hispanic judge to hold a seat on that court. Mr. Bonilla has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department's prestigious Honors Program, and has risen to become the Associate Deputy Attorney General in the Department. Despite these outstanding credentials, the junior Senator from Arkansas objected to a request to vote on his nomination, along with any of the four other nominations to the Court of Federal Claims. These CFC nominees have been waiting for more than 10 months for a vote, and were twice voted out of the Judiciary Committee unanimously by voice vote.

Those who serve in this body understand that no one Senator can stop a judicial nominee from being confirmed. One Senator can stop a unanimous consent agreement, but not a vote. The delay and obstruction of the 14 judicial nominees pending on the Executive Calendar, including Judge Restrepo and Mr. Bonilla, is at the hands of the Republican leadership and in the hands of the other Republican Senators, who have allowed their leadership to delay these accomplished jurists and prosecutors, even when it hurts their own constituents.

Republican leadership can still reverse course and lead responsibly. Although they have only allowed 5 judicial nominees to be confirmed this year, they can make immediate progress by moving to confirm the 14 nominees pending on the Executive Calendar. They should schedule a vote for outstanding nominees like Judge Restrepo and Mr. Bonilla. They should schedule a vote for the pending judicial nominees from Missouri, California, New York, and Tennessee.

In the last 2 years of President Bush's tenure, the Democratic majority moved 68 district and circuit judges through the process to confirmation. In the last 2 years of President Reagan's tenure, a Democratic majority confirmed 85 judges. Let us go back to treating the Federal judiciary like the coequal branch that it is and hold confirmation votes on the nominees before us. There is no reason for the double standard based on who is in the majority. We made it clear we would not do that with President Reagan and President Bush. We should uphold the same standard for President Obama.

I hope that we return to the regular order that existed for the nominees of past administrations and clear the Senate Executive Calendar of consensus nominations before the upcoming recess. The time to act on the 14 consensus judicial nominations pending before the full is Senate is now.

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

[From the Hill, July 27, 2015]

THE GOP'S JUDICIAL LOGJAM

(By Juan Williams)

As the hot Washington summer approaches August, the Senate's Republican majority is already on vacation from the work of confirming judges. At the current torpid pace, they will put the lowest number of judges on the federal bench in any year since 1969.

Do you think this crashed system for filling the federal bench has anything to do with the GOP Senate majority's distaste for the liberal in the White House—even if he was chosen by the American people twice as their president and given the constitutional authority to nominate judges?

Yes, this involves a heavy dose of simple obstruction by the GOP. Keep in mind that if it were not for Republican judges blocking President Obama's executive order on immigration, the GOP would have already lost that fight. So in a politically polarized nation, Republicans have reason to keep an eye on the partisan make-up of the courts.

That is just one of the many political backroom plots being played out in the Senate over control of the nation's courts.

The game begins with GOP payback for the Democrats having changed the filibuster rules in 2013 to allow confirmation with a simple majority vote. That ''nuclear option'' broke the GOP hold on judicial nominations while Democrats still held the majority and cleared the way for 96 judges to take their seats.

Now the GOP holds the Senate majority and Republicans have slammed the lid on new judges from Obama. This makes judicial nominations a valuable point of leverage in future negotiations with the White House over budget issues, regulation and more.

And with a presidential election next year, the GOP hopes to soon have a president of its own sending over nominations, beginning January 2017. Then, there is the reality that four of the five current Supreme Court justices are over the age of 75—including Justice Anthony Kennedy, the ''swing vote.'' Republicans have little incentive to allow Obama to put more Democrats throughout the nation's judiciary.

The extreme Republican anger at the federal courts is already a big issue in the 2016 presidential race. Last week, Sen. Ted Cruz (R–Texas), chairman of the Judiciary Committee's oversight panel for the federal courts, held a hearing titled: ''With Prejudice: Supreme Court Activism and Possible Solutions.'' He called the hearing to show the depths of his upset with the recent decisions to uphold ObamaCare and grant same-sex couples the right to marry.

Cruz, a former Supreme Court law clerk, used the hearing to trash a court with a majority of five conservatives, led by a conservative—Chief Justice John Roberts—and by all measures a strongly conservative record in rulings on guns, campaign spending, and blocking Environmental Protection Agency regulation of airborne chemicals.

As a candidate for the GOP's 2016 presidential nomination, Cruz knows the high court's standing among Republican voters is low. After the ObamaCare and gay marriage decisions, only 18 percent of Republicans told Gallup last week that they approve of the court. Cruz set the tone for his hearing by saying he wanted to review ''options the American people have to rein in judicial tyranny.''

Sen. Cruz is a fan of extreme action to deal with this ''tyranny.'' He is proposing having Supreme Court justices stand for retention election every eight years.

Former Arkansas Gov. Mike Huckabee, another candidate for the GOP presidential nomination, favors term limits.

Sen. Jeff Sessions (R–Ala.) declared during the hearing that the current court has a ''foreign, unhistorical approach to law.''

Between the Senate Republicans' success at clogging the judicial appointment process and the burst of harsh rhetoric, there is a growing risk of a serious erosion of the public trust in the nation's judicial system.

Obama also is playing the dangerous game.

He has not nominated anyone to fill 47 of the 63 open seats on the federal bench. No doubt he feels it would be a waste of time to keep pushing good money—in this case judicial nominees—down a hole. The president does have seven judicial nominees before the Senate and three would help with the judicial emergencies.

For both liberals and conservatives, the current roadblock has consequences. According to www.uscourts.gov, 28 federal courts have now declared ''judicial emergencies'' because they lack enough judges to hear pending cases.

Earlier this month, the Senate confirmed its fifth federal judge for the year, Kara Stoll. The current Senate is so far behind they have not reached the half-way point to match the previous record low for confirmations, 12, set in President Obama's first year in office.

The number of judges confirmed during President George W. Bush's second term, higher than the current rate for Obama, is still less than the number of judges confirmed in the final two years of Presidents Reagan and Clinton.

But now that Republicans are in charge, the Bush record looks generous.

''It's ridiculous,'' said Sen. Patrick Leahy (D–Vt.). He chaired the Senate Judiciary Committee with the Democrats in the majority. ''They are trying to politicize the courts. And it's irresponsible. I refused to do it with President Reagan. I refused to do that with President [George W.] Bush.''

Can the Senate expect better results with a President Hillary Clinton or President Bernie Sanders? How about President Jeb Bush or President Donald Trump? Most likely it will be more of the same—a continuing loss of the bipartisan trust and respect that once made America's courts the gold standard of justice for the world.

[From Pittsburgh Tribune-Review, July 30, 2015]

CONFIRM JUDGE RESTREPO

(By Carl Tobias)

Today, as in 2007, a Pennsylvania federal district court judge's unopposed nomination to the Third Circuit requires a final vote in a Senate the president's party does not control. On March 15, 2007, a Democrat Senate confirmed President George W. Bush's nomination of Pittsburgh District Judge Thomas Hardiman one week after his Judiciary Committee approval.

This precedent is one reason Senate Majority Leader Mitch McConnell, R–Ky., must schedule an immediate vote on Judge Luis Felipe Restrepo's nomination, which the committee approved on July 9. Restrepo would fill one of 28 vacancies the courts have declared judicial emergencies.

President Obama nominated the experienced, uncontroversial jurist in November on the strong bipartisan recommendation of Pennsylvania Sens. Bob Casey (D) and Pat Toomey (R). Moreover, on July 1, Third Circuit Judge Marjorie Rendell assumed senior status. This means that Judge Hardiman is one of six active Pennsylvania members on the court, which experiences two vacancies in 14 positions.

Toomey's spokesperson says that the senator has spoken directly with McConnell ''to emphasize the importance of getting Judge Restrepo confirmed'' but did not indicate Toomey urged a prompt vote. As Senate Minority Leader Harry Reid, D–Nev., said on July 7, if Toomey simply asked ''to confirm Judge Restrepo immediately, (I'm confident) we could confirm Judge Restrepo to the Third Circuit next week.''

Obama has consulted with Casey and Toomey, who have cooperated in helping to fill one Pennsylvania Third Circuit seat and 14 district court posts since 2011. They have carefully reviewed applicants and proposed excellent individuals whom Obama usually nominates.

However, the Senate slowly processes nominees. Most critical have been Republican delays of floor votes. For example, between November 2013 and late March 2014, the Eastern District faced seven openings. The many prolonged vacancies have slowed federal court litigation, requiring people and businesses to wait interminably for case resolution.

Casey and Toomey suggested Restrepo for the Eastern District, and the Senate approved him on a June 2013 voice vote. Each assumed credit for proposing Restrepo's Third Circuit nomination in November press releases. Toomey exclaimed that Restrepo would ''make a superb addition to the Third Circuit,'' but the legislator retained his ''blue slip''—which permits a nominee to proceed—from Nov. 12 until May 14, even though Casey submitted his in November. The jurist's June 10 hearing was long overdue.

At his hearing, Restrepo comprehensively and candidly answered questions and senators appeared satisfied. For example, Sen. Thom Tillis, R–N.C., who chaired the hearing, observed that Restrepo has been reversed only twice.

McConnell has not publicly stated when he would arrange a floor debate and vote. However, on June 4, he suggested he might not allow ballots for more Obama circuit nominees, although he did finally accord Kara Farnandez Stoll, a Federal Circuit candidate who had waited 10 weeks, July floor consideration.

The Third Circuit needs all its members to deliver justice, and Restrepo has languished over eight months. The Senate must confirm him before the August recess.

NOMINATION OBJECTION

Mr. GRASSLEY. Mr. President, I intend to object to any unanimous consent request at the present time relating to the appointment of Bradley Duane Arsenault, of FL; Bret Thomas Campbell, of TX; Karen Stone Exel, of CA; Gloria Jean Garland, of CA; Michael H. Hryshchyshyn, Jr., of VA; Ying X. Hsu, of CA; Stephen S. Kelley, of VA; Mary Catherine Leherr, of VA; Denise G. Manning, of VA; Paul Karlis Markovs, of MI; Scott Currie McNiven, of AZ; Hanh Ngoc Nguyen, of CA; Denise Frances O'Toole, of ME; Marisol E. Perez, of NJ; Ronald F. Savage, of NM; Adam P. Schmidt, of CT; Anna Toness, of TX; Michael J. Torreano, of FL; Nicholas John Vivio, of DC; Jamshed Zuberi, of CA as Foreign Service Officer Class Two, Consular Officer and Secretary in the Diplomatic Service of the United States of America.

I will object because, in addition to the multiple inquiries I have made that are still unanswered, I sent another letter to the State Department today and the Department has failed to confirm receipt, yet again. In addition, my staff placed multiple phone calls to Department personnel to inquire as to the status of the most recent letter. Department personnel have failed even to return phone calls.

I warned the Department that if they failed to change their ways that I would be forced to escalate the scope of my intent to object to unanimous consent requests by including Foreign Service officer candidates. My objection is not intended to question the credentials of the individuals up for appointment. However, the Department must recognize that it has an obligation to respond to congressional inquiries in a timely and reasonable manner.

APPROPRIATIONS

Ms. MIKULSKI. Mr. President, this month the Senate Appropriations Committee completed its work on 12 bills

to fund the government for fiscal year 2016, which begins October 1, 2015.

I congratulate Chairman COCHRAN and his subcommittee chairs for a full and open process. They worked hand in hand with me and my ranking Democratic members. But their bills are based on the postsequester levels of the Republican budget resolution. The bills reported by the committee are too spartan to meet the needs of the American people.

The difference between the Republican budget and the President's budget request is $74 billion. That is a lot. But even with that increase, the discretionary top line will be equal to what we spent in 2010, 6 years ago.

I would like to talk about one example of the real impact of the Republican sequester level budget—failing our veterans.

Veterans deserve promises made and promises kept. Instead, the Senate fiscal year 2016 Military Construction, Veterans Affairs, and Related Agencies bill is at least $857 million short of what is needed for veteran health care. And the House is even worse, at least $1.4 billion below what is needed. At those levels, about 70,000 fewer veterans will receive medical care.

Despite record demand for services, our veterans are still waiting to get appointments at hospitals and clinics. In fact, the electronic wait list has grown by almost 10,000 over the past 2 months. Sequester will result in waitlists growing exponentially.

Sequester budgeting for veterans' medical care means almost 150,000 veterans living with hepatitis C will be in limbo, not receiving new, lifesaving drugs.

It is not just care that is shortchanged. Sequester budgeting means hospitals and clinics continue to deteriorate. The VA has identified between $10 billion and $12 billion of backlogged code violations and deficiencies at hospitals and clinics across the country. In fiscal year 2013, the VA spent $1.3 billion repairing clinics, but for fiscal year 2016 the Republican bills cut funding in half, even as the backlog grows.

Yesterday, the Republican leader stated that he did not want a government shutdown. Encouragingly, he added, ''At some point we'll negotiate the way forward.''

Democrats are ready. Since May, we have been asking to negotiate to eliminate sequester with a sequel to Murray-Ryan. The only way we will have shutdown, showdown, and government by self-made crisis is if the Republican majority refuses to send the President bills he can sign and instead sends bills that are too spartan or contain poison pill riders like prohibiting funding for Planned Parenthood or signature initiatives like the Affordable Care Act and climate pollution rules.

Whether it is funding our troops or keeping our promises to veterans, we can't do it without a new budget deal. Freezing Federal spending doesn't meet the growing, complex needs of the Nation.

None of us were elected to make America weaker. Yet sequester makes us weaker and sequester hollows out America.

America deserves better, but we need a new budget deal to do it. Democrats are ready to get serious and get to the table. We need to end sequester for defense with no more gimmicks and end sequester for programs not funded in the defense bill that protect our country and make it great.

DRIVE ACT

Ms. BALDWIN. Mr. President last week the Senate passed a multiyear surface transportation bill, the Developing a Reliable and Innovative Vision for the Economy Act, H.R. 22, referred to as the DRIVE Act. I was pleased to vote for this bipartisan bill. For the first time in 3 years, the Senate has passed a long-term surface transportation bill. Unfortunately, the House adjourned before taking up our bipartisan legislation—forcing the Senate to pass a short-term funding patch, the 34th since 2009.

I am disappointed that we were not able to get the long-term bill to the President's desk. However, I believe the Senate has laid the groundwork to make the most recent short-term extension the last for the next few years. I look forward to working with my colleagues in both houses of Congress to complete a long-term bill before the October 29 deadline, and I expect the DRIVE Act to be the baseline for those efforts.

While the DRIVE Act's most important feature is that it provides certainty to construction firms and state governments to invest in rebuilding our crumbling roads and bridges, it also includes several provisions to improve the way we move goods and people across our nation. In the last few years, I have become very concerned with the way one particular good—Bakken oil—moves through the country. The fiery explosions that accompany Bakken oil train derailments have many in Wisconsin rightfully concerned as we have unwittingly become one of the most traveled oil train routes in the country.

The DRIVE Act includes a rail safety bill that was added thanks to the leadership of Senate Commerce Committee Chairman THUNE, Ranking Member NELSON, and Senators BOOKER and WICKER. I was pleased that the bipartisan bill that passed out of committee included provisions to require a railroad liability study and comprehensive oil spill response plans. These provisions were similar to what is included in the Crude-by-Rail Safety Act, on which I worked closely with Senator CANTWELL to introduce.

While the liability study and oilspill response plans are steps in the right direction, as the bill moved to the Senate floor, I believed we needed to do more to improve rail infrastructure, transparency, and first responder preparedness. That is why I was pleased to work with Environment and Public Works Ranking Member BARBARA BOXER, Commerce, Science, & Transportation Committee Chairman JOHN THUNE and Ranking Member BILL NELSON as well as Majority Leader MITCH MCCONNELL to include two sections in the bill that passed the Senate on July 30. I was able to add these sections to the substitute amendment, No. 2266, that was adopted on July 29, 2015, and the provisions were included in the final version of the bill that passed the Senate.

The first section, section 35416, would require that the Federal Railroad Administration keep on file the most recent bridge inspection report prepared by a private railroad bridge owner and provide that report to appropriate state and local officials upon request. This allows State and local officials who are responsible for public infrastructure integrity and public safety to have access to information they need to keep the public safe. The substance of this section is also contained in amendment 2538.

The second section, section 35431, addresses concerns raised by the first responder community who have had to fight for access to real-time information about hazmat trains entering their jurisdictions. Firefighters want to know in advance when hazmat trains will arrive in order to better prepare and keep their communities safe. The substance of this section is also contained in amendment 2539.

The section modified the bill's original language that only required real-time hazmat train information to go to Department of Homeland Security Fusion Centers. The centers would then provide the information to local first responders only in the event of an accident, when it is less useful. My provision requires fusion centers to provide the real-time information to State and local first responders at least 12 hours prior to a hazmat train arriving in their jurisdiction. The transmission must also include the best estimate of the train's arrival.

I believe these two sections significantly improve transparency and safety in communities along oil train routes. This is also a significant achievement for state and local organizations, who are often powerless to take action against federally regulated railroads—despite being responsible for any problems they cause. In closing, I again would like to thank Senators MCCONNELL, THUNE, NELSON, BOXER, and INHOFE for their leadership on this legislation. And I pledge to work with my colleagues in the House and Senate to pass a long-term surface transportation bill in the next three months.

50TH ANNIVERSARY OF THE VOTING RIGHTS ACT OF 1965

Ms. MIKULSKI. Mr. President, today marks the 50th anniversary of one of the most important civil rights bills we have ever come together as a nation to pass: the Voting Rights Act of 1965.

I am proud to commemorate this anniversary as the Senator for Maryland. Marylanders have a rich history of battling discrimination, going back to the darkest days of slavery. The brilliant Frederick Douglass was the voice of the voiceless in the struggle against slavery. The courageous Harriet Tubman delivered 300 slaves to freedom on her Underground Railroad. And the great Thurgood Marshall went from arguing Brown v. Board of Education to serving as a Supreme Court Justice. All were Marylanders.

Not just Marylanders but civil rights leaders and activists from all over this country fought hard for the right to vote. Over 600 people marched from Selma to Montgomery. They were stopped and beaten but not defeated. These brave men and women continued to march, continued to fight until they got the right to vote. They had to challenge the establishment and to say ''now'' when others told them to ''wait''.

Their fight and their struggle culminated in the passage of the Voting Rights Act. This legislation guaranteed one of our most important civil rights and reflected one of our most fundamental values: that all men and women have the right to vote.

The struggle to truly fulfill this fundamental value—this fundamental right—is far from over. There are too many neighborhoods in this country, particularly in minority communities, that are the target of voter intimidation, barriers to access, and ever-changing requirements.

The Supreme Court's decision in Shelby County v. Holder only made this problem worse by stripping the Federal Government of its ability to protect voters from this kind of disenfranchisement—whether it was the old-fashioned kind or the new-fashioned kind.

The fight for equal access to the ballot continues today, and like those who came before us, we cannot take ''no'' for an answer. We must ensure that any and all undue barriers to participation in our democracy are broken down. We must restore the protections of the Voting Rights Act that were struck down by the Supreme Court so that the promise of the right to vote is extended to all men and women.

So while we look back proudly on the passage of the Voting Rights Act, we must recognize that the need for its protections is as great today as it was 50 years ago. The words of Justice Thurgood Marshall still ring true:

''I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred and the mistrust. . . . We must dissent because America can do better, because America has no choice but to do better.''

Today marks an important milestone in our history. As we come together to celebrate this anniversary, we must come together to defend the rights that this legislation was enacted to protect because if discrimination of any kind exists anywhere in America, we can and we must do better.

REMEMBERING RICHARD SCHWEIKER

Mr. CASEY. Mr. President. I rise today to remember Richard Schweiker, who passed away on July 31, 2015. Congressman, Senator, and Secretary of the Department of Health and Human Services Dick Schweiker honorably served his country in public office for more than two decades. Prior to his years of government service, he served his country in the Navy during World War II.

As a Congressman from Pennsylvania's 13th District, he was the coauthor of a House Armed Services Committee proposal to end the military draft and make service voluntary and sponsored legislation to allow the government to give extra money to military service personnel if they showed they could reduce expenses. He also supported the Civil Rights Act of 1964 and the Voting Rights Act of 1965 along with legislation that created the Medicare and Medicaid Programs.

As a Senator, he served on the Labor and Human Resources Committee, eventually becoming its ranking member. This committee is now known as the Health, Education, Labor and Pensions Committee on which I serve. Senator Schweiker was a strong supporter of public health initiatives, including the National Diabetes Mellitus Research and Education Act that authorized the National Commission on Diabetes to put together a plan to fight this disease. Dick Schweiker also worked to achieve compromise. In a 2000 Associated Press interview, he commented on that approach:

> I was a World War II veteran. Our primary objective was to get things done and solve problems. The partisanship and heated rhetoric that have taken over the political landscape wasn't always in vogue.

Dick Schweiker decided not to run for reelection in 1980 and worked to help elect Ronald Reagan that November. After the election, President Reagan appointed Schweiker as the Secretary of the Department of Health and Human Services. While in that position, he set up the Medicare prospective payment system in an effort to reduce costs rather than leaving them open-ended. He also continued to support funding for medical research and protected funding for the Head Start early childhood education program. He stepped down as Secretary in 1983. At that time, Senator Ted Kennedy said the following:

> Dick Schweiker has been a good friend and colleague for many years. As secretary of HHS, he has too often been a lonely voice of compassion and humanity.

After leaving public service, Dick Schweiker spent 11 years as president of the American Council of Life Insurance before retiring. Today, we remember and thank Dick Schweiker for his service to Pennsylvania and the Nation. We send our thoughts and prayers to his family.

RECOGNIZING THE 70TH ANNIVERSARY OF THE END OF WORLD WAR II

Ms. COLLINS. Mr. President, on August 14, 1945, World War II came to an end. The official ceremony aboard the battleship USS Missouri 2 weeks later was brief, barely 18 minutes long. The low-key nature of the event stood in stark contrast to the unprecedented horror and violence of the preceding years, years in which the fate of civilization itself hung in the balance. I rise today to express our Nation's gratitude to all veterans of the Army, Navy, Air Force, Marines, Coast Guard, and Merchant Marine for their service and sacrifice seven decades ago.

It is said that crisis builds character. For an entire generation of Americans, crisis did not build character; it revealed it. With the perfect hindsight history books provide, the Second World War can seem today to be a series of events that followed an inevitable course from Pearl Harbor to Normandy to Iwo Jima to the deck of the Battleship Missouri. Yet those who were there, those who made that history, know that the outcome was far from certain. All that stood between humanity and the abyss of tyranny was their courage, their faith, and their devotion to duty.

As the war began, the United States was not a rich or powerful country. We had only the 17th largest army in the world. Our industries were still struggling to overcome a decade of economic depression. With two great oceans as a buffer, many Americans thought the answer to aggression was isolationism.

Yet when the crisis came, Americans responded. More than 16 million American men put on the uniforms of our Armed Forces. More than 400,000 died wearing those uniforms. Thousands of American women also put on the uniform, serving—and dying—in field hospitals and in such dangerous work as ferrying aircraft from production plant to airfield. They rolled up their sleeves and turned the factories of a peacetime economy into the arsenal of democracy. Throughout the country, Americans of all ages worked and saved and rationed and sacrificed as never before. Families planted victory gardens—20 million of them, producing 40 percent of the Nation's vegetables in backyards and on rooftops. Two out of every three citizens put money into war bonds.

The people of Maine were part of this great endeavor. Some 80,000 Mainers served in World War II, more than any previous war. More than 2,500 laid their lives upon the altar of freedom.

I have had the honor of meeting many of Maine's heroes. Edward Dahlgren of Perham—just a few miles from my hometown of Caribou—fought his

way through Italy, France, and Germany, and received the Medal of Honor for his astonishing rescue of a trapped American platoon. Charles Shay, a member of the Penobscot Nation, was among the first wave ashore at Omaha Beach and the first Native American to be awarded the Legion of Honor Medal, France's highest tribute. Bert Skinner of Belfast answered the call for volunteers for the extremely dangerous mission of serving behind enemy lines with Merrill's Marauders in Burma. Through his uncommon service to his community and to his fellow veterans, Galen Cole of Bangor has kept the promise he made to himself on a battlefield in Germany in early 1945.

Maine women served with distinction. Patricia Chadwick Ericson of Houlton stepped forward to serve as a Women's Airforce Service Pilot, or WASP, flying newly built aircraft from the factories to combat zones. Mary Therese Nelson of Indian Island was the first Native American woman from Maine to enlist in the Marine Corps. Each of the stories of the men and women from Maine are unique. Yet they are united by valor and devotion to duty.

On the homefront, Maine was on the frontlines. Eighty-two destroyers were built at Bath Iron Works during the war, more than the entire Japanese output. The South Portland shipyard launched 274 Liberty ships that carried troops and arms overseas. More than 70 submarines were built at the Portsmouth Naval Shipyard in Kittery, with 3 of those vital warships launched on the same day.

Maine's seafaring heritage contributed greatly to the Merchant Marine, and at least 60 Mainers lost their lives to enemy attack. The Coast Guard and the Civil Air Patrol protected our shores against Nazi U-boats and saboteurs.

These men and women did not come from a society steeped in militarism and the lust for conquest. Whether they came from our cities, farms or fishing villages of Maine, they came from places that desired peace and that cherished freedom. When the crisis came, the American character bound the ''greatest generation'' together in a great common cause on behalf of humanity.

I am fortunate to be a daughter of that generation. One of my earliest childhood memories is going with my father to the Memorial Day parade in our hometown. He hoisted me high above his head and from the best vantage point along the route—my father's shoulders—I saw hats go off and hands go over hearts as Caribou paid its respects to our flag and honored our veterans. Some Memorial Days, my father would wear his Army jacket to the parade. As a child, I thought it was just an old jacket. Only as an adult did I learn the price he had paid for it.

Donald Collins enlisted in the Reserve Corps as a college freshman in November of 1943 and was called to Active Duty in the U.S. Army before the year's end. He saw action in the European theater and fought at the Battle of the Bulge. He earned the Combat Infantry Badge, two Purple Hearts, and the Bronze Star. Sergeant Collins was discharged in January of 1946.

Then he did what truly distinguishes the men and women of America's Armed Forces. He came home, gratefully and modestly. He never talked much about his sacrifice and the hardships of war. Instead, he worked hard raising six children, running a business, serving as Scout leader, Rotarian, mayor, and State senator.

From the strong shoulders of those like him who defended our freedom, all Americans learn about commitment, service, and patriotism. We learn that the burden of service must be borne willingly. We learn that challenges must be met and threats must be confronted. We learn that the mantle of hero must be worn with humility. It is because of the quiet courage of those who serve our country that we take those lessons to heart and resolve to pass them on to the generations to come. On this 70th anniversary of victory in World War II, let us recommit ourselves to the spirit that guided our Nation through its darkest days and that lights our way into the future.

Mr. KING. Mr. President, this month, 70 years ago, the greatest crisis of the 20th century came to an end. Lasting 6 full years and involving participants from over 30 countries, World War II was the most widespread and devastating war in human history. America's isolation from this dreadful conflict abruptly ended when, on the morning of December 7, 1941, our Nation came under sudden and deliberate attack. In less than 2 hours, thousands of lives were lost as bombs fell across the island of Oahu and that quiet Sunday morning quickly turned into a terrible scene of violence and horror.

But the attacks on Pearl Harbor did not break the American spirit. In this darkest of moments, our country discovered a renewed sense of strength, courage and resiliency; qualities that define us. And, following the attack on Pearl Harbor, American forces joined the Allied Powers, fighting side-by-side against Nazi oppression in Europe and Japanese expansion in the Pacific. Sixteen million Americans bravely served in these two theaters of conflict, and it was through their patriotism and courage that freedom was able to triumph over tyranny.

I also want to recognize Maine's important role in the war effort. In northern Maine, Army airfields in Bangor, Presque Isle, and Houlton provided strategic air basing and training sites which facilitated the deployment of personnel and equipment overseas to the frontlines. And along the coast, where the Kennebec River meets the sea, Bath Iron Works established its reputation for producing the ''best-built'' destroyers in the world. The shipyard delivered a total of 83 new ships to the U.S. Navy—hitting a 2-year peak production of 21 ships a year or an average of 1 destroyer every 17 days. Bath-built ships survived the attack on Pearl Harbor, landed troops at Normandy, supported Marines at Iwo Jima, and sank Nazi U-boats in the Atlantic. Maine's support to our Armed Forces during the war years was unparalleled in terms of dedication, scope, and impact.

And, above all else, we must honor the immeasurable contributions of our servicemembers. As a State with one of the highest percentages of veterans per capita in the Nation, the war's legacy resonates strongly in Maine. During World War II, nearly 80,000 Maine citizens served overseas. Their steadfast perseverance, patriotism, and bravery in the face of grave danger helped secure a better future for generations to come.

On this 70th anniversary of World War II, we remember all the American and Allied servicemembers who bravely served on land, air, and sea; as well as those on the homefront providing for our warfighters. Their service and sacrifices contributed to international peace and stability and ensured the continued promise of the freedoms we enjoy today.

TRIBUTE TO ADA DEER

Ms. BALDWIN. Mr. President, today I recognize and honor Ada Deer on the occasion of her 80th birthday. Throughout her life, Ada has been an effective advocate and leader whose trailblazing work has improved the lives of Native Americans, women, students and others in Wisconsin and across the Nation. The celebration of this milestone birthday is a special opportunity to celebrate her dedication to service and social engagement.

Ada Deer was born on the Menominee Indian Reservation in Keshena, WI. She was the first Menominee to graduate from the University of Wisconsin-Madison and the first Native American to receive a masters of social work from Columbia University.

She has been a champion for Indian rights throughout her remarkable career. When the Federal Government established a policy to terminate the sovereign status of tribes, the Menominee was among the first to go through the process of termination, and they suffered greatly under it. Ada organized a grassroots organization, Determination of Right and Unity for Menominee Shareholders, DRUMS, and fought successfully to restore Federal recognition of the Menominee tribe. Ada's leadership led to her election as the first woman to chair the Menominee tribe in Wisconsin.

She spent many years as a lecturer in the School of Social Work at the University of Wisconsin-Madison, and also guided the university's American Indian Studies Department. Ada worked as a house director, community coordinator, school social worker, and professor.

In 1978, she became the first Native American to run for secretary of State in Wisconsin, and in 1992 she was the first Native American woman to run for Congress in Wisconsin. In 1993, Ada became the first Native American woman to head the Bureau of Indian Affairs. She subsequently served as Chair of the National Indian Gaming Commission.

I am proud to call Ada a friend, and I am grateful for her lifelong leadership and commitment to social justice. Her vital work continues today, focused on efforts to reduce the prison recidivism rate and create a reentry program for American Indians. Her lifetime of work, coupled with an enduring passion to instill in young people the drive to change their society through education and social engagement, shows what a determined person will continue to do—even when they have stated that they are ''retired.''

I wish Ada good health and happiness for many years to come.

TRIBUTE TO BRYCE LUCHTERHAND

Ms. BALDWIN. Mr. President, today I honor Bryce Luchterhand on his retirement from Federal and public service. He has dedicated his career to improving the quality of life and the vitality of communities throughout the State of Wisconsin. The occasion of his retirement presents a special opportunity to celebrate his dedication to public service and social justice.

Bryce was born in Colby, WI, and raised on the Luchterhand family farm—a fixture in the local rural community since 1902. He graduated from Colby High School and earned his bachelor's degree in secondary education broadfield social studies from Northland College in Ashland, WI. Growing up on a Wisconsin farm, Bryce was instilled with the values of hard work, love of the land, Central Wisconsin optimism, and a sense for social justice that would serve him well throughout his career and life.

In 1970 he started his lifelong path in public service as teacher of social studies on the Navajo Indian Reservation at Many Farms High School in Many Farms, AZ, where he inspired and mentored the youth of the Navajo reservation. Working with the impoverished youth of the Navajo reservation sparked within Bryce his passion for equal opportunity, creating bonds and lifelong friendships that became a foundation for his life of service.

Throughout his public service career, Bryce has been guided by his love of the land. In 1973, Bryce took an opportunity to return to Colby, WI, to buy a dairy farm next to the Luchterhand family farm. And with the same drive and determination that have become his trademark, he and his wife, Max, milked dairy cows and raised beef cows for the past 42 years, even developing a new breed of cow called a Gloucester Lineback. As a farmer, Bryce greets every season with the same grit and resolve he learned as a child in rural Wisconsin. However, the time of year he holds most dear is the maple syrup season each spring. Bryce and Max spend many early mornings and late nights tending to the taps, boiling down the sap, and bottling one of Wisconsin's treasures—Wisconsin maple syrup. Each bottle of Luchterhand maple syrup is a labor of love, and I have been honored to be among the select individuals to receive this special gift.

Bryce's years of public service are comprised of distinguished service on various boards, committees, and associations, often in roles as chairman or advisor. He is most proud of his roles as instructor for the Presidential Classroom in Washington, DC, executive council member of Wisconsin Rural Partners, member of the Board of Directors for Wisconsin Farm Progress/Technology Days, as well as a founding and current member of 1000 Friends of Wisconsin, an organization dedicated to giving citizens a voice in land use planning.

Bryce's career in public service has also included serving the President of the United States, the Governor of Wisconsin and two U.S. Senators. He served as President Clinton's Director of Rural Development for the State of Wisconsin for 8 years, helping to make critical economic and agricultural development investments in rural Wisconsin. He served as the director of Wisconsin Governor Jim Doyle's northern office, serving residents of 40 counties for 8 years, and as Senator Herb Kohl's area representative for 2 years in 14 counties. As my Deputy State Director of Outreach for the past 2 years, it was not uncommon for Bryce to travel in excess of 1,000 miles a week representing me at meetings and events in northern Wisconsin. Of course, these trips were made easier if you knew the ''Luchterhand shortcuts'' that often took Bryce snaking along the back county roads of northern Wisconsin, inevitably getting him to his destination quicker. In all of these capacities, Bryce served the people of Wisconsin with distinction and honor.

I am proud to call Bryce a friend and I am grateful that in choosing the path of public service, he has impacted countless people's lives, changed communities for the better, and strengthened rural communities of Wisconsin. In retirement, I wish Bryce and his wife Max all the best, including good health and happiness, for many years to come.

TRIBUTE TO MARTY BEIL

Ms. BALDWIN. Mr. President, today I recognize and honor Marty Beil of Madison, WI, for his 30 years of leadership as executive director of AFSCME Council 24. I have known Marty for many years, and have been proud to stand in solidarity with him. Marty has been a leader in the labor community, and his passion for the rights of working persons will be missed by all who have worked alongside him and who have benefited from his strong leadership.

Marty began his professional life in service to his union as a member of the WSEU Professional Services Bargaining team in 1973. He continued his service as a member, leader and activist in Council 24 until 1985, when he was appointed executive director. Throughout that time, Marty has been passionate in his advocacy for the rights of working people, to the honor and value of public service, and to insuring that working people have a level playing field on which to compete. Marty has dedicated his career to protecting and serving his members in the collective bargaining and political process, always with a sense of fairness and compassion.

Marty's work is exemplified by his long-term efforts in support of American workers, the American labor movement, and those fighting for civil rights for all Americans. Among many other important priorities, he supported the expansion of antidiscrimination laws to protect the LGBT community, and defended workers from discrimination and retaliation for political activities. He was a staunch defender of labor's right to back candidates who made a commitment to support the goals and activities of union members regardless of partisan affiliation. His 30 years of service at the helm of Council 24 has inspired a new generation of workers to lead the union into the 21st century

I am proud to call Marty a friend, and I am grateful for his important contributions to our State and the labor community. I know that his passion and dedication, in the model of his forebears such as Roy Kubista and John Lawton will serve as a lasting example for generations of future labor leaders. I wish him all the best in his future endeavors.

ADDITIONAL STATEMENTS

RECOGNIZING THE NEW JERSEY-INDIA RELATIONSHIP

• Mr. BOOKER. Mr. President, I am honored to serve a State with one of the largest Indian American diasporas in the country.

The Indian diaspora community in New Jersey is an active, vocal and engaged constituency whose contributions to the State reach across all sectors. When given the opportunity, the very first caucus I joined in the Senate was the U.S.-India caucus. Soon after I joined the caucus, I had the opportunity to meet Prime Minister Modi during his visit to the United States. His visit signaled a meaningful moment in the relations between the United States and India. It became clearer that the oldest and newest democracies can forge a transformational relationship to leverage the historic opportunities before us.

Together, the United States and India represent over one-fifth of the world's population and share long-term strategic imperatives in the areas of energy efficiency and environmental sustainability, social and economic development, and regional and global security that are rooted in our shared commitment to democratic ideals. President Obama has aptly referred to this relationship as the ''defining partnership of the 21st century.'' As the United States pursues greater clean energy production and sustainable manufacturing here at home, we can and should take advantage of opportunities to further collaborate on technologically advanced clean energy solutions.

Together, we can leverage both American and Indian assets to address the challenges both our countries face in job creation, social mobility, and clean energy. Prime Minister Modi has also emphasized the importance of sustainable growth and ensuring that diversified, environmentally conscious energy sources are made accessible to all Indians. I am encouraged by Prime Minister Modi's commitment to economic and social policies that not only invest in infrastructure but that also develop India's human capacity. With half of its population under the age of 25 and a recent election that saw a 66-percent voter turnout, it is clear that India is set to harness the potential of its most valuable resource—its young people.

In order to compete in a global economy, the United States and India must both expand opportunities for youth education and employment. By engaging private sector actors in our mutual development goals, I believe together we can address these challenges and turn them into opportunities for cooperation.

As this partnership continues to grow, so will the benefits for both of our countries and for New Jersey. The Indian American population in New Jersey has grown by 73 percent in the past decade, and many Indian Americans serve our state as industry and community leaders. New Jersey is the No. 1 benefactor of Indian investment in job creation, with approximately 9,278 jobs and over $1 billion in investment in a variety of sectors from telecom and technology to healthcare and manufacturing.

As the Senate adjourns for the summer recess, I do not want to miss the opportunity to highlight India Day, which will be observed next week. India Day celebrates the rich history and legacy of India's contributions to communities across the United States.

On August 10, I will have the distinct honor and privilege to welcome Ambassador Singh to New Jersey. I look forward to working with Ambassador Singh as we partner together to foster investment opportunities, create collaborations between our world-renowned higher education institutions, and cultivate platforms to facilitate volunteerism and giving. I look forward to fostering the continued growth of the strong relationship between New Jersey and India.●

REMEMBERING SARAH ANDERSON

● Mrs. BOXER. Mr. President, it is with great sadness that I ask my colleagues to join me in honoring the extraordinary life of Sarah Anderson, a beloved mother, wife, daughter, sister, friend, colleague, and passionate advocate for improving the health and lives of people throughout our country. Sarah passed away on July 28, 2015, at the age of 49.

I met Sarah when she came to work on my first campaign for the U.S. Senate. At the time, this impressive young Fort Collins, CO native was just a few years into her political career, having moved to Washington, DC, to work for Senator Tim Wirth right after graduating from the University of Colorado.

Sarah was passionate about helping to elect women, and she wanted to be part of what turned out to be an historic 1992 election. With her wit, intelligence, talent, dedication, sense of humor, and ever-present twinkle in her piercing blue eyes, it was immediately clear to all of us that Sarah was special.

However, one young campaign staff member named Matt Kagan seemed to notice all of Sarah's unique gifts even more than anyone else. While working 20-hour days on our campaign, Sarah and Matt somehow managed to find time to fall in love. At the time, I would sometimes joke that while I was falling in the polls, they were falling in love. But the truth is, Matt and Sarah's beautiful marriage and son were among the most important results of that first campaign. Sarah and Matt always shared a fierce commitment to making the world a better place.

For more than 25 years, Sarah worked tirelessly for the causes she believed in—whether it was protecting the environment at the Sierra Club and the League of Conservation Voters; serving the people of Oregon and California as press secretary to Congresswoman Elizabeth Furse and Congresswoman LORETTA SANCHEZ; or helping to prevent and stop pandemics as an Assistant Dean at UCLA's School of Public Health for nearly a decade.

Sarah and Matt always managed to fill their homes—first in DC and then in California—with love, laughter, good conversation, and great food. But their most important addition happened 10 years ago when they joyfully welcomed their son, Spencer, into their lives. Whenever Spencer's name was mentioned, Sarah's face always lit up with such pride and love, and there are no words to express how sorry I am for Spencer and Matt's loss. I also want to extend my deepest condolences to Sarah's entire family, especially her mother and stepfather, Sue and Ed Sparling; her sister, Jennifer Enright; and stepbrothers, Erik and Bret Sparling.

Sarah, Matt, and Spencer will always be part of our extended family of Boxer staff members, all of whom join me today in mourning Sarah's loss and celebrating her amazing legacy, which will always live on in the causes she championed, the friendships she forged, and the family she loved and lived for.●

RECOGNIZING VICE ADMIRAL THOMAS R. WESCHLER

● Mr. CASEY. Mr. President, I wish to recognize the service of a fellow Pennsylvanian, VADM Thomas R. Weschler, Retired, who served this country valiantly for 3½ decades. Vice Admiral Weschler is one of the highest ranking Naval officers to come from Erie, PA, and I am profoundly grateful for his service to our Nation.

Admiral Weschler began his service in 1940, following his graduation from the United States Naval Academy in 1939. He served on the USS WASP, CV–7, in World War II, seeing combat in both the Mediterranean and the Pacific, including the invasion of Guadalcanal, and was onboard when the WASP was torpedoed by a Japanese submarine.

Admiral Weschler would then go on to command the USS CLARENCE K. BRONSON in action during the Korean war. During the Vietnam war, he commanded amphibious operations against Viet Cong forces in 1965 to 1966, during which time he was awarded the Legion of Merit. In 1966, Admiral Weschler became Commander Naval Support Activity, Danang Republic of Vietnam, and was awarded the Distinguished Service Medal. Following his service in Vietnam, he was awarded a Gold Star for his accomplishments in pioneering and developing the Spruance Class destroyer and the Virginia Class cruiser.

In 1970, Vice Admiral Weschler assumed command of Cruiser-Destroyer Flotilla TWO, and in 1971 he became Commander Cruiser-Destroyer Force, U.S. Atlantic Fleet. For both of these tours he was awarded a Gold Star. In 1973, he was selected for promotion to vice admiral and reported to Washington for duty as Director for Logistics, Joint Staff, Office of the Joint Chiefs of Staff. Vice Admiral Weschler retired on June 30, 1975 as a three-star vice admiral following more than 34 years of service in the U.S. Navy.

After his retirement from the Navy, he continued his service as a professor of Naval Operations at the United States War College, Newport, RI, for more than a decade.

On August 28 and 29, 2015, Vice Admiral Weschler will be honored for his service at the opening of the Hagen History Center in Erie, PA, where the Military Gallery will also be dedicated in his honor. I am proud to share in the celebration of Vice Admiral Weschler's

career, his meritorious conduct, his extraordinary leadership, and his distinguished and unwavering service to this great Nation. I extend my sincerest gratitude to Vice Admiral Weschler, a native son of Erie, PA, whom we are proud to call one of our own, and wish him and his family all the best in their future endeavors.●

HURRICANE KATRINA

● Mr. COCHRAN. Mr. President, 10 years ago, Hurricane Katrina came ashore on the Mississippi gulf coast with devastating force, inflicting billions of dollars in property and personal damages. It was amazing that more were not killed.

The tragic loss of life and horrible property destruction shocked us all. Our recovery has required enormous dedication and determination, and thousands of Mississippians rose to that challenge.

In the days, months, and years after the storm, Mississippians pitched in to help neighbors and strangers alike. The dedication and sacrifice of the Coast Guard, the National Guard and other first responders saved lives and helped enable the large-scale rebuilding that would follow. The resilience and hard work of the people, as well as the outpouring of church and volunteer workers from across the State and Nation, made recovery possible.

Over the past decade, State, local, and Federal elected officials have also aggressively promoted and assisted in the gulf coast's recovery. But our recovery is not yet complete.

While the serious problems exposed by the Katrina recovery effort have been used to improve our national response to emergencies and natural disasters, work remains to be done to ensure a full recovery in Mississippi and along the gulf coast. Unsustainable insurance practices and overbearing Federal regulations continue to hamper recovery and economic development efforts.

Those challenges, however, cannot diminish the pride I have in the people of Mississippi for exemplifying the strength, vision, and resilience necessary to ensure the cultural and economic vitality of our State.

This August, we commemorate the decade since Hurricane Katrina claimed lives and left indelible marks on our State. Mr. President, 10 years after Katrina, I remain confident that we will continue to work together to rebuild Mississippi and to advocate for commonsense policies and intelligent investments that will ensure the continued vitality of the Gulf Coast.●

TRIBUTE TO WILLIAM P. GARDNER

● Mr. DAINES. Mr. President, as I have served Montana's veterans and military members in Congress, I continue to be amazed and humbled by the incredible stories of Montanans fighting for our country in all corners of the world. Montana is home to more veterans per capita than almost any other State in the Nation, and tribal members enroll in the military at a higher rate than any other minority. I wish to recognize one of America's heroes who exemplifies the best of Montana, who is also an enrolled Crow tribal member: William P. ''Butch'' Gardner.

Mr. Gardner served our country during the Vietnam war. This brave gentleman selflessly served for a number of years during the conflict before he was honorably discharged. Mr. Gardner's commitment to service did not stop when he took off the uniform; in his community, he and a handful of other veterans serve as the color guard on the Crow Reservation. He continues to serve in the honor guard despite losing his leg to an amputation 2 years ago. His peers describe Mr. Gardner as the backbone to the color guard.

Montanans are proud of our diverse heritage, and it is truly an honor to celebrate an individual who so humbly embody the spirit of patriotism.●

RECOGNIZING OUTSTANDING MONTANA TEENS

● Mr. DAINES. Mr. President, I wish to recognize the work of the impressive Montana teens who attended the Family, Career and Community Leaders of America, FCCLA, STAR Event in Washington, DC. This group of young men and women made our State proud at their national conference, and brought home a combined 31 gold medals, 26 silver medals, and 3 bronze medals.

Some of the standouts in the Montana FCCLA that I would like to recognize are Garrett Christiaens of Valier, MT, who was just made the new national vice president of programs, and Mariah Pierce, Katlyn Gillen, and Loren Minnick—three Park High School students who not only took first place at the FCCLA State competition, but also went on to win gold medals at the national level.

The Montana FCCLA has approximately 70 chapters across the State, and is part of the Family and Consumer Sciences curriculum offered in over 100 of Montana's high schools. Members of these chapters actively work to make a difference in their families, careers, and communities. I had the opportunity to meet a group of these students last month during their national conference, and I was impressed by their work ethic and dedication to those around them. Their success at the National Leadership Conference affirms that they are indeed making a difference and demonstrates how Montana students can effectively rise to meet both local and national challenges.●

RECOGNIZING THE 95TH ANNIVERSARY OF WOMEN'S EQUALITY DAY

● Mrs. GILLIBRAND. Mr. President, I rise today to speak in recognition of the 95th anniversary of the passage of the 19th Amendment of the U.S. Constitution, granting voting rights for women. I ask my colleagues to join me in marking August 26, known as Women's Equality Day, a significant landmark in American history as we acknowledge, honor, and celebrate the vast and vital contributions that women have made to our country.

Elizabeth Cady Stanton, Lucretia Mott, and other dedicated supporters for women's equality convened the First Women's Rights Convention on July 1848 in Seneca Falls, NY. They advocated for the right to own property, protection from domestic violence, and other social reforms that promoted equality, including voting, and never wavered in that pursuit. Stanton wrote a Declaration of Sentiments that called for ''all men and women'' to be recognized as created equal under the law, thus beginning the 72-year struggle for suffrage that ended in 1920.

Mr. President, 2015 is the bicentennial year for Elizabeth Cady Stanton, who was born November 12, 1815, in Johnstown, NY. Celebrations of her extraordinary life are taking place throughout the year. Stanton met Susan B. Anthony in 1851, and they began a 50-year partnership advocating for suffrage and women's equality; however, both women did not live to see the passage of the 19th Amendment. As the mother of seven children, Mrs. Stanton can be proud of the legacy she left to her descendants, one of whom is today spearheading a committee tasked with placing a new statue of these two amazing leaders in New York. They gave a voice to millions of women and changed history forever following Anthony's vow that ''failure is impossible.''

A unique crossroad of history resides at 77th and Central Park West in New York City with statues of two U.S. Presidents, Theodore Roosevelt astride a horse outside the American Museum of Natural History and Abraham Lincoln who stands on the steps of the New-York Historical Society. Near Lincoln is a statue of abolitionist Frederick Douglass symbolically carrying books at a building that safeguards history. I am pleased to announce that permission was granted in May 2015 for a suffragist statue to be installed at the West 77th Street entrance to Central Park. It will be the very first statue of a woman in this park's 160-year history.

New York City park commissioner Mitchell J. Silver awarded this site for a statue of Elizabeth Cady Stanton and Susan B. Anthony, pioneering leaders of the women's suffrage movement. Included in the sculpture design are the names of many remarkable women instrumental in the fight toward winning the vote. Its installation in September 2017 will coincide with New York State's centennial of women's voting rights. The New-York Historical Society announced that in the transformation of its fourth floor there

would be a new Center for the Study of Women's History that will present special exhibitions, as well as public and scholarly programs.

Over 50 million visitors each year are welcomed to New York City, with over half reporting they spend time in Central Park. Placing the Stanton and Anthony statue at this highly visible locale that resonates social justice will undoubtedly draw local residents and visitors of all nations to history lessons that include the story of the equal rights and suffrage movements in America.

I ask that we give tribute on August 26, 2015, the 95th anniversary of the passage of the 19th Amendment, to the early suffragists who were steadfast in their pursuit of equality for all citizens, which is a sacred trust that we must continue to support today.●

CONGRATULATING RAY HAGAR

● Mr. HELLER. Mr. President, today, I wish to congratulate Ray Hagar on his retirement after decades of bringing Northern Nevada extraordinary news coverage. It gives me great pleasure to recognize Ray's hard work and unwavering dedication to the local community and for showcasing journalistic integrity and excellence to the Silver State.

Ray is truly a role model to many in the local community, embodying the battle-born spirit of genuine loyalty, determination, and resilience. He is a fifth-generation Nevadan, bringing unique insight to an array of topics, especially in his political coverage. Ray has spent time at several news outlets, including the Reno Evening Gazette and the Nevada State Journal, and most recently served as a member of the political team with the Reno Gazette Journal and as a regular host on Nevada's most-watched political talk show, Nevada Newsmakers. His 15 years of political coverage with the Reno Gazette Journal brought Nevadans only the most accurate journalism. He is also the co-author of Johnson-Jeffries: Dateline Reno, a novel about the 1910 fight between Jack Johnson and Jim Jeffries and its effects on Nevada. His lengthy and extensive career touched the lives of many across the State, keeping residents up-to-date and knowledgeable on key topics.

Ray always made sure to place himself in the middle of the action to gain a full understanding of what he was reporting on. Even as a young boy growing up, he was eager to be fully engrossed in his surroundings. One story that Ray references as a good learning experience was during his football career with Bishop Manogue High School. It was 1969 and the Bishop Manogue High School Miners, coached by Christ Ault, were playing against Carson High School, my alma mater. The Miners were behind but were inside the 5-yard line with enough time to clench a final victory. At the time, Ray was playing offensive guard and was punched in the face by an opposing player. Ray retaliated, ultimately receiving a penalty that caused the Miners to lose the game and was kicked off the football team. Later that night, he turned up at Coach Ault's home, asking for a second chance and continued on in the season. Though I am sure this was devastating at the time, it shows Ray's sense of commitment and humility.

Throughout his career, Ray was a true journalist, gaining insight from all sides to convey a thorough picture to his audience. If anything important was going on, you could always count on Ray to have an accurate story ready to share. I will never forget some of the stories that Ray reported on, especially his interaction with former New York Yankee manager, Billy Martin. If that doesn't illustrate a sincere effort to get the real story, then I don't know what does. I had the pleasure of working with Ray using an open-door policy and appreciate the relationship we built throughout the years.

Ray left his footprint on Nevada journalism, a mark that will remain in the northern Nevada community for years to come. His legacy of thorough and fair coverage will never be forgotten. Surely, future political writers will have big shoes to fill after his incredible career.

Ray has demonstrated absolute dedication to excellent reporting, bringing Nevada politics outside of the walls of the legislature and Congress to audiences across the State. I am both humbled and honored by his hard work and am proud to call him a fellow Nevadan. Today, I ask all of my colleagues to join me in congratulating an upstanding Nevadan and friend, Ray Hagar, on his retirement. I give my deepest appreciation for all that he has done and offer him my best wishes for many successful and fulfilling years to come.●

RECOGNIZING DAVIDSON ACADEMY'S 10TH ANNIVERSARY

● Mr. HELLER. Mr. President, today, I wish to recognize the 10th anniversary of Davidson Academy, an institution with a noble mission to support northern Nevada's profoundly gifted students. I am proud to honor this institution that has worked so hard to prepare Nevada's youth for successful and positive futures.

Davidson Academy was established in 2005 through State legislation, designating the institution as a university school for gifted students. The academy officially opened in fall of 2006 and is a free public school located on the University of Nevada, Reno, UNR, campus. Students at both the middle school and high school levels attend the academy. Individual students develop a Personalized Learning Plan, which guides them through their academic and personal goals and prepares them for their futures. Students are also able to participate in UNR courses as part of a dual enrollment agreement. The academy works to challenge its students and gives them a great opportunity to develop their knowledge and skills in an advanced environment.

As a father of four children who attended Nevada's public schools, and as the husband of a life-long teacher, I understand the important role that different institutions play in enriching the lives of Nevada's students. Ensuring that America's youth are prepared to compete in the 21st century is critical for the future of our country. Profoundly gifted students are often underserved and unfortunately, do not receive the curriculum they need to excel. The State of Nevada is fortunate to have institutions like Davidson Academy available to support students with unique needs.

I ask my colleagues and all Nevadans to join me in recognizing Davidson Academy on its 10th anniversary. This institution is truly dedicated to enriching the lives of Nevada's students, and I am honored to congratulate them on hitting an important milestone. I wish Davidson Academy well in all of its future endeavors and in creating greater opportunity for Nevada's youth.●

TRIBUTE TO MIKE MCCARTHY

● Mr. KING. Mr. President, today I wish to recognize the hard work and dedication of Michael McCarthy, the principal of King Middle School in Portland, ME, who has served for 27 years and is moving on to a much deserved retirement. Mike has left a remarkable legacy and his hard work and dedication will continue to help Maine students for years to come.

About one-fifth of King Middle School's students speak a native language other than English, 28 different languages in all, and students at the school come from 17 countries. More than half of the student body qualifies for free or subsidized lunch. Such factors can often contribute to poor academic performance, and for many years, parents did not view King Middle as a viable institution for their children. That view changed when Mike McCarthy took over 27 years ago.

Mike possesses the qualities required of a strong leader. He is intelligent, but understands he may not always have the right answers, making him a good listener. He is dedicated to his students and faculty, and makes decisions that benefit the entire community. As a former teacher, Mike understands the classroom atmosphere and devotes his time to creating a positive learning environment. Perhaps most importantly, Mike is willing to take risks.

Under Mike's leadership, King Middle School was one of the first schools in Maine to embrace 1:1 digital learning. This new approach helped to put technology in the hands of his students and teachers, and helped to open doors and unlock new potential in and out of the classroom. Mike also had the courage to implement an innovative approach called the Expeditionary Learning model, through which groups of teachers and students work together on

hands-on projects that require them to have an understanding of many different disciplines. He also has demonstrated the courage to do what he thought was right, even when decisions were controversial. His approach earned him the respect of the teachers and the entire school community, and it has helped turn King Middle School into a real success story.

I cannot say enough good things about Mike and his impact on King Middle School, the city of Portland, and Maine education as a whole. When I recently convened a panel of Maine educators to share their perception on reauthorizing the Elementary and Secondary Education Act, Mike brought his strong voice to the table. His has always been an invaluable perspective. Through his experience and input, educators across Maine are better off as they work—just like Mike—to broaden their students' horizons and prepare them for success in a rapidly changing world.●

CELEBRATING THE ''YEAR OF DAWES''

● Mr. KIRK. Mr. President, today I recognize former Illinois resident and Vice President of the United States, Charles Gates Dawes, in honor of the 150th anniversary of his birth on August 27, 1865. Charles Dawes holds a special place in American history, devoting much of his life to public service, and today his memory lives on in Evanston, IL, the place where Dawes and his family called home for nearly 60 years.

Serving as Vice President of the United States from 1925 to 1929 under President Calvin Coolidge, Dawes distinguished himself in the service of his country on a national and international scale. Dawes served as brigadier general in charge of the American Expeditionary Force Office of Supply during World War I, where he led the Allied Supply Board and subsequently received medals for distinguished service from each of the Allied countries. On December 10, 1926, Dawes was awarded the 1925 Nobel Peace Prize for his work on the ''Dawes Plan'' that restructured German reparation repayments following World War I and temporarily helped to restore balance to Europe, easing tensions between Germany and France.

In addition to his work under the Coolidge administration, Dawes served four other U.S. Presidents in various offices that included Comptroller of the Currency, First Director of the Federal Bureau of the Budget, and President of the Reconstruction Finance Corporation. Dawes also served as U.S. Ambassador to Great Britain, a position he held until 1931. As Ambassador, Dawes successfully helped to negotiate treaties in international law and arms limitations. As the American delegate to the London Naval Conference in 1930, he specifically worked to broker an agreement between Japan, France, Italy, Great Britain, and the United States to limit the number of Navy war vessels and regulate submarine warfare. Dawes was also a dedicated humanitarian, who personally established and funded extensive networks of food and housing for the homeless and less fortunate.

Charles Dawes is also remembered for his contributions and service to his local community of Evanston, IL. Dawes owned an Evanston based utility business, and he and his extended family were a part of the fabric of the community, attending local schools and participating in countless Evanston organizations. In 1942, he arranged to bequeath his home to Northwestern University and the broader Evanston community for the conservation of its cultural history. Today the Dawes home serves as the headquarters of the Evanston History Center, which will be honoring the life of Charles Dawes and the 150th anniversary of his birth through its ''Year of Dawes'' celebration. I commend the Evanston History Center for its dedication to educating the public on the remarkable life of Charles Dawes and preserving the Dawes family history for future generations.

I ask all my colleagues to join me in celebrating the ''Year of Dawes'' and honoring the 150th birthday anniversary of Charles Gates Dawes.●

TRIBUTE TO JAN THOMPSON

● Mr. KIRK. Mr. President, today I commemorate my constituent from Carbondale, IL, Ms. Jan Thompson, for her extraordinary work on behalf of American veterans. Ms. Thompson is a professor at Southern Illinois University and the founder and president of the American Defenders of Bataan and Corregidor—ADBC—Memorial Society. On Sunday, July 19, 2015, Ms. Thompson and ADBC had the historic responsibility of being offered the first Japanese corporate apology for forced labor by American prisoners of war—POWS—during World War II.

Over 900 American civilian and military POWs were slave laborers in four mines owned by Mitsubishi Mining Company Ltd. during World War II. Ms. Thompson, whose organization represents surviving POWs, their families, descendants, and researchers working on POW history, accepted on their behalf an apology offered by Mitsubishi Mining's successor company, Mitsubishi Materials.

Thompson's father, Robert E. Thompson, was a Pharmacist's Mate aboard the USS *Canopus*—AS–9—a submarine tender moored in Manila Bay at the outbreak of the war on December 8, 1941. The tender was the only heavy ship left to service the submarines during the defense of the Philippines. The crew scuttled her the night before Bataan was surrendered on April 9, 1942 and escaped to fight on Corregidor Island.

Robert Thompson attended to the wounded during the final month of the siege of Corregidor. Surrendering on May 6, 1942 in the face of great odds, he was assigned to the Bilibid Prison Hospital in Manila and survived the three ''Hell ships'' *Oryoku Maru*, *Enoura Maru*, and *Brazil Maru*.

On July 19th, Mr. Hikaru Kimura, a Senior Corporate Executive of Mitsubishi Materials Corporation and Senior General Manager of Global Business Management at the Paint Finishing System Division of Taikisha Ltd delivered the apology at a ceremony held at the Museum of Tolerance in Los Angeles.

I applaud Mitsubishi Materials' courage and good corporate citizenship. I ask unanimous consent that the statement of Jan Thompson be printed in the RECORD.

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

STATEMENT OF JAN THOMPSON, PRESIDENT, AMERICAN DEFENDERS OF BATAAN & CORREGIDOR MEMORIAL SOCIETY

DELIVERED AT THE MUSEUM OF TOLERANCE

SIMON WIESENTHAL CENTER—LOS ANGELES, CA, JULY 19, 2015

Thank you Rabbi [Abraham] Cooper for moderating today and for having the Museum of Tolerance as the venue for today's meeting.

I thank [Ms.] Kinue Tokodome, Mr. [Hikaru] Kimura, Mr. [Yukio] Okamoto and the Mitsubishi Materials Corporation for inviting me to be a witness to this extraordinary occasion.

I have known Kinue for many years as a dear friend and an advocate for our former POWs. She has worked very hard over the years to bring all of us together today for this important event and she should be recognized for her dedication and perseverance.

I had three roles in the room: one role as a daughter of a former POW, Robert E. Thompson; another role as a filmmaker; and as President of the American Defenders of Bataan & Corregidor [ADBC] Memorial Society.

Being a witness today is meaningful to me.

Seventy years ago our countries were at war and we were enemies. Terrible things happen during war. Our 16th President, Abraham Lincoln stated ''We cannot escape history,'' and perhaps Prime Minister [Shinzo] Abe was paying homage by saying at his recent address to Congress: ''We cannot avert our eyes . . .''

For some former POWs an apology is important and they are grateful.

For others, the apology is 70 years too late. Unfortunately for those who have passed away [they] were not able to hear the moving words of Mr. Kimura.

The mission of the ADBC Memorial Society is education and to preserve the legacy of those who had been POWs of Imperial Japan. Our mission is to preserve their history accurately. We see this apology today as an acknowledgment that their use of forced labor for Mitsubishi Mining violated their human rights and their dignity. This apology is important to silence those who deny these facts.

It is obvious that this decision to apologize did not happen overnight. It took people with the same mind, the same goal, and the same courage to make this happen.

Mitsubishi Materials Corporation should be a role model for other Japanese corporations: to come forward and apologize. We hope the citizens of Japan will support today's action. The employees of Mitsubishi

Materials Corporation should be proud of their company.

We thank Mr. Kimura for his sincere apology and we hope today starts a relationship between the ADBC Memorial Society and Mitsubishi Materials Corporation to further our goal of reconciliation and education for generations to come.

We see this apology as one very important step forward and we cannot let what happened today die or be forgotten.

STATEMENT BY MITSUBISHI MATERIALS CORPORATION SENIOR EXECUTIVE OFFICER HIKARU KIMURA IN THE MEETING WITH A FORMER AMERICAN POW AND FAMILIES OF FORMER POWS

Good afternoon, ladies and gentlemen, speaking on behalf of Mitsubishi Materials, thank you very much for this opportunity to meet with you today at the Museum of Tolerance.

Mitsubishi Mining Company Limited, the predecessor of Mitsubishi Materials, was engaged in coal and metal mining during World War II. As the war intensified, prisoners of war were placed in a wide range of industries to offset labor shortages. As part of this, close to 900 American POWs were allocated to four mines operated by Mitsubishi Mining in Japan.

I joined Mitsubishi Materials as a postwar baby-boomer and have worked in the company for 34 years. I have read the memoirs of Mr. James Murphy, who is present here at this ceremony, and those of other former POWs, as well as records of court trials. Through these accounts, I have learned about the terrible pain that POWs experienced in the mines of Mitsubishi Mining.

The POWs, many of whom were suffering from disease and injury, were subjected to hard labor, including during freezing winters, working without sufficient food, water, medical treatment or sanitation. When we think of their harsh lives in the mines, we cannot help feeling deep remorse.

I would like to express our deepest sense of ethical responsibility for the tragic experiences of all U.S. POWs, including Mr. James Murphy, who were forced to work under harsh conditions in the mines of the former Mitsubishi Mining.

On behalf of Mitsubishi Materials, I offer our sincerest apology.

I also extend our deepest condolence to their fellow U.S. POWs who worked alongside them but have since passed away.

To the bereaved families who are present at this ceremony, I also offer our most remorseful apology.

This cannot happen again, and of course, Mitsubishi Materials intends to never let this happen again.

We now have a clear corporate mission of working for the benefit of all people, all societies and indeed the entire globe. Respecting the basic human rights of all people is a core principle of Mitsubishi Materials, and we will continue to strongly adhere to this principle.

Our management team wishes for the health and happiness of our employees every day, and we ask that all of them work not only diligently, but also with a sense of ethics.

Mitsubishi Materials supplies general materials that enrich people's lives, from cement to cellphone components and auto parts, all of which are closely related to people's lives. We also place a strong emphasis on recycling for more sustainable societies, such as recovering valuable metals from used electrical appliances and other scrapped materials.

Here in the United States, we have plants for cement and ready-mixed concrete, and a sales headquarters for our advanced materials and tools business, all in California, as well as a polysilicon plant in Alabama. We believe that our company provides fulfilling jobs for local employees and contributes to host communities through its business.

The American Defenders of Bataan & Corregidor Museum in Wellsburg, West Virginia archives extensive records and memorabilia of POWs. These records and memorabilia will be handed down to future generations for educational purposes.

I will visit the museum the day after tomorrow to view the exhibits and visualize how POWs were forced to work under harsh conditions. For now, however, I am pleased to announce that Mitsubishi Materials has donated 50,000 U.S. dollars to the museum to support its activities.

Finally, I sincerely thank Ms. Kinue Tokudome and the members of the American Defenders of Bataan & Corregidor Memorial Society for creating this opportunity to meet with you today. I also express my sincere thanks to Rabbi Abraham Cooper for offering the Museum of Tolerance as a venue for the ceremony. And I express my deep gratitude to all others involved in arranging this gathering.

I would also like to thank the family members of a non-U.S. POW [Mr. Stanley Gibson from Scotland, whose late father James Gibson, a private in the Argyll and Sutherland Highlanders captured in Malaya in 1942, was also a slave laborer in the Mitsubishi Osarizawa mine] who have come from very far away to attend this ceremony.

I truly hope that this gathering marks the starting point of a new relationship between former POWs and Mitsubishi Materials.

Thank you very much.●

TRIBUTE TO MELBA CURLS

● Mrs. MCCASKILL. Mr. President, I ask the Senate to join me in congratulating my good friend Melba Curls on her retirement from her many years of service to the city of Kansas City and the State of Missouri.

Melba's journey as an agent of change began early in her life as a member of one of the first classes to integrate Kansas City's Central High School. Soon thereafter she found herself active in the NAACP's Youth Program. It was through that involvement that she met her future husband and my good friend State senator Phil B. Curls. While Phil passed from us far too soon, it was not before spending 43 wonderful years wed to Melba.

Melba began her career in public service as a valued staff member to former Kansas City mayor Charles Wheeler and then to U.S. Senator Tom Eagleton. She then dedicated nearly 15 years of her life to improving the lives of countless Missourians, through her work at KCMC Child Development Corporation and its Head Start Program.

The people of Missouri's 41st House District elected Melba to represent them in the Missouri House of Representatives in 1999. Her 7 years in the general assembly saw her work across the political aisle, with both urban and rural legislators and with officials from executive departments in order to make her community and her State a better place for us all.

In 2007, Melba was elected as city councilwoman for the third District, At-Large in Kansas City, MO. In typical fashion, Melba jumped in feet first to tackle a wide range of issues facing the city. Whether it was housing, transportation and infrastructure, or issues pertaining to public safety, Melba was going to be a leader fighting for the good of her community.

Melba is now completing her second and final term on the city council. During her time in elected office, she has earned the respect of her colleagues, civic organizations, and the community at large.

I know Melba is now looking forward to traveling and spending more time with her beautiful family. However, I also know Melba—when she sees work that needs to be done, she will be there. While her time as an elected official may be coming to an end, her time as a force for good is not. Thanks to her lifelong passion and drive, her neighborhood, the city of Kansas City, and the State of Missouri are, and will continue to be, better places for us all.

I ask that the Senate join me in congratulating Melba Curls on a job well done, and wishing her nothing but the best in the years to come.●

STURGIS MOTORCYCLE RALLY 75TH ANNIVERSARY

● Mr. ROUNDS. Mr. President, today I wish to commemorate the 75th anniversary of the Sturgis Motorcycle Rally, taking place this week in Sturgis, SD. No single week in the entire year boasts a greater influx in the State's overall population than the week of the annual event the first week of August. During that week, motorcyclists gather together in perhaps the largest bike gathering of all time. This year, more than 1 million visitors from across the world are estimated to attend the rally—more than the entire population of South Dakota.

What began as a single motorcycle race in 1938, the weeklong rally takes place in the small town of Sturgis in the Black Hills of western South Dakota, a normally quiet town with a population of just over 6,000. During the week of the rally, however, Main Street Sturgis evolves into a platform for chrome, leather, and denim, where motorcycle enthusiasts and other tourists come to enjoy like-minded company, various forms of entertainment, the South Dakota landscape, and local food and grub.

The economic impact of the rally is impressive. A study conducted by the Rally Department of the city of Sturgis gauged the economic impact of the 2010 rally, which hosted 466,000 attendees, as generating roughly $817 million dollars in economic activity for the State. That is just in 1 year.

And not just the city of Sturgis benefits. Though the rally only lasts a week, the magnificence of the State often compels visitors to stick around even longer. Many attendees travel to South Dakota weeks before the rally begins or extend their stay afterward

to travel our State and take in its beauty and many tourist attractions. With the Black Hills National Forest, Badlands National Park, Mount Rushmore National Monument, and the Crazy Horse Memorial all within driving distance, visitors can experience the buzzing commotion of bikers and chrome one day and the pristine beauty of South Dakota's Black Hills the next. The contrast is captivating, and it boosts economic activity throughout the region. By all accounts, this year has been no different. It appears the 75th Annual Sturgis Motorcycle Rally is already off to a great start, and it could very well be a record-breaking year.

Rally week is always an exciting time to be in South Dakota, and I wish everyone attending this year's rally a safe, happy, and fun-filled trip. Congratulations to everyone who has worked to make the rally a world-renowned event over the past 75 years. I wish our State and the city of Sturgis many more successful years of hosting the Sturgis Motorcycle Rally.●

TRIBUTE TO CHLOE CHRISTENSEN

● Mr. THUNE. Mr. President, today I recognize Chloe Christensen, an intern in my Rapid City office as well as my leadership office at the Senate Republican Conference, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Chloe will begin attending George Washington University this fall where she will major in international affairs. Chloe is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Chloe Christensen for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MEASURES DISCHARGED

The following bill was discharged from the Committee on Banking, Housing, and Urban Affairs, pursuant to the order of May 27, 1988, and placed on the calendar:

S. 710. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1603. A bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers (Rept. No. 114–116).

By Mr. BARRASSO, from the Committee on Indian Affairs:

Report to accompany S. 710, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes (Rept. No. 114–117).

By Mr. HATCH, from the Committee on Finance, without amendment:

S. 1946. An original bill to amend the Internal Revenue Code of 1986 to extend expiring provisions, and for other purposes (Rept. No. 114–118).

By Mr. HATCH, from the Committee on Finance:

Special Report entitled ''The Internal Revenue Service's Processing of 501(c)(3) and 501(c)(4) Applications for Tax-Exempt Status Submitted by ''Political Advocacy'' Organizations from 2010–2013'' (Rept . No. 114–119).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HATCH for the Committee on Finance.

Marisa Lago, of New York, to be a Deputy United States Trade Representative, with the rank of Ambassador.

*W. Thomas Reeder, Jr., of Virginia, to be Director of the Pension Benefit Guaranty Corporation.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Walter A. Barrows, of Ohio, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2019.

*Kathryn K. Matthew, of South Carolina, to be Director of the Institute of Museum and Library Services for a term of four years.

*Karen Bollinger DeSalvo, of Louisiana, to be an Assistant Secretary of Health and Human Services.

*W. Thomas Reeder, Jr., of Virginia, to be Director of the Pension Benefit Guaranty Corporation.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BLUMENTHAL (for himself, Mr. TILLIS, Mr. BROWN, Mr. CARPER, Mr. CASSIDY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. MURPHY, Mr. REED, Mr. SCHUMER, and Mrs. SHAHEEN):

S. 1938. A bill to amend title 38, United States Code, to improve the approval of certain programs of education for purposes of educational assistance provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN (for herself and Mr. HATCH):

S. 1939. A bill to amend the Higher Education Act of 1965 to provide for institutional ineligibility based on low cohort repayment rates and to require risk sharing payments of institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ:

S. 1940. A bill to improve the retirement security of American families by increasing Social Security benefits for current and future beneficiaries while making Social Security stronger for future generations; to the Committee on Finance.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 1941. A bill to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER:

S. 1942. A bill to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER:

S. 1943. A bill to modify the boundary of the Shiloh National Military Park located in the State of Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SULLIVAN:

S. 1944. A bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Mr. MURPHY, and Ms. COLLINS):

S. 1945. A bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 1946. An original bill to amend the Internal Revenue Code of 1986 to extend expiring provisions, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. MERKLEY:

S. 1947. A bill to exclude the discharge of certain Federal student loans from the calculation of gross income; to the Committee on Finance.

By Mr. MERKLEY:

S. 1948. A bill to increase awareness of the Federal student loan income-based repayment plan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Mrs. BOXER):

S. 1949. A bill to make it unlawful to alter or remove the unique equipment identification number of a mobile device; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 1950. A bill to amend the National Voter Registration Act of 1993 to provide for online

voter registration and for other purposes; to the Committee on Rules and Administration.

By Mr. SCHUMER:

S. 1951. A bill to amend the Help America Vote Act of 2002 to require the availability of early voting or no-excuse absentee voting; to the Committee on Rules and Administration.

By Mr. SCHUMER:

S. 1952. A bill to amend the National Voter Registration Act of 1993 to modify the procedures for change of address; to the Committee on Rules and Administration.

By Mr. CASEY:

S. 1953. A bill to amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste; to the Committee on Environment and Public Works.

By Mr. WYDEN:

S. 1954. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in public elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Finance.

By Mr. SULLIVAN:

S. 1955. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. PETERS, and Ms. BALDWIN):

S. 1956. A bill to require the Under Secretary for Oceans and Atmosphere to conduct an assessment of cultural and historic resources in the waters of the Great Lakes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. LANKFORD, Mr. COTTON, Mrs. CAPITO, Mr. LEAHY, Mr. MERKLEY, and Mr. CRAPO):

S. 1957. A bill to require the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself, Mr. BOOKER, Mrs. GILLIBRAND, Mr. FRANKEN, and Ms. WARREN):

S. 1958. A bill to establish additional protections and disclosures for students and cosigners with respect to student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. FRANKEN):

S. 1959. A bill to provide greater controls and restrictions on revolving door lobbying; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REED (for himself and Mrs. SHAHEEN):

S. 1960. A bill to establish a statute of limitations for certain actions of the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MENENDEZ):

S. 1961. A bill to amend titles XVIII and XIX of the Social Security Act to make improvements to the treatment of the United States territories under the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. GARDNER):

S. 1962. A bill to authorize 2 additional district judgeships for the district of Colorado; to the Committee on the Judiciary.

By Mr. ROUNDS (for himself and Mr. KING):

S. 1963. A bill to amend the Consumer Financial Protection Act of 2010 to establish advisory boards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself, Ms. STABENOW, Mr. CASEY, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. SCHUMER, and Mr. MENENDEZ):

S. 1964. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home with their families, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. PAUL, Mr. LEE, and Mr. DURBIN):

S. 1965. A bill to place restrictions on the use of solitary confinement for juveniles in Federal custody; to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself, Mr. MCCONNELL, Mr. KIRK, Mr. BROWN, Mr. DONNELLY, and Mr. BENNET):

S. 1966. A bill to amend the Richard B. Russell National School Lunch Act to require alternative options for program delivery; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KIRK:

S. 1967. A bill to provide for the conveyance of land of the Illiana Health Care System of the Department of Veterans Affairs in Danville, Illinois; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 1968. A bill to amend the Securities Exchange Act of 1934 to require certain companies to disclose information describing any measures the company has taken to identify and address conditions of forced labor, slavery, human trafficking, and the worst forms of child labor within the company's supply chains; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 1969. A bill to designate Federal election day as a public holiday; to the Committee on the Judiciary.

By Mr. SANDERS:

S. 1970. A bill to establish national procedures for automatic voter registration for elections for Federal Office; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1971. A bill to expand the boundary of the California Coastal National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KIRK (for himself and Mrs. SHAHEEN):

S. 1972. A bill to require air carriers to modify certain policies with respect to the use of epinephrine for in-flight emergencies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PAUL:

S. 1973. A bill to amend the Internal Revenue Code of 1986 to expand the deduction for interest on education loans, to extend and expand the deduction for qualified tuition and related expenses, and eliminate the limitation on contributions to Coverdell education savings accounts; to the Committee on Finance.

By Ms. HEITKAMP:

S. 1974. A bill to require the Bureau of Consumer Financial Protection to amend its regulations relating to qualified mortgages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MIKULSKI (for herself, Ms. BALDWIN, Mrs. BOXER, Ms. CANTWELL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HEITKAMP, Ms. HIRONO, Ms. KLOBUCHAR, Mrs. MCCASKILL, Mrs. MURRAY, Mrs. SHAHEEN, Ms. STABENOW, and Ms. WARREN):

S. 1975. A bill to establish the Sewall-Belmont House National Historic Site as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 1976. A bill to prohibit the distribution in commerce of children's products and upholstered furniture containing certain flame retardants, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1977. A bill to provide family members and close associates of an individual who they fear is a danger to himself, herself, or others new tools to prevent gun violence; to the Committee on the Judiciary.

By Mr. KIRK (for himself and Mr. DONNELLY):

S. 1978. A bill to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 1979. A bill to direct the Chief of Engineers to transfer an archaeological collection, commonly referred to as the Kennewick Man or the Ancient One, to the Washington State Department of Archeology and Historic Preservation; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mrs. BOXER, Ms. MIKULSKI, Ms. KLOBUCHAR, Mr. FRANKEN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 1980. A bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. WARREN (for herself, Mr. LEAHY, Mr. WYDEN, Mr. DURBIN, Mr. MENENDEZ, Mr. SANDERS, Mr. BROWN, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, and Mr. MARKEY):

S. 1981. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Mr. BOOZMAN):

S. 1982. A bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1983. A bill to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, and for other purposes; to the Committee on Indian Affairs.

By Mr. LANKFORD:

S. 1984. A bill to prevent Indian tribes and tribal organizations that cultivate, manufacture, or distribute marijuana on Indian land from receiving Federal funds; to the Committee on Indian Affairs.

By Mr. HATCH:

S. 1985. A bill to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal

land and non-Federal land in the State of Utah, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID:

S. 1986. A bill to provide for a land conveyance in the State of Nevada; to the Committee on Indian Affairs.

By Mr. INHOFE (for himself, Mr. THUNE, and Mr. GRASSLEY):

S. 1987. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Environment and Public Works.

By Mr. INHOFE:

S. 1988. A bill to enhance the security of military personnel at United States military installations and operating locations; to the Committee on Armed Services.

By Mr. CASSIDY:

S. 1989. A bill to improve access to primary care services; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. CARPER):

S. 1990. A bill to require Inspectors General and the Comptroller General of the United States to submit reports on the use of logical access controls and other security practices to safeguard classified and personally identifiable information on Federal computer systems, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. McCAIN:

S. 1991. A bill to eliminate the sunset date for the Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROUNDS (for himself, Mr. THUNE, Mr. DAINES, Mr. INHOFE, Mr. ENZI, and Mr. CRAPO):

S. 1992. A bill to amend chapter 44 of title 18, United States Code, to provide that a member of the Armed Forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member; to the Committee on Armed Services.

By Mr. McCAIN (for himself and Mr. BENNET):

S. 1993. A bill to establish the 21st Century Conservation Service Corps to place youth and veterans in the United States in national service positions to protect, restore, and enhance the great outdoors of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARPER:

S. 1994. A bill to amend the Internal Revenue Code of 1986 to increase certain fuel taxes and to strengthen the earned income tax credit and make permanent certain tax provisions under the American Recovery and Reinvestment Act of 2009; to the Committee on Finance.

By Mr. SCHUMER:

S. 1995. A bill to provide grants for projects to acquire land and water for parks and other outdoor recreation purposes and to develop new or renovate existing outdoor recreation facilities; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. PORTMAN):

S. 1996. A bill to streamline the employer reporting process and strengthen the eligibility verification process for the premium assistance tax credit and cost-sharing subsidy; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. CRAPO):

S. 1997. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for wildfire mitigation grants and financial assistance in certain areas affected by wildfires; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH (for himself and Ms. HIRONO):

S. 1998. A bill to improve college affordability; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON:

S. 1999. A bill to authorize the Secretary of the department in which the Coast Guard is operating to act, without liability for certain damages, to prevent and respond to the threat of damage from pollution of the sea by crude oil, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 2000. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. AYOTTE:

S. 2001. A bill to phase out special wage certificates under section 14(c) of the Fair Labor Standards Act of 1938 that allow individuals with disabilities to be paid at subminimum wage rates; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. 2002. A bill to strengthen our mental health system and improve public safety; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI (for herself and Ms. COLLINS):

S. Res. 242. A resolution celebrating 25 years of success from the Office of Research on Women's Health at the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. ENZI, Ms. HIRONO, Mr. RISCH, Mr. PETERS, Ms. AYOTTE, and Mr. GARDNER):

S. Res. 243. A resolution celebrating the 35th anniversary of the Small Business Development Centers of the United States; to the Committee on Small Business and Entrepreneurship.

By Mr. FRANKEN (for himself, Mr. UDALL, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, and Mr. SANDERS):

S. Res. 244. A resolution expressing the sense of the Senate regarding the ''Laudato Si'' encyclical of Pope Francis, and global climate change; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. BROWN, Mr. PORTMAN, Mr. KING, Mr. MENENDEZ, Mr. GRASSLEY, Mr. MURPHY, Ms. KLOBUCHAR, Mr. BOOKER, Mr. MARKEY, Mr. BLUMENTHAL, Ms. AYOTTE, and Mrs. MURRAY):

S. Res. 245. A resolution designating the week beginning September 13, 2015, as ''National Direct Support Professionals Recognition Week''; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Mr. REID, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BOXER, Mr. COONS, Mr. DONNELLY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MANCHIN, Mr. MARKEY, Mrs. McCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Mr. TESTER, Mr. UDALL, Ms. WARREN, and Mr. WHITEHOUSE):

S. Res. 246. A resolution commemorating 80 years since the creation of Social Security; to the Committee on Finance.

By Mr. ISAKSON:

S. Res. 247. A resolution commemorating and honoring the actions of President Harry S. Truman and the crews of the Enola Gay and Bockscar in using the atomic bomb to bring World War II to an end; to the Committee on Foreign Relations.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. MENENDEZ, Mr. VITTER, Mrs. FEINSTEIN, Mr. MORAN, Mrs. BOXER, Ms. AYOTTE, Mr. CARDIN, Mr. KING, Mr. BLUNT, Mr. BOOKER, and Mr. BOOZMAN):

S. Res. 248. A resolution designating September 2015 as ''National Prostate Cancer Awareness Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 142

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 142, a bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

S. 210

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 210, supra.

S. 235

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 271

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 283

At the request of Mr. FLAKE, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 283, a bill to prohibit the Internal Revenue Service from modifying the standard for determining whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986.

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 330

At the request of Mr. HELLER, the names of the Senator from New Mexico (Mr. UDALL), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 497

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 497, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 564

At the request of Mr. MORAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 564, a bill to amend title 38, United States Code, to include licensed hearing aid specialists as eligible for appointment in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 598

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 598, a bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 661

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 661, a bill to amend the Internal Revenue Code of 1986 to enhance the dependent care tax credit, and for other purposes.

S. 706

At the request of Mrs. BOXER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 706, a bill to amend the Higher Education Act of 1965 to require institutions of higher education to have an independent advocate for campus sexual assault prevention and response.

S. 776

At the request of Mr. ROBERTS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 776, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 799

At the request of Mr. CASEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 804

At the request of Mrs. SHAHEEN, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 901

At the request of Mr. MORAN, the names of the Senator from Michigan (Mr. PETERS), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 979

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 993

At the request of Mr. FRANKEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 1061

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 1061, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1062

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 1062, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1090

At the request of Mr. BOOKER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1090, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

S. 1099

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1099, a bill to amend the Patient Protection and Affordable Care Act to provide States with flexibility in determining the size of employers in the small group market.

At the request of Mr. SCOTT, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Indiana (Mr. COATS), the Senator from West Virginia (Mrs. CAPITO), the Senator from Missouri (Mr. BLUNT), the Senator from Ohio (Mr. PORTMAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1099, supra.

S. 1107

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1107, a bill to provide for

an equitable management of summer flounder based on geographic, scientific, and economic data and for other purposes.

S. 1358

At the request of Ms. MURKOWSKI, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1358, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1523

At the request of Mr. WHITEHOUSE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1523, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 1526

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1526, a bill to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Kansas (Mr. ROBERTS), the Senator from Oregon (Mr. MERKLEY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1566

At the request of Mr. KIRK, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Maine (Ms. COLLINS) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1589

At the request of Mr. WARNER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1589, a bill to facilitate efficient investments and financing of infrastructure projects and new, long-term job creation through the establishment of an Infrastructure Financing Authority, and for other purposes.

S. 1603

At the request of Mr. TOOMEY, his name was added as a cosponsor of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1609

At the request of Mr. KAINE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1609, a bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1711

At the request of Mr. SCOTT, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 1711, a bill to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes.

S. 1728

At the request of Mr. COATS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1728, a bill to amend the Internal Revenue Code of 1986 to provide equal access to declaratory judgments for organizations seeking tax-exempt status.

S. 1772

At the request of Ms. WARREN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1772, a bill to permit employees to request changes to their work schedules without fear of retaliation and to ensure that employers consider these requests, and to require employers to provide more predictable and stable schedules for employees in certain occupations with evidence of unpredictable and unstable scheduling practices that negatively affect employees, and for other purposes.

S. 1775

At the request of Mr. MURPHY, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1775, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1819

At the request of Mr. DAINES, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1819, a bill to improve security at Armed Forces recruitment centers.

S. 1823

At the request of Mr. MORAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1823, a bill to safeguard military personnel on Armed Forces military installations by repealing bans on military personnel carrying firearms, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1838

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1838, a bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes.

S. 1842

At the request of Mr. SESSIONS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1842, a bill to ensure State and local compliance with all Federal immigration detainers on aliens in custody and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New Mexico (Mr. UDALL), the Senator from Wisconsin (Ms. BALDWIN), the Senator

from Pennsylvania (Mr. CASEY), the Senator from Virginia (Mr. KAINE), the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1860

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1860, a bill to protect and promote international religious freedom.

S. 1883

At the request of Mr. REED, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 1900

At the request of Mr. KAINE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1900, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 1925

At the request of Mr. HEINRICH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1925, a bill to extend the secure rural schools and community self-determination program and to make permanent the payment in lieu of taxes program and the land and water conservation fund.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 2612

At the request of Mr. FRANKEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2612 intended to be proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SULLIVAN:

S. 1944. A bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule; to the Committee on Homeland Security and Governmental Affairs.

Mr. SULLIVAN. Mr. President, I rise today to introduce S. 1944, the RED Tape Act of 2015.

The letters R-E-D stand for Regulations Endanger Democracy. They do, and they are. This bill will help cut burdensome regulations—regulations that I think everybody agrees have been strangling our economy, regulations that many of my colleagues and I and economists around the country and around the world believe are at the heart of why we can't grow the great American economy.

Let me spend a few minutes on the economy, what the regulations are doing, and why I believe this bill is so important and why we are working hard to get bipartisan support for it.

There is a debate going on in this country and on the Senate floor: Are we in decline? Is America in decline? Are our best days behind us? Is China going to own the 21st century the way we did the last century?

Now, I am an optimist. I don't think we are in decline. We don't need to be in decline. Here is the reason why. We don't hear about it much, but when we look and compare the United States to other countries, we have so many comparative advantages. We still have so many comparative advantages.

Imagine the United States is in a global poker game with all the other major nations of the world around the table. We don't hear this much, but relative to other countries, we look at our hand and we hold aces. As a matter of fact, we hold most of the aces. Let me give a few examples.

The high-tech sector. Whether it is Silicon Valley, Massachusetts, places throughout the entire country, we still have the most vibrant, innovative high-tech sector of anyplace in the world, the ability to commercialize ideas with private equity and financing. If you have a good idea, an entrepreneurial idea in America, you can commercialize that, you can take that to market more quickly, more efficiently than any other place in the world.

Our agriculture sector for decades has been probably the most efficient agriculture sector in the world, feeding the world, literally.

Universities. Look at America's universities relative to any other place, any other country. I had the great honor—my oldest daughter of my three teenaged daughters graduated from high school last year. My wife and I took her to a number of universities she was looking at across the country. We have States—Massachusetts, California—that probably have better top research universities just in those States than other countries have in their entire country. In my State of Alaska, we have great universities. It is a huge advantage.

Energy. Once again through American innovation, we are the world's energy superpower again, the way we used to be, producing more oil, more gas, more renewables than any other country in the world. It is a huge advantage.

Fisheries. We are one of the top countries in the world in terms of the harvest of fisheries, and my State of Alaska is the superpower of American seafood. We harvest more than 50 percent of all seafood in America—a huge advantage for our country.

The military. I don't have to say much more about the military. We have the best, most professional military in the world, probably in the history of the world, unrivaled by any other nation, not even close.

Then even issues like—we talk a lot about immigration and how our system is broken and how the border needs to be secured. Absolutely. But we are still the country of the world that other people of the world want to come to. They want to come here.

I recently attended a naturalization ceremony in Juneau, AK. If you want to take pride in our country, if you want to see something great, go to a naturalization ceremony. See people who have been thinking about becoming an American for most of their lives finally achieving that goal. It will bring tears to your eyes. It brought tears to my eyes.

Then, of course, in terms of comparative advantages, there is our form of government, our Framers, our Constitution—the longest standing constitutional democracy in the world. It certainly is not perfect, but again, relative to other countries, it is a huge advantage.

So, as I mentioned, we have all the aces. In that big global game of poker, we have a great hand. As President Reagan said a couple decades ago, we are ''the greatest, freest, strongest nation on earth.'' And I believe we still are.

But, of course, like all countries, we have challenges. Here is the biggest challenge, I believe: If we have all the aces, if we have all these comparative advantages, why can't we grow our economy anymore? Why can't we create opportunities for young college graduates?

Our gross domestic product shrunk the first quarter of this year for the third time in the last 9 years. That hasn't happened in more than 60 years. From 2011 through 2014, our gross domestic product only grew at a little bit below 2 percent.

The comparative advantage, the growth rate that made our country great from 1790 to 2014—U.S. real GDP growth in real dollars—averaged an annual rate of 3.7 percent—almost 4 percent GDP growth. That is the average for our country's history. That is real, robust American growth. That is what made us great. The Obama administration's average is 1.36 percent per year.

Just last week—and I know this is an issue that you and I have talked a lot about—it was revealed that we now

have officially the worst economic recovery in 70 years.

An article in the Wall Street Journal says that new GDP revisions show the worst recovery in 70 years and it was even weaker than we thought. This is a huge problem. We can no longer grow our economy. When that happens, we hurt the most vulnerable in society. But what is even more frustrating than that is when you come to Washington, it seems that nobody actually seems to care about this topic anymore or that we are going to dumb down our expectations.

It was pretty amazing. Some economists cheered. Our growth rate that was announced last quarter was a little bit over 2 percent GDP growth, and they cheered it. But, again, the issue doesn't even seem to be something that people here are focused on.

Let me give you an example. The first quarter of this year, the U.S. economy—the greatest economy in the world—went back into recession. We shrunk. That is a big deal. That should frighten people. Did the White House say anything? Did the Secretary of the Treasury come out and say: Oh, my gosh, we are back in a recession; here is what we are going to do to grow this economy because we know growth is the key to almost everything.

Not a word—in fact, what is starting to happen is—and it is a very, very dangerous trend in Washington—we are just going to dumb down our expectations. Yes, traditional levels of U.S. economic growth are almost 4 percent since the founding of our Nation. But guess what we are going to call it now. We are going to call 2 percent growth—which is all we can achieve, it seems—the new normal. We are not going to try to get back to 4 percent, the traditional levels. Democrats and Republicans have done that for decades, centuries. We are going to say: No, America, you need to be satisfied with the new normal—2 percent GDP growth.

Terms such as the ''new normal,'' ''secular stagnation''—some are even talking that this is our destiny as a nation. I don't like that term—''new normal.'' It is a surrender. It is a surrender of American greatness. It is a surrender of our future, and it is a surrender of our kids' future.

If we stay at these levels of growth—1.5 percent, 2 percent of GDP growth; the Obama administration growth levels—the challenges that we face are huge debt, infrastructure, funding the military, funding social programs, and even the cohesion of our great American country. All of these challenges will be much, much harder to address.

I believe one of the most important things we can do in this body, which we are not doing enough of, is to focus on this issue. Why are we not growing the American economy anymore? We have to get back to these robust levels of growth—Democratic, Republican levels. We have to get back to traditional levels of growth.

We can do better. Our history is better. This is the greatest economy in the world, and we need to unleash it. What is the problem? How do we do this? How do we get back to these levels of growth? If we are holding all the aces, what is holding us back?

I believe a huge part of the problem of what is holding us back is actually this town, the Federal Government, and the agencies here that are stifling economic growth with redtape from the alphabet soup of agencies—the IRS, the EPA, and the BLM—that are constantly promulgating new regulations. As opposed to being partners in opportunity, our Federal Government wants to regulate everything, all aspects of our economy.

Regulations across the country, from Alaska to Maine, are hurting businesses, are hurting the economy, and are hurting our citizens, especially the most vulnerable. Again, this is not a partisan issue. Almost all of us on both sides of the aisle agree that we need to cut redtape. Even President Obama's own Small Business Administration puts the number—the annual cost of regulations that grow every year—at $1.7 trillion per year. It is almost $1.8 trillion per year. If that were the economy, that would be one of the largest economies in the world. That is a staggering number, and they are growing. Regulatory costs amount to an average of almost $15,000 per household. It is around 29 percent of an average family budget of $51,000. People are noticing, not only in this country but globally.

On Friday, the Financial Times had an article: ''The land of free markets, tied down by red tape.''

Every nation needs a unifying idea. Americans love to see themselves as champions of free markets and entrepreneurial zeal.

That halo is coming off America because of regulations. What should we do? I believe we need to freeze the growth of regulations. That is what my bill, the RED Tape Act of 2015, does.

The cumulative Federal rules since 1976 is what we do here. We grow them like some irresistible force of nature. But it doesn't have to be that way. Unfortunately, my State has been ground zero for many overburdensome regulations—bridges, roads, and mines that take years simply to permit, not to build.

In rural Alaska, we are letting trash pile up because they don't make small, portable incinerators that comply with EPA regulations. Because of Federal roadless rules in southeast Alaska, we can't even build new alternative energy plants for energy-starved citizens of my State. Nationally, bridges are crumbling and can't get built because of overly burdensome regulations.

Let me provide one more example that you are aware of, Mr. President. Banks are failing. Because of regulations and a bad economy, over 1,300 small community banks have disappeared since 2010, and only two new banks in the United States have been chartered in the last 5 years. Even during the Great Depression we had on average 19 new banks a year. In the last 5 years, we have had two. As the article said, ''the entrepreneurial halo is starting to slip, too, since increasing quantities of red tape are making life harder for start-ups.''

Let me be clear. Regulations are not all bad. Many of them keep us safe from harm. But the mountains and stacks of regulations over the decades undermine our future.

What my bill would do is very simple. It is using a simple one-in, one-out method. New regulations that cause financial or administrative burdens on businesses for the people of the United States would need to be offset by repealing existing regulations. You issue a new reg and you repeal an old reg. If an agency doesn't want to do this, the cost of living adjustments for the agency personnel will be withheld until the agency abides by this law. It is very simple.

What we need to do is stop this growth of regulations on the American people and on our economy. This bill will help keep the regulatory system under control. It will help cut the redtape that binds us. It will bind the regulatory system instead, and it will help bring back the shine of that entrepreneurial halo in great American spirit that we all yearn for.

Finally, it will make sure that the aces we have in our hand—the comparative advantages that we have over every other country in the world—are used to benefit our country, grow our economy, and create a brighter future for our children.

I ask my colleagues to support this bill.

By Mrs. FEINSTEIN (for herself, Mr. LANKFORD, Mr. COTTON, Mrs. CAPITO, Mr. LEAHY, Mr. MERKLEY, and Mr. CRAPO):

S. 1957. A bill to require the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, today I am introducing the State Licensing Efficiency Act with my colleagues Senators LANKFORD, COTTON, CAPITO, LEAHY, MERKLEY, and CRAPO.

This bill provides a simple, commonsense change to the Secure and Fair Enforcement for Mortgage Licensing Act, SAFE Act, which became law in 2008 as part of the Housing and Economic Recovery Act.

Overall, this bipartisan bill streamlines the licensing process for financial service providers, and I urge my colleagues to support it.

The SAFE Act required that state banking regulators use the electronic Nationwide Mortgage Licensing System, NMLS, to license or register mortgage loan originators.

As the author of the SAFE Act, I have been pleased to see the NMLS' success over the past five years in facilitating mortgage loan originator licensing.

The use of the NMLS for mortgage loan originators benefits state regulators, those seeking licenses to conduct financial services, and consumers.

First, it increases efficiency and consolidates the licensing process and relevant information in one place for state regulators. This also allows for easier coordination between regulators.

Second, it provides a uniform licensing process for mortgage loan originators seeking licenses.

Finally, it allows consumers to verify the credentials of financial service providers to ensure that they are truly licensed or registered in the state in which they are conducting business.

Today, over half of the States now use the NMLS for licensing entities other than mortgage loan originators, including for non-depository financial service providers like check cashers, debt collectors, and money transmitters.

Many States require Federal background checks as part of the licensing process for financial service providers.

However, the SAFE Act only provided the Attorney General with the authority to share federal background check information with the NMLS for mortgage loan originators.

The FBI does not have the authority to share this information with the NMLS for any other financial service provider.

This means that while the rest of the licensing process for other financial service providers can be conducted through the NMLS, the background check cannot.

I believe background checks are a critical component of State licensing and regulation. It does not make sense to allow for the licensing process to be delayed by barring certain background checks from being coordinated through the NMLS.

The State Licensing Efficiency Act would provide the authorization needed for the Attorney General to allow the FBI to share background check information for non-depository financial service providers with state regulators through the NMLS, just as it currently does for mortgage loan originators.

Let me be clear that this bill does not change any state licensing requirements or impact any state laws. States fully retain the ability to determine when they want to use the NMLS for other financial service providers.

However, should states continue to expand their utilization of the NMLS, it makes sense to allow them to fully do so by ensuring federal background checks can be coordinated through the NMLS.

Additionally, this bill will help financial service providers seeking licenses in multiple states.

Instead of submitting federal background check requests for each State where they are seeking a license, they can submit one request via the NMLS for Federal background check information, which will be sent to the NMLS.

States conducting the licensing process will then have access to the information through the NMLS.

This should reduce the number of background check processing fees paid by financial service providers seeking licenses and reduce the processing period for the background checks so that financial service providers can get licensed more efficiently.

The State Licensing Efficiency Act makes a reasonable change to allow state regulators who use the NMLS for licensing financial service providers to fully benefit from a streamlined, transparent, and more efficient process.

Many regulatory associations support this bill including: the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, the Money Transmitter Regulators Association, the North American Collection Agency Regulatory Association, and the National Association of Consumer Credit Administrators.

Additionally, associations representing a variety of financial service providers have voiced support, including: the Appraisal Institute, the Mortgage Bankers Association, and the Money Services Round Table.

I strongly urge my colleagues to support this legislation and am hopeful that this Congress will move it forward.

By Mr. REED (for himself and Mrs. SHAHEEN):

S. 1960. A bill to establish a statute of limitations for certain actions of the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am reintroducing legislation that extends the time period the Securities and Exchange Commission, SEC, would have to seek civil monetary penalties for securities law violations.

This legislation continues to be necessary in light of the Supreme Court's decision in Gabelli v. SEC in which the Court held that the 5 year clock to take action aginst wrongdoing starts when the fraud occurs, not when it is discovered. Unfortunately, Gabelli has made it more difficult for the SEC to protect investors by shortening the amount of time that the SEC has to investigate and pursue securities law violations.

Financial fraud has evolved considerably over the years and now often consists of multiple parties, complex financial products, and elaborate transactions that are executed in a variety of securities markets, both domestic and foreign. As a result, the evidence of wrongdoing needed to initiate an action may go undetected for years. Securities law violators may simply run out the clock, now with greater ease in the aftermath of Gabelli.

Couple this with the reality that while we have given the SEC even greater responsibilities, Congress, despite my ongoing efforts to urge otherwise, has not provided the agency with all the resources necessary to carry out its duties.

To give an example of the impact of this resource shortfall, SEC Chair White on May 5, 2015, before the Senate Financial Services and General Government Appropriations Subcommittee testified that ''even with the SEC's efficient use of limited resources to improve its risk assessment capabilities and focus its examination staff on areas posing the greatest risk to investors—efforts that helped to increase the number of investment adviser examinations approximately 20 percent from fiscal year 2013—the SEC was only able to examine 10 percent of registered investment advisers in fiscal year 2014. A rate of adviser examination coverage at that level presents a high risk to the investing public.''

This legislation would address some of these challenges by giving the SEC the breathing room it needs to better protect our markets and investors. Specifically, this bill extends the time period the SEC has to seek civil monetary penalties from five years to ten years, thereby strengthening the integrity of our markets, better protecting investors, and empowering the SEC to investigate and pursue more securities law violators, particularly those most sophisticated at evading detection.

In addition, the bill would align the SEC's statute of limitations with the limitations period applicable to complex civil financial fraud actions initiated pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, FIRREA. For more than 20 years, the Department of Justice, DOJ, has benefited from FIRREA, which allows the DOJ to seek civil penalties within a 10-year time period against persons who have committed fraud against financial institutions. The SEC, which pursues similarly complex financial fraud cases, should have the same time necessary to bring wrongdoers that violate the securities laws to justice.

I thank Public Citizen, U.S. PIRG, Consumer Action, the Consumer Federation of America, and Americans for Financial Reform for their support, and I urge my colleagues to join Senator SHAHEEN and me in supporting this legislation.

By Mr. WYDEN (for himself, Ms. STABENOW, Mr. CASEY, Mr. BENNET, Mr. BROWN, Ms. CANTWELL, Mr. SCHUMER, and Mr. MENENDEZ):

S. 1964. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home with their families, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, I rise today to discuss an issue of great importance: helping vulnerable children stay safe and cared for by strengthening their families and connecting them to kin.

I would like to begin with a hypothetical. Imagine a single mom with

two kids and multiple part time jobs. She works long hours to provide for her family, but even then it is a struggle to pay the bills and keep food on the table. Reliable child care is extremely costly and out of reach. Because her work schedule changes week to week she is forced to leave her children unattended at times. Out of concern, a neighbor places a call to Child Protective Services, and a social worker then has to choose between two bad options—breaking up the family, or doing nothing at all to help them.

Today, most youngsters in foster care aren't there because of physical or sexual abuse. Kids predominantly wind up in foster care because their biological families, like that hypothetical single mom, are ensnared in terribly desperate circumstances that lead to neglect.

The fact is, whenever you talk with kids who have aged out of foster care about what could have helped them the most, you hear them say things like, ''helping my mom . . . helping my dad . . . helping my family.'' What that tells me is that youngsters know they're best served when a family can be propped up, not dismantled.

Unfortunately, the child welfare system has too few tools for that to happen. Yesterday, the Finance Committee held a hearing to explore how to turn that system around—how to make a difference for kids early on so that they can grow up surrounded by family in a safe and loving home. I commend Chairman HATCH for his commitment to improving the lives of vulnerable kids and their families. The hearing was an important step forward.

Back in the mid–1990s, there was a debate over whether sending kids to orphanages was the right idea. And I saw an opportunity for our child welfare policies to break into the enormous, untapped potential of kin. So I authored the Kinship Care Act, which said that aunts and uncles or grandparents who met the right standards would have first preference when it came to caring for a niece or nephew or grandchild. It became the first federal law of its kind.

Now in 2015, I see an opportunity for Congress to take a similar approach, but go even further. I believe that building child welfare policies around proactivity and flexibility will help a lot more families stay together and thrive. States have already shown that with waivers from the rigid Federal funding system, they're able to turn smart ideas into meaningful results for kids and their families, There is a tremendous example that my home state of Oregon is currently putting in place. It's called Differential Response. Differential Response, as I see it, is all about recognizing that every kid is different, and every family faces unique challenges. So Oregon's system is approaching every case with the nuance it deserves.

Today I—along with Senators STABENOW, BENNET, CASEY, BROWN, CANTWELL, SCHUMER, and MENENDEZ—am introducing the Family Stability and Kinship Care Act that will make badly needed flexibility a core part of our child welfare system. The purpose of this bill is to give states and tribes the ability to make modest front-end investments in family services and kinship placement in order to reduce costly and traumatic stays in foster care. Under current law, title IV-E of the Social Security Act, the nation's largest child welfare funding stream, provides states and tribes with a Federal funding match for children only after they are placed in foster care. In contrast, State and tribal innovations implemented through title IV-E waivers suggest that permitting spending for preventive family services can reduce the prevalence and length of foster care placements while maintaining or improving safety and permanency outcomes for children. Further, State experiences with subsidized guardianship demonstrate that when children cannot remain with their parents, they do best when placed with kin.

This bill enhances Federal funding available under parts B and E of title IV of the Social Security Act for prevention and family services to help keep children safe and supported at home with their parents or other family members. It gives states and tribes the flexibility to adapt evidence-based family services to the specific needs of each family. It ensures that states and tribes are held accountable for allocating services in ways that maximize safety, permanency, and well-being for children, while minimizing the prevalence of lengthy foster care placements.

We need more than two options—foster care or nothing—when the child protection system gets involved. By helping families afford child care, maybe it is possible to prevent outright neglect. Maybe mom or dad needs counseling or medical help. Maybe they need help covering the bills or finding employment. Oftentimes, a youngster's aunt, uncle, or grandparents could step up and take them in, but they shouldn't have to take on that job without assistance. More often than not, in my judgement, it's absolutely worth exploring those avenues before breaking a family apart. In fact, it can save resources in the long run without compromising on safety.

I look forward to working with Chairman HATCH and the full Senate to advance this legislation and I am hopeful that together, we can make this critical investment in children and their families.

By Mr. BOOKER (for himself, Mr. PAUL, Mr. LEE, and Mr. DURBIN):

S. 1965. A bill to place restrictions on the use of solitary confinement for juveniles in Federal custody; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, today I am proud to stand here with Senators RAND PAUL, MIKE LEE, and DICK DURBIN in introducing the Maintaining dignity and Eliminating unnecessary Restrictive Confinement of Youths Act of 2015, or the MERCY Act. This bipartisan bill would prohibit juvenile detention facilities from placing federally adjudicated delinquents in solitary confinement and would limit the use of such confinement for all juveniles in federal pretrial detainment. Prolonged use of solitary confinement of young people often results in severe psychological harm and it is time the federal government leads on this issue and bans the practice.

The juvenile justice system was created because it has always been understood that children are different than adults and need special protection. It was founded on the principle that youth are malleable and, therefore, the focus should be on rehabilitation rather than punishment. Adolescents are still developing psychologically and physiologically and have different needs than adults. In fact, research has shown that brains in humans do not fully develop in most individuals until the age of 25, which underscores the fragility of these young Americans. Unfortunately, our juvenile justice system has lost its way and the emphasis has shifted from one of rehabilitation to punishment. Children are finding themselves trapped in a criminal justice system that does more harm than good and nowhere is that more evident than in the practice of solitary confinement.

In 2011 alone, more than 95,000 youth were held in prisons and jails, and a significant number were held in isolation. In 2013, the Department of Justice found that 47 percent of juvenile detention centers locked youth in solitary confinement for more than four hours at a time, and some held youth for up to 23 hours a day with no human interaction. Words can hardly explain the horrors many children face while placed in isolation. Young people held in solitary suffer from resounding psychological and neurological damage, including depression, hallucinations, paranoia, anger, and anxiety. U.S. Supreme Court Justice Anthony Kennedy recently commented on the practice of solitary confinement in an opinion and said, ''The penal system has a solitary confinement regime that will bring you to the edge of madness, perhaps to madness itself.'' The negative impact that this practice can have on youth is evidenced by the fact that studies have shown that half of all suicides by juveniles in detention facilities occurred in isolation.

Medical experts to civil and human rights advocates have made calls to end this horrible practice. The United Nations Special Rapporteur on Torture called for the practice to be banned across the globe. Despite the extensive data that demonstrates the harmful nature of solitary, the United States continues to use solitary confinement at alarming rates. It is time the United

States catch up to international standards and ban the use of unnecessary juvenile solitary confinement.

The MERCY Act would prohibit the use of solitary confinement of youth adjudicated delinquent in the Federal system, unless it is a temporary response to a serious risk of harm to the juvenile or others. Additionally, it would preclude the use of solitary confinement of any youth awaiting trial in federal court regardless of whether that person is being tried as an adult or juvenile. The bill ensures that before a juvenile is placed in room confinement, the staff member must use the least restrictive techniques, including de-escalation techniques or discussions with a qualified mental health professional. It mandates that juveniles be informed of why the room confinement placement occurred and that release will occur upon the youth regaining self-control or a certain period of time has elapsed. The Mercy Act limits solitary confinement on juveniles that pose a risk of harm to others to no more than 3 hours and to juveniles who pose a risk of harm to themselves to no more than half an hour. Finally, after the maximum periods of confinement expires, the bill mandates that juveniles be transferred to a facility where appropriate services can be provided.

If we truly want our criminal justice system to reflect our founding principles as a nation of liberty and justice for all, we must promote a more compassionate, common sense approach to rehabilitation that helps restore promise in our young people. It is time we ban the solitary confinement of youth and I urge the speedy passage of the bipartisan MERCY Act.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1971. A bill to expand the boundary of the California Coastal National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the California Coastal National Monument Expansion Act, legislation that would expand the current Monument to include about 6,200 acres of pristine public lands across four California counties. I am proud to be joined in this effort by my friend from California, Senator DIANNE FEINSTEIN.

In 2000, President Clinton made history when he designated the California Coastal National Monument, which stretches the entire 1,100 miles of California's coastline and protects more than 20,000 small islands, rocks, exposed reefs and islands between Mexico and Oregon. It also protects the habitat for a variety of wildlife including seabirds, California sea lions and southern sea otters.

In 2012, I introduced legislation with Senator FEINSTEIN and Congressman MIKE THOMPSON to expand the Monument to include the Point Arena-Stornetta Public Lands in Mendocino County. We were grateful when President Obama took action last year to add these spectacular lands as the first onshore addition to the monument.

The legislation we are introducing today would expand the California Coastal National Monument again to include five more onshore sites, creating a new network of federal coastal properties for the public to enjoy. By highlighting these sites, the measure would also boost tourism and the economy of communities up and down the coast.

Each one of these new areas is unique, with its own rugged landscape, its own majestic views of the Pacific Ocean and its own history. Each piece tells us part of the fascinating story of the development of California and our Nation.

In Humboldt County, one of my State's northern most counties, this legislation would protect Trinidad Head—13 acres of rocky shoreline which offers visitors breathtaking views of offshore sea stacks and the City of Trinidad, the oldest town on the northern California coast. The land is also home to the historic Trinidad Head lighthouse, which dates back to 1871 when it helped guide vessels carrying lumber up and down the Redwood Coast.

The Lost Coast Headlands in Humboldt County would also be included, providing visitors access to 440 acres of some of the most spectacular scenery in northern California. From alpine forests and rolling mountains to coastal bluffs south of the mouth of the Eel River, this area offers a little something for every outdoor enthusiast, whether it is hiking, bird watching or beachcombing. These lands also played an important role during the Cold War when the U.S. Navy opened a post there to monitor Soviet submarines.

The Monument would be expanded to encompass Lighthouse Ranch, about 11 miles south of Eureka, which sits on eight acres of a former U.S. Coast Guard station once used as a Christian commune. Today, it offers breathtaking, panoramic views of the Eel River Delta, Humboldt Bay and the Pacific Ocean.

Drive about 350 miles south of Humboldt County to Santa Cruz County and you will discover the Cotoni-Coast Dairies—5,780 acres of former dairy and cement plant lands. Its name is a nod to the Cotoni Indians, who lived there for thousands of years, and the Swiss dairy farmers who ran the land as a farm and ranch for much of the 20th century. The area, which would also be included in the Monument, draws in visitors with its redwoods, coastal grasslands, foothills and watersheds that flow directly into the northern Monterrey Bay.

The bill would also preserve Piedras Blancas—20 acres with 425 state-owned acres cooperatively managed by the Bureau of Land Management, BLM, in Big Sur. Named for three white rocks just off the end of the point, the area is well-known for its historic 19th century lighthouse and is also an important ecological research area. Tourists come to catch a glimpse of a beautiful landscape untouched by development and see wildlife like Elephant Seals, sea lions and sea birds.

Additionally our legislation would protect one offshore site—a group of small rocks and islands off the coast of Orange County. Back in the 1930s, the Coast Guard considered using these properties for lighthouses, but the agency now agrees they should be permanently protected as part of the National Monument. Under this bill, these amazing rocks and islands will remain a pristine part of California's natural heritage.

These are some of the most magnificent lands in the country, and we have a responsibility to protect them for current and future generations. That is why expanding the California Coastal National Monument is so critical.

The new designation would permanently protect each site from development and would ensure stronger protections for a diverse array of wildlife that call the area home, many of which are endangered. It would also help restore habitats and protect water quality by placing these properties under one management plan to allow for better coordination of available resources.

Expanding the Monument is not just good for our conservation efforts—it is also good for the economy. Each of these natural treasures showcases the breathtaking coastlines and recreational opportunities that draw visitors from California and across the world.

Listen to the numbers from these three California counties: In Humboldt County, tourism is responsible for more than $330 million every year. In Santa Cruz County, tourism brings in more than $700 million every year and is one of the county's top industries. Tourism in San Luis Obispo County produces more than $1 billion annually and is also the county's largest industry, supporting 15,570 jobs in 2011.

Designating these sites as part of the National Monument will not only generate more economic activity, it will help attract increased resources to support the needs of the area, including additional conservation programs.

The expansion of this National Monument has strong support from a large coalition of local governments, elected officials, business owners, landowners, farmers, private individuals, and many conservation and outdoor industry groups. This impressive grassroots effort shows how deeply our citizens care about the future of these public lands, and I am proud to support their hard work and commitment.

I urge my colleagues to support this bill to expand the California Coastal National Monument and help protect these spectacular lands for generations to come.

By Ms. HEITKAMP:

S. 1974. A bill to require the Bureau of Consumer Financial Protection to amend its regulations relating to qualified mortgages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. HEITKAMP. Mr. President, the mid-2000s housing bubble was fueled by cheap access to credit and unsound, deceptive, and sometimes fraudulent mortgage lending practices. Borrowers were offered risky, high-cost loans they could neither afford nor understand by originators who abandoned traditional underwriting process, accepted loan applications with little or no documentation, and directly profited from selling unsustainable loans wholesale. The Dodd-Frank Wall Street Reform and Consumer Protection Act contains many necessary and important reforms to the mortgage origination industry to prevent future abuses. However, the law is complex and has, unintentionally, imposed onerous, one-size-fits-all rules on community banks and local financial institutions that originate mortgages to entrepreneurs and farmers.

For over a decade, and under supervision of the Federal Housing Finance Agency, the Federal Home Loan Banks, FHLBanks, have operated a set of mortgage programs that ensure small financial institutions can expand access to credit and originate affordable mortgages in their communities. The Mortgage Partnership Finance program—and the similar Mortgage Purchase Program—provides members an alternative secondary mortgage market. A FHLBank purchases a mortgage and manages the liquidity, interest rate, and prepayment risks while the originating bank member assumes some credit risk for the loans.

The FHLB mortgage programs' guidelines prior to the passage of the Dodd-Frank Act often met or exceeded the standards that we now know as Qualified Mortgage, QM, but the requirements were flexible and not unduly burdensome. QM status provides originators the legal and regulatory certainty they need to expand safe access to affordable mortgages. The FHLBanks have since harmonized their standards with QM, but some member banks struggle to comply due to the strict requirements, such as Appendix Q, for assessing a consumer's ability to repay. For example, the general QM option in some circumstances prevents community banks and credit unions that originate mortgages to the self-employed from selling those loans to the FHLBanks. This outcome is problematic because the FHLBank System is the only avenue for mortgage resale for many small financial institutions; without the ability to resell to the FHLBanks, credit availability is constrained in communities served by these institutions.

Small financial institutions that participate in the FHLBank System engage in relationship lending—their customers are their neighbors, their youth sports coaches, their community leaders—and they should not be required to comply with burdensome regulations designed to clamp down on unsound mortgage lending practices at large institutions. The legislation I am introducing today, the Relationship Lending Preservation Act, would allow these financial institutions to continue serving farmers and entrepreneurs while ensuring the safety and soundness of the mortgage origination system. The bill simply requires the Consumer Financial Protection Bureau, CFPB, to establish a distinct QM option for loans eligible to be purchased by a FHLBank or loans participating in a credit risk sharing program established by a FHLBank pursuant to regulations issued by the Federal Housing Finance Agency. This legislation is supported by The Council of FHLBanks and others in the financial community.

In practice, the bill will provide QM status to loans sold to the FHLBanks that would have otherwise qualified for the general QM option except for the income and debt rules. Institutions would still be required, by FHLBank regulation, to adhere to underwriting and documentation requirements. The legislation provides parity between the FHLBanks and Fannie and Freddie, and it mirrors a request by the FHLBanks to the CFPB to modify QM to accommodate sales to the FHLBanks. Just as mortgages sold to Fannie and Freddie qualify for QM status, participants of the FHLBank mortgage programs should be eligible for QM.

It is important to note that this legislation is narrowly tailored to benefit truly community financial institutions—the new option is limited to the commonly accepted definition of community banks, those institutions with less than $10 billion in assets—and does not increase systemic risk. Sixty-seven percent of participants in the FHLB mortgage programs are institutions with less than $500 million in total assets—these are the smallest of the small lenders. Additionally, the FHLB mortgage programs require lenders to retain a portion of the loan's credit risk. This ''skin in the game'' provision ensures originators are making quality loans that will be repaid; in fact, loans participating in the FHLB mortgage programs have a 1.47 percent 90-day delinquency rate, less than 2/3 the national average of 2.29 percent.

Community-based financial institutions are central to promoting growth and economic prosperity in small and rural communities throughout North Dakota and the Nation. These institutions were not the cause of the housing and financial crises and should not be subject to regulations meant for large-scale mortgage-origination institutions. The Relationship Lending Preservation Act will ensure small financial institutions can continue to do what they do best: serve their communities by providing affordable mortgages. I urge my colleagues to support this bill—community financial institutions, and the families they serve, are too important for our country's future.

By Ms. MIKULSKI (for herself, Ms. BALDWIN, Mrs. BOXER, Ms. CANTWELL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HEITKAMP, Ms. HIRONO, Ms. KLOBUCHAR, Mrs. MCCASKILL, Mrs. MURRAY, Mrs. SHAHEEN, Ms. STABENOW, and Ms. WARREN):

S. 1975. A bill to establish the Sewall-Belmont House National Historic Site as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MIKULSKI. Mr. President, I rise to speak about the urgent need to authorize the Sewall-Belmont House & Museum as part of the National Park Service.

Sewall-Belmont is a critical piece of our Nation's history. It was the home of Alice Paul and the National Woman's Party, whose perseverance brought the movement for women's suffrage over the finish line with the enactment of the 19th Amendment to the Constitution. Today it helps tell the story of one of the most important chapters in our Nation's history by highlighting the political strategies and techniques of Alice Paul and the National Woman's Party, which became the blueprint for civil rights organizations throughout the 20th century.

The Sewall-Belmont House was more than a house—it was a home to great minds and leaders, thanks to the generosity of women like Alva Belmont. It was a place where women could live, rest, and work without fear of harassment while they fought boldly for the ballot.

In the 1970s, when they were threatening to tear down this building to make way for the Senate offices, Pat Schroeder and the women of the House rallied to save it. Now it is a museum where today's generation can learn about the courageous women who came before them. This house has always been the scene of making history, and has always stood for women's empowerment.

However, today Sewall-Belmont is in dire need of federal support if it is to continue to serve the public. While the National Woman's Party has been successfully operating the House and managing its historic collection, it has been forced to cut back on public tours, research requests, and educational programs due to the growing capital needs of managing an aging building.

Sewall-Belmont is a National Historic Landmark, listed on the National Register of Historic Places, and one of four designations supported by the Save America's Treasures legislation. The National Park Service recently completed a feasibility study which concluded that Sewall-Belmont's deep

historical significance and unique contribution to our Nation's history warrants its full inclusion into the National Park Service. This would not only give it the resources it needs to continue to educate the public, but would send a powerful message that women's history is an important part of our Nation's history.

Women fought for decades against great onslaught to secure the right to vote. One hundred and sixty-seven years ago, in July 1848, the first-ever women's rights convention was held in Seneca Falls. This convention was the beginning of one of the greatest social movements of all time, kicking off the actions of the first generation of suffragists and making women's suffrage a national topic.

At this convention, Elizabeth Cady Stanton and Lucretia Mott stood up to meet the challenges of their time. They mobilized and they organized the American women's rights movement. They called for a convention; they called for action; they made history; they changed history. And that revolution keeps on going.

In the 20th century, Alice Paul took the lead in the women's suffrage movement. In 1916, she formed the National Woman's Party which would fight for suffrage until the 19th Amendment to the Constitution was finally enacted in 1920—long overdue.

Alice Paul was a groundbreaker and a changemaker, risking arrest and inhumane treatment so the women of America could be part of a true democracy. With their banners and sashes, Alice Paul led the Iron Jawed Angels marching on Washington to President Wilson's White House. Her Silent Sentinels stood in rain, sleet, and snow as daily reminders of America's conscience. They called for women's right to vote at a time when women didn't have a voice. Their cause captivated the nation! With each step they took, they marched toward a future where women weren't just able to vote, but were on the ballot.

Wouldn't Alice Paul be so proud to see twenty women in the United States Senate? I'm so proud to be one of them. The women of the Senate are changing history by changing the tide and changing the tone. When I arrived in the Senate in 1986, I was the first Democratic woman elected in her own right, and the sixteenth woman to serve. There are more women serving right this minute, today—fourteen Democrats and six Republicans—than had served in all of American history when I arrived.

I am so proud of all of the accomplishments made by the women of the Senate. But we didn't get here by ourselves. Not a single one of us would be here without Alice Paul and the National Woman's Party. That is why it is so important that we not only preserve the place where they fought for women's full inclusion in society, the Sewall-Belmont House, but elevate it to its rightful spot among our Nation's most important national treasures.

There are very few sites in the National Park System that celebrate women's history. I am proud that Maryland is home to one of those sites with the newly authorized Harriet Tubman Underground Railroad National Historical Park in Cambridge. But it is not enough.

Today, women have the right to vote and the right to be on the ballot. But we have so much more to accomplish to become fully equal members of society. It is critical that we remind today's generation of women and men of this long and important history so that we can keep in mind the lessons learned from these movements as we march toward full equality. As I serve my last term in the United States Senate, there is nothing more important to me than preserving the legacy of this fight.

By Mr. CARDIN (for himself and Mr. BOOZMAN):

S. 1982. A bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, I rise today to discuss the Korean War Veterans Memorial and the legislation I am introducing along with Senator BOOZMAN. This legislation authorizes the addition of a ''Wall of Remembrance'' to the Korean War Veterans Memorial, without the use of public funds.

The Korean War, often referred to as the ''Forgotten War,'' began on June 25, 1950. During the three-year course of the war, some 5.7 million Americans were called to serve, and by the time the Korean Armistice Agreement was signed in July 1953, more than 36,000 Americans sacrificed their lives, 103,284 were wounded, 7,140 were captured, and 664 were missing.

To honor the Americans who served during the Korean War, on October 28, 1986, Congress passed H.R. 2005, Public Law 99–572, authorizing the construction of the Korean War Veterans Memorial located in West Potomac Park, southeast of the Lincoln Memorial and just south of the Reflecting Pool on the National Mall. For those of you who have visited this memorial, it is quite a moving experience. But unlike some other memorials, it does not list the names of those who died while serving their country.

My legislation authorizes the addition of a Wall of Remembrance to the existing Korean War Veterans Memorial. The Wall of Remembrance would list the names of members of the Armed Forces of the United States who died in theater in the Korean War, as well as the number of service members who were wounded in action, are listed as missing in action, or who were prisoners of war during the Korean War. The Wall would also list the number of members of the Korean Augmentation to the U.S. Army, the Republic of Korean Armed Forces, and other nations of the United Nations Command who were killed in action, wounded in action, are listed as missing in action, or were prisoners of war.

Korean War Veterans Memorials that display the names of a nation's fallen soldiers can be found across the globe. Authorizing a Wall of Remembrance here in the United States is just one way we can help ensure that those who died while serving our country in the ''Forgotten War'' are no longer forgotten. I urge my colleagues to join me in supporting this legislation.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1983. A bill to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, and for other purposes; to the Committee on Indian Affairs.

Mrs. BOXER. Mr. President, I am pleased to reintroduce the Pechanga Band of Luiseño Mission Indians Water Rights Settlement Act of 2013. This legislation will implement a settlement concerning the water rights of the Pechanga Band of Luiseño Mission Indians, who have been engaged for several decades in a struggle for recognition and protection of their federally reserved groundwater rights.

Since 1951, the Pechanga have been involved in litigation initiated by the United States concerning water rights in the Santa Margarita watershed. The Pechanga's interest has been in protecting their groundwater supplies, which are shared with municipal developments in the San Diego region. Beginning in 2006, the Pechanga worked with local water districts to negotiate a cooperative solution and put an end to their dispute.

The Pechanga Settlement Agreement is a comprehensive agreement negotiated among the Pechanga, the United States on their behalf, and several California water districts, including the Rancho California Water District, Eastern Municipal Water District, and the Metropolitan Water District. The Settlement recognizes the Pechanga's tribal water right to 4994 acre-feet of water per year and outlines a series of measures to guarantee this amount. It is a watershed wide solution that protects the rights of the Pechanga while providing greater certainty and resources to the management of the basin's water supplies.

I am pleased to be joined by Senator FEINSTEIN in introducing this legislation. Our bill not only provides the Pechanga with long-overdue assurances of their water rights, but also exemplifies all the good that can be accomplished when parties put aside their differences and come to the table to negotiate collaborative solutions.

By Mr. REID:

S. 1986. A bill to provide for a land conveyance in the State of Nevada; to the Committee on Indian Affairs.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1986

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Moapa Band of Paiutes Land Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Moapa River Reservation Expansion'', dated August 5, 2015, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) TRIBE.—The term ''Tribe'' means the Moapa Band of Paiutes.

SEC. 3. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE MOAPA BAND OF PAIUTES.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b) shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 25,977 acres of land administered by the Bureau of Land Management and the Bureau of Reclamation as generally depicted on the map as ''Reservation Expansion Land''.

(c) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(d) GAMING.—Land taken into trust under this section shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

SEC. 4. TRIBAL FEE LAND TO BE HELD IN TRUST.

(a) IN GENERAL.—All right, title, and interest of the Tribe in and to the land described in subsection (b) shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) DESCRIPTION OF THE LAND.—The land referred to in subsection (a) is the approximately 88 acres of land held in fee by the Tribe as generally depicted on the map as ''Fee Into Trust Lands''.

(c) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

By Mr. MCCAIN:

S. 1991. A bill to eliminate the sunset date for the Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and for other purposes; to the Committee on Veterans' Affairs.

Mr. MCCAIN. Mr. President, this Friday marks 1 year since the Veterans' Access to Care through Choice, Accountability and Transparency Act was signed into law by President Obama. This bipartisan legislation was intended to address the nationwide scandal involving the death of at least 40 veterans who had been waiting for weeks, months, and even years for necessary care from the VA. Ultimately, we learned that senior VA officials purposely denied care and lied about it to obtain financial bonuses. We are still cleaning-up the aftermath of this scandal and Congress' work continues today.

The hallmark of that law is the VA Choice Card, which for the first time allows veterans who can't make an appointment in a reasonable time frame or who live far from a VA medical facility, to see the doctor of their choice to get the care they need. But, with all the bureaucratic hoops that the VA has required veterans to jump through to use the Choice Card since that law's enactment and the lack of information the VA has provided veterans and relevant providers on how to get and use the Card, the VA has clearly been reluctant to expanding choice for veterans. Even after a year, I continue to get e-mails, letters and phone calls from veterans and their caregivers who are extremely frustrated with the inability to use the VA Choice Card.

As I said at the time, last year's bill was meant as a beginning, not an end, to addressing inadequate care for our veterans. While the current law authorizes a three-year pilot program to begin implementation of the VA Choice Card, the year that has passed since its enactment has shown is that there is overwhelming demand for veterans to have the same freedom of choice for their health care that military and civilian retirees have.

I have long advocated for our veterans to have the flexibility to choose where and when they receive the care they have earned. And the Permanent VA Choice Card Act that I am introducing today moves us in that direction.

The Permanent VA Choice Card Act makes the current 3-year pilot program for the VA Choice Card permanent. This would help remove uncertainty both within the VA, among providers, and especially among our disabled veterans that this program is here to stay.

Also, the Permanent VA Choice Card Act would expand eligibility for the Choice Card. Any service-connected veteran enrolled through the VA should have access to this level of choice. It would do so by removing the requirement that a qualified veteran live more than 40 miles from a VA facility or have to wait 30 days for an appointment.

It is clear our veterans are in need of care and are not able to receive it. More than a year after the VA scandal and a year since the Choice Act was signed into law, wait-times are still too long and in some facilities are even longer than they were a year ago. The VA has made it challenging for those with the VA Choice Card to make appointments, get follow-ups, and to see specialists near their homes. By enacting the Permanent VA Choice Card Act, we will make sure that no veteran should be denied needed care due to wait times or distance to a VA facility.

By Mr. NELSON:

S. 1999. A bill to authorize the Secretary of the department in which the Coast Guard is operating to act, without liability for certain damages, to prevent and respond to the threat of damage from pollution of the sea by crude oil, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, tourists flock every year to enjoy the inviting waters of the South Florida—sunbathing on Miami Beach, boating in Biscayne Bay National Park, snorkeling on treasured coral reefs of the Florida Keys National Marine Sanctuary. And you might take a souvenir picture at the Southernmost Point in Key West. Standing there, you are closer to Cuba—90 miles away—than you are to Miami, which is 160 miles away.

In 1977, the U.S. negotiated a Maritime Boundary with Cuba for fisheries and other continental shelf activities, like oil exploration, roughly halfway between our nations—or 45 miles from the Southernmost Point in Key West. Since 2005, several oil companies have leased blocks in Cuban waters south of that line to drill for oil. Can you imagine the damage to our environment and our economy if oil was to coat two national parks, a national marine sanctuary, a national wildlife refuge, iconic coral reefs, world-class fisheries, and beloved beaches? It would be catastrophic. In fact, the Florida Keys National Marine Sanctuary was created specifically to protect against threats like an oil spill.

In 2012, four companies tried and failed to find oil. But recently, an Angolan company has ramped up plans to drill in late 2016. We are simply not prepared to protect U.S. interests from an oil spill off Cuba. The loop current that saved South Florida from the brunt of the damage from Deepwater Horizon becomes the Florida current as it runs between the Keys and Cuba and then those waters enter the Gulf Stream hugging the coast of Florida and heading north along the eastern seaboard. An oil spill in Cuban waters would almost certainly follow that same path.

For a decade, I have fought tooth and nail to protect our environment and economy from a Cuban spill. Given the news that drilling will resume next year, it is imperative that the agencies we rely on to prevent and respond to oil spills are prepared. And even though Cuba is the closest threat, an oil spill off Mexico, Bahamas, or Jamaica could enter U.S. waters. So today, I am introducing the Caribbean Oil Spill Intervention, Prevention, and Preparedness Act—a comprehensive framework to protect U.S. interests from foreign oil spills.

The bill would strengthen the authority of the Coast Guard to intervene

and make sure that we have up-to-date accurate information about the ocean currents off of Cuba's coast so that we know where an oil spill might go. It requires the relevant Federal agencies to negotiate oil pollution prevention and response with countries bordering the Gulf of Mexico and Straits of Florida especially to protect our National Marine Sanctuaries like the Florida Keys. The bill ensures we have a plan to protect coral reef ecosystems all through the Straits of Florida—because domestic fisheries rely on healthy corals. Finally, it requires any oil company that wants to drill in both U.S. waters and Cuban waters to show they have the resources and plans to adequately prepare for a worst-case oil spill in both areas.

These common-sense provisions should have broad support. I urge my colleagues to support the bill.

By Mr. CORNYN:

S. 2002. A bill to strengthen our mental health system and improve public safety; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2002

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Mental Health and Safe Communities Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—MENTAL HEALTH AND SAFE COMMUNITIES
Sec. 101. Law enforcement grants for crisis intervention teams, mental health purposes, and fixing the background check system.
Sec. 102. Assisted outpatient treatment programs.
Sec. 103. Federal drug and mental health courts.
Sec. 104. Mental health in the judicial system.
Sec. 105. Forensic assertive community treatment initiatives.
Sec. 106. Assistance for individuals transitioning out of systems.
Sec. 107. Co-occurring substance abuse and mental health challenges in drug courts.
Sec. 108. Mental health training for Federal uniformed services.
Sec. 109. Advancing mental health as part of offender reentry.
Sec. 110. School mental health crisis intervention teams.
Sec. 111. Active-shooter training for law enforcement.
Sec. 112. Co-occurring substance abuse and mental health challenges in residential substance abuse treatment programs.
Sec. 113. Mental health and drug treatment alternatives to incarceration programs.
Sec. 114. National criminal justice and mental health training and technical assistance.
Sec. 115. Improving Department of Justice data collection on mental illness involved in crime.
Sec. 116. Reports on the number of mentally ill offenders in prison.
TITLE II—COMPREHENSIVE JUSTICE AND MENTAL HEALTH ACT
Sec. 201. Short title.
Sec. 202. Findings.
Sec. 203. Sequential intercept model.
Sec. 204. Veterans treatment courts.
Sec. 205. Prison and jails.
Sec. 206. Allowable uses.
Sec. 207. Law enforcement training.
Sec. 208. Federal law enforcement training.
Sec. 209. GAO report.
Sec. 210. Evidence based practices.
Sec. 211. Transparency, program accountability, and enhancement of local authority.
Sec. 212. Grant accountability.
TITLE III—NICS REAUTHORIZATION AND NICS IMPROVEMENT
Sec. 301. Reauthorization of NICS.
Sec. 302. Definitions relating to mental health.
Sec. 303. Incentives for State compliance with NICS mental health record requirements.
Sec. 304. Protecting the second amendment rights of veterans.
Sec. 305. Applicability of amendments.
Sec. 306. Clarification that Federal court information is to be made available to the national instant criminal background check system.
TITLE IV—REAUTHORIZATIONS AND OFFSET
Sec. 401. Reauthorization of appropriations.
Sec. 402. Offset.

TITLE I—MENTAL HEALTH AND SAFE COMMUNITIES

SEC. 101. LAW ENFORCEMENT GRANTS FOR CRISIS INTERVENTION TEAMS, MENTAL HEALTH PURPOSES, AND FIXING THE BACKGROUND CHECK SYSTEM.

(a) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

''(H) Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

''(I) Achieving compliance with the mental health records requirements of the NICS Improvement Amendments Act of 2007 (Public Law 110–180; 121 Stat. 2259).''.

(b) COMMUNITY ORIENTED POLICING SERVICES PROGRAM.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (16), by striking ''and'' at the end;

(2) by redesignating paragraph (17) as paragraph (21);

(3) by inserting after paragraph (16) the following:

''(17) to provide specialized training to law enforcement officers to—

''(A) recognize individuals who have a mental illness; and

''(B) properly interact with individuals who have a mental illness, including strategies for verbal de-escalation of crises;

''(18) to establish collaborative programs that enhance the ability of law enforcement agencies to address the mental health, behavioral, and substance abuse problems of individuals encountered by law enforcement officers in the line of duty;

''(19) to provide specialized training to corrections officers to recognize individuals who have a mental illness;

''(20) to enhance the ability of corrections officers to address the mental health of individuals under the care and custody of jails and prisons, including specialized training and strategies for verbal de-escalation of crises; and''; and

(4) in paragraph (21), as redesignated, by striking ''through (16)'' and inserting ''through (20)''.

(c) MODIFICATIONS TO THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS.—Section 34(a)(1)(B) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)(B)) is amended by inserting before the period at the end the following: ''and to provide specialized training to paramedics, emergency medical services workers, and other first responders to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness, including strategies for verbal de-escalation of crises''.

SEC. 102. ASSISTED OUTPATIENT TREATMENT PROGRAMS.

Section 2201 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ii) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The Attorney General'';

(2) in paragraph (2)(B), by inserting before the semicolon the following: '', or court-ordered assisted outpatient treatment when the court has determined such treatment to be necessary''; and

(3) by adding at the end the following:

''(b) DEFINITIONS.—In this section:

''(1) COURT-ORDERED ASSISTED OUTPATIENT TREATMENT.—The term 'court-ordered assisted outpatient treatment' means a program through which a court may order a treatment plan for an eligible patient that—

''(A) requires such patient to obtain outpatient mental health treatment while the patient is living in a community; and

''(B) is designed to improve access and adherence by such patient to intensive behavioral health services in order to—

''(i) avert relapse, repeated hospitalizations, arrest, incarceration, suicide, property destruction, and violent behavior; and

''(ii) provide such patient with the opportunity to live in a less restrictive alternative to incarceration or involuntary hospitalization.

''(2) ELIGIBLE PATIENT.—The term 'eligible patient' means an adult, mentally ill person who, as determined by a court—

''(A) has a history of violence, incarceration, or medically unnecessary hospitalizations;

''(B) without supervision and treatment, may be a danger to self or others in the community;

''(C) is substantially unlikely to voluntarily participate in treatment;

''(D) may be unable, for reasons other than indigence, to provide for any of his or her basic needs, such as food, clothing, shelter, health, or safety;

''(E) has a history of mental illness or condition that is likely to substantially deteriorate if the patient is not provided with timely treatment; or

''(F) due to mental illness, lacks capacity to fully understand or lacks judgment to make informed decisions regarding his or her need for treatment, care, or supervision.''.

SEC. 103. FEDERAL DRUG AND MENTAL HEALTH COURTS.

(a) DEFINITIONS.—In this section—

(1) the term ''eligible offender'' means a person who—

(A)(i) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness, mental retardation, or co-occurring mental illness and substance abuse disorders; or

(ii) manifests obvious signs of mental illness, mental retardation, or co-occurring mental illness and substance abuse disorders during arrest or confinement or before any court; and

(B) is determined by a judge to be eligible.

(2) the term ''mental illness'' means a diagnosable mental, behavioral, or emotional disorder—

(A) of sufficient duration to meet diagnostic criteria within the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association; and

(B) that has resulted in functional impairment that substantially interferes with or limits 1 or more major life activities.

(b) ESTABLISHMENT OF PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall establish a pilot program to determine the effectiveness of diverting eligible offenders from Federal prosecution, Federal probation, or a Bureau of Prisons facility, and placing such eligible offenders in drug or mental health courts.

(c) PROGRAM SPECIFICATIONS.—The pilot program established under subsection (b) shall involve—

(1) continuing judicial supervision, including periodic review, of program participants who have a substance abuse problem or mental illness; and

(2) the integrated administration of services and sanctions, which shall include—

(A) mandatory periodic testing, as appropriate, for the use of controlled substances or other addictive substances during any period of supervised release or probation for each program participant;

(B) substance abuse treatment for each program participant who requires such services;

(C) diversion, probation, or other supervised release with the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress;

(D) programmatic offender management, including case management, and aftercare services, such as relapse prevention, health care, education, vocational training, job placement, housing placement, and child care or other family support services for each program participant who requires such services;

(E) outpatient or inpatient mental health treatment, as ordered by the court, that carries with it the possibility of dismissal of charges or reduced sentencing upon successful completion of such treatment;

(F) centralized case management, including—

(i) the consolidation of all cases, including violations of probations, of the program participant; and

(ii) coordination of all mental health treatment plans and social services, including life skills and vocational training, housing and job placement, education, health care, and relapse prevention for each program participant who requires such services; and

(G) continuing supervision of treatment plan compliance by the program participant for a term not to exceed the maximum allowable sentence or probation period for the charged or relevant offense and, to the extent practicable, continuity of psychiatric care at the end of the supervised period.

(d) IMPLEMENTATION; DURATION.—The pilot program established under subsection (b) shall be conducted—

(1) in not less than 1 United States judicial district, designated by the Attorney General in consultation with the Director of the Administrative Office of the United States Courts, as appropriate for the pilot program; and

(2) during fiscal year 2017 through fiscal year 2020.

(e) CRITERIA FOR DESIGNATION.—Before making a designation under subsection (d)(1), the Attorney General shall—

(1) obtain the approval, in writing, of the United States Attorney for the United States judicial district being designated;

(2) obtain the approval, in writing, of the chief judge for the United States judicial district being designated; and

(3) determine that the United States judicial district being designated has adequate behavioral health systems for treatment, including substance abuse and mental health treatment.

(f) ASSISTANCE FROM OTHER FEDERAL ENTITIES.—The Administrative Office of the United States Courts and the United States Probation Offices shall provide such assistance and carry out such functions as the Attorney General may request in monitoring, supervising, providing services to, and evaluating eligible offenders placed in a drug or mental health court under this section.

(g) REPORTS.—The Attorney General, in consultation with the Director of the Administrative Office of the United States Courts, shall monitor the drug and mental health courts under this section, and shall submit a report to Congress on the outcomes of the program at the end of the period described in subsection (d)(2).

SEC. 104. MENTAL HEALTH IN THE JUDICIAL SYSTEM.

Part V of title I of the Omnibus Crime Control and Safe Streets Act of 1986 (42 U.S.C. 3796ii et seq.) is amended by inserting at the end the following:

''SEC. 2209. MENTAL HEALTH RESPONSES IN THE JUDICIAL SYSTEM.

''(a) PRETRIAL SCREENING AND SUPERVISION.—

''(1) IN GENERAL.—The Attorney General may award grants to States, units of local government, territories, Indian Tribes, nonprofit agencies, or any combination thereof, to develop, implement, or expand pretrial services programs to improve the identification and outcomes of individuals with mental illness.

''(2) ALLOWABLE USES.—Grants awarded under this subsection may be may be used for—

''(A) universal behavioral health needs and risk screening of defendants, including verification of interview information, mental health evaluation, and criminal history screening;

''(B) assessment of risk of pretrial misconduct through objective, statistically validated means, and presentation to the court of recommendations based on such assessment, including services that will reduce the risk of pre-trial misconduct;

''(C) follow-up review of defendants unable to meet the conditions of release;

''(D) evaluation of process and results of pre-trial service programs;

''(E) supervision of defendants who are on pretrial release, including reminders to defendants of scheduled court dates;

''(F) reporting on process and results of pretrial services programs to relevant public and private mental health stakeholders; and

''(G) data collection and analysis necessary to make available information required for assessment of risk.

''(b) BEHAVIORAL HEALTH ASSESSMENTS AND INTERVENTION.—

''(1) IN GENERAL.—The Attorney General may award grants to States, units of local government, territories, Indian Tribes, nonprofit agencies, or any combination thereof, to develop, implement, or expand a behavioral health screening and assessment program framework for State or local criminal justice systems.

''(2) ALLOWABLE USES.—Grants awarded under this subsection may be used for—

''(A) promotion of the use of validated assessment tools to gauge the criminogenic risk, substance abuse needs, and mental health needs of individuals;

''(B) initiatives to match the risk factors and needs of individuals to programs and practices associated with research-based, positive outcomes;

''(C) implementing methods for identifying and treating individuals who are most likely to benefit from coordinated supervision and treatment strategies, and identifying individuals who can do well with fewer interventions; and

''(D) collaborative decision making among system leaders, including the relevant criminal justice agencies, mental health systems, judicial systems, and substance abuse systems, for determining how treatment and intensive supervision services should be allocated in order to maximize benefits, and developing and utilizing capacity accordingly.

''(c) RESTRICTIONS ON USE OF GRANT FUNDS.—

''(1) IN GENERAL.—A State, unit of local government, territory, Indian Tribe, or nonprofit agency that receives a grant under this section shall, in accordance with subsection (b)(2), use grant funds for the expenses of a treatment program, including—

''(A) salaries, personnel costs, equipment costs, and other costs directly related to the operation of the program, including costs relating to enforcement;

''(B) payments for treatment providers that are approved by the State or Indian Tribe and licensed, if necessary, to provide needed treatment to program participants, including aftercare supervision, vocational training, education, and job placement; and

''(C) payments to public and nonprofit private entities that are approved by the State or Indian Tribe and licensed, if necessary, to

provide alcohol and drug addiction treatment to offenders participating in the program.

''(d) SUPPLEMENT OF NON-FEDERAL FUNDS.—

''(1) IN GENERAL.—Grants awarded under this section shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for programs described in this section.

''(2) FEDERAL SHARE.—The Federal share of a grant made under this section may not exceed 50 percent of the total costs of the program described in an application under subsection (e).

''(e) APPLICATIONS.—To request a grant under this section, a State, unit of local government, territory, Indian Tribe, or nonprofit agency shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

''(f) GEOGRAPHIC DISTRIBUTION.—The Attorney General shall ensure that, to the extent practicable, the distribution of grants under this section is equitable and includes—

''(1) each State; and

''(2) a unit of local government, territory, Indian Tribe, or nonprofit agency—

''(A) in each State; and

''(B) in rural, suburban, Tribal, and urban jurisdictions.

''(g) REPORTS AND EVALUATIONS.—For each fiscal year, each grantee under this section during that fiscal year shall submit to the Attorney General a report on the effectiveness of activities carried out using such grant. Each report shall include an evaluation in such form and containing such information as the Attorney General may reasonably require. The Attorney General shall specify the dates on which such reports shall be submitted.

''(h) ACCOUNTABILITY.—Grants awarded under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice under subparagraph (C) that the audited grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 1 year after the date on which final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of grantees under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) FINAL AUDIT REPORT.—The Inspector General of the Department of Justice shall submit a final report on each audit conducted under subparagraph (B).

''(D) MANDATORY EXCLUSION.—Grantees under this section about which there is an unresolved audit finding shall not be eligible to receive a grant under this section during the 2 fiscal years beginning after the end of the 1-year period described in subparagraph (A).

''(E) PRIORITY.—In making grants under this section, the Attorney General shall give priority to applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(F) REIMBURSEMENT.—If an entity receives a grant under this section during the 2-fiscal-year period during which the entity is prohibited from receiving grants under subparagraph (D), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant that was improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment under clause (i) from the grantee that was erroneously awarded grant funds.

''(2) NONPROFIT AGENCY REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant program under this section, the term 'nonprofit agency' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)).

''(B) PROHIBITION.—The Attorney General may not award a grant under this section to a nonprofit agency that holds money in an offshore account for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986 (26 U.S.C. 511(a)).

''(C) DISCLOSURE.—Each nonprofit agency that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—Not more than $20,000 of the amounts made available to the Department of Justice to carry out this section may be used by the Attorney General, or by any individual or entity awarded a grant under this section to host, or make any expenditures relating to, a conference unless the Deputy Attorney General provides prior written authorization that the funds may be expended to host the conference or make such expenditure.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification—

''(A) indicating whether—

''(i) all final audit reports issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(D) have been issued; and

''(iii) any reimbursements required under paragraph (1)(F) have been made; and

''(B) that includes a list of any grantees excluded under paragraph (1)(D) from the previous year.

''(i) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare the possible grant with any other grants awarded to the applicant under this Act to determine whether the grants are for the same purpose.

''(2) REPORT.—If the Attorney General awards multiple grants to the same applicant for the same purpose, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any such grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

SEC. 105. FORENSIC ASSERTIVE COMMUNITY TREATMENT INITIATIVES.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (k), as added by section 205, the following:

''(1) FORENSIC ASSERTIVE COMMUNITY TREATMENT (FACT) INITIATIVE PROGRAM.—

''(1) IN GENERAL.—The Attorney General may make grants to States, units of local government, territories, Indian Tribes, nonprofit agencies, or any combination thereof, to develop, implement, or expand Assertive Community Treatment initiatives to develop forensic assertive community treatment (referred to in this subsection as 'FACT') programs that provide high intensity services in the community for individuals with mental illness with involvement in the criminal justice system to prevent future incarcerations.

''(2) ALLOWABLE USES.—Grant funds awarded under this subsection may be used for—

''(A) multidisciplinary team initiatives for individuals with mental illnesses with criminal justice involvement that addresses criminal justice involvement as part of treatment protocols;

''(B) FACT initiatives that involve mental health professionals, criminal justice agencies, chemical dependency specialists, nurses, psychiatrists, vocational specialists, forensic peer specialists, forensic specialists, and dedicated administrative support staff who work together to provide recovery oriented, 24/7 wraparound services;

''(C) services such as integrated evidence-based practices for the treatment of co-occurring mental health and substance-related disorders, assertive outreach and engagement, community-based service provision at participants' residence or in the community, psychiatric rehabilitation, recovery oriented services, services to address criminogenic risk factors, and community tenure;

''(D) payments for treatment providers that are approved by the State or Indian Tribe and licensed, if necessary, to provide needed treatment to eligible offenders participating in the program, including behavioral health services and aftercare supervision; and

''(E) training for all FACT teams to promote high-fidelity practice principles and technical assistance to support effective and continuing integration with criminal justice agency partners.

''(3) SUPPLEMENT AND NOT SUPPLANT.—Grants made under this subsection shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for programs described in this subsection.

''(4) APPLICATIONS.—To request a grant under this subsection, a State, unit of local government, territory, Indian Tribe, or nonprofit agency shall submit an application to

the Attorney General in such form and containing such information as the Attorney General may reasonably require.''.

SEC. 106. ASSISTANCE FOR INDIVIDUALS TRANSITIONING OUT OF SYSTEMS.

Section 2976(f) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(f)) is amended—

(1) in paragraph (5), by striking ''and'' at the end; and

(2) by adding at the end the following:

''(7) provide mental health treatment and transitional services for those with mental illnesses or with co-occurring disorders, including housing placement or assistance; and''.

SEC. 107. CO-OCCURRING SUBSTANCE ABUSE AND MENTAL HEALTH CHALLENGES IN DRUG COURTS.

Part EE of title I of Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797u et seq.) is amended—

(1) in section 2951(a)(1) (42 U.S.C. 3797u(a)(1)), by inserting '', including co-occurring substance abuse and mental health problems,'' after ''problems''; and

(2) in section 2959(a) (42 U.S.C. 3797u–8(a)), by inserting '', including training for drug court personnel and officials on identifying and addressing co-occurring substance abuse and mental health problems'' after ''part''.

SEC. 108. MENTAL HEALTH TRAINING FOR FEDERAL UNIFORMED SERVICES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Commerce shall provide the following to each of the uniformed services (as that term is defined in section 101 of title 10, United States Code) under their direction:

(1) TRAINING PROGRAMS.—Programs that offer specialized and comprehensive training in procedures to identify and respond appropriately to incidents in which the unique needs of individuals with mental illnesses are involved.

(2) IMPROVED TECHNOLOGY.—Computerized information systems or technological improvements to provide timely information to Federal law enforcement personnel, other branches of the uniformed services, and criminal justice system personnel to improve the Federal response to mentally ill individuals.

(3) COOPERATIVE PROGRAMS.—The establishment and expansion of cooperative efforts to promote public safety through the use of effective intervention with respect to mentally ill individuals encountered by members of the uniformed services.

SEC. 109. ADVANCING MENTAL HEALTH AS PART OF OFFENDER REENTRY.

(a) REENTRY DEMONSTRATION PROJECTS.—Section 2976(f) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(f)), as amended by section 106, is amended—

(1) in paragraph (3)(C), by inserting ''mental health services,'' before ''drug treatment''; and

(2) by adding at the end the following:

''(8) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, and homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.''.

(b) MENTORING GRANTS.—Section 211(b)(2) of the Second Chance Act of 2007 (42 U.S.C. 17531(b)(2)) is amended by inserting '', including mental health care'' after ''community''.

SEC. 110. SCHOOL MENTAL HEALTH CRISIS INTERVENTION TEAMS.

Section 2701 of title I of Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a(b)) is amended by—

(1) redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) inserting after paragraph (3) the following:

''(4) the development and operation of crisis intervention teams that may include coordination with law enforcement agencies and specialized training for school officials in responding to mental health crises.''.

SEC. 111. ACTIVE-SHOOTER TRAINING FOR LAW ENFORCEMENT.

The Attorney General, as part of the Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability Initiative (VALOR) of the Department of Justice, may provide safety training and technical assistance to local law enforcement agencies, including active-shooter response training.

SEC. 112. CO-OCCURRING SUBSTANCE ABUSE AND MENTAL HEALTH CHALLENGES IN RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAMS.

Section 1901(a) of title I of Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff(a)) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) developing and implementing specialized residential substance abuse treatment programs that identify and provide appropriate treatment to inmates with co-occurring mental health and substance abuse disorders or challenges.''.

SEC. 113. MENTAL HEALTH AND DRUG TREATMENT ALTERNATIVES TO INCARCERATION PROGRAMS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by striking part CC and inserting the following:

''PART CC—MENTAL HEALTH AND DRUG TREATMENT ALTERNATIVES TO INCARCERATION PROGRAMS

''SEC. 2901. MENTAL HEALTH AND DRUG TREATMENT ALTERNATIVES TO INCARCERATION PROGRAMS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'eligible entity' means a State, unit of local government, Indian tribe, or nonprofit organization; and

''(2) the term 'eligible participant' means an individual who—

''(A) comes into contact with the criminal justice system or is charged with an offense;

''(B) has a history of or a current—

''(i) substance use disorder;

''(ii) mental illness; or

''(iii) co-occurring mental illness and substance use disorders; and

''(C) has been approved for participation in a program funded under this section by, the relevant law enforcement agency, prosecuting attorney, defense attorney, probation official, corrections official, judge, representative of a mental health agency, or representative of a substance abuse agency.

''(b) PROGRAM AUTHORIZED.—The Attorney General may make grants to eligible entities to develop, implement, or expand a treatment alternative to incarceration program for eligible participants, including—

''(1) pre-booking treatment alternative to incarceration programs, including—

''(A) law enforcement training on substance use disorders, mental illness, and co-occurring mental illness and substance use disorders;

''(B) receiving centers as alternatives to incarceration of eligible participants;

''(C) specialized response units for calls related to substance use disorders, mental illness, or co-occurring mental illness and substance use disorders; and

''(D) other arrest and pre-booking treatment alternatives to incarceration models; or

''(2) post-booking treatment alternative to incarceration programs, including—

''(A) specialized clinical case management;

''(B) pre-trial services related to substances use disorders, mental illness, and co-occurring mental illness and substance use disorders;

''(C) prosecutor and defender based programs;

''(D) specialized probation;

''(E) treatment and rehabilitation programs; and

''(F) problem-solving courts, including mental health courts, drug courts, co-occuring mental health and substance abuse courts, DWI courts, and veterans treatment courts.

''(c) APPLICATION.—

''(1) IN GENERAL.—An eligible entity desiring a grant under this section shall submit an application to the Attorney General—

''(A) that meets the criteria under paragraph (2); and

''(B) at such time, in such manner, and accompanied by such information as the Attorney General may require.

''(2) CRITERIA.—An eligible entity, in submitting an application under paragraph (1), shall—

''(A) provide extensive evidence of collaboration with State and local government agencies overseeing health, community corrections, courts, prosecution, substance abuse, mental health, victims services, and employment services, and with local law enforcement agencies; and

''(B) demonstrate consultation with the Single State Authority for Substance Abuse;

''(C) demonstrate that evidence-based treatment practices will be utilized; and

''(D) demonstrate that evidenced-based screening and assessment tools will be used to place participants in the treatment alternative to incarceration program.

''(d) REQUIREMENTS.—Each eligible entity awarded a grant for a treatment alternative to incarceration program under this section shall—

''(1) determine the terms and conditions of participation in the program by eligible participants, taking into consideration the collateral consequences of an arrest, prosecution or criminal conviction;

''(2) ensure that each substance abuse and mental health treatment component is licensed and qualified by the relevant jurisdiction;

''(3) for programs described in subsection (b)(2), organize an enforcement unit comprised of appropriately trained law enforcement professionals under the supervision of the State, Tribal, or local criminal justice agency involved, the duties of which shall include—

''(A) the verification of addresses and other contacts of each eligible participant who participates or desires to participate in the program; and

''(B) if necessary, the location, apprehension, arrest, and return to court of an eligible participant in the program who has absconded from the facility of a treatment provider or has otherwise significantly violated the terms and conditions of the program, consistent with Federal and State confidentiality requirements;

''(4) notify the relevant criminal justice entity if any eligible participant in the program absconds from the facility of the treatment provider or otherwise violates the

terms and conditions of the program, consistent with Federal and State confidentiality requirements;

''(5) submit periodic reports on the progress of treatment or other measured outcomes from participation in the program of each eligible offender participating in the program to the relevant State, Tribal, or local criminal justice agency, including mental health courts, drug courts, co-occurring mental health and substance abuse courts, DWI courts, and veterans treatment courts;

''(6) describe the evidence-based methodology and outcome measurements that will be used to evaluate the program, and specifically explain how such measurements will provide valid measures of the impact of the program; and

''(7) describe how the program could be broadly replicated if demonstrated to be effective.

''(e) USE OF FUNDS.—An eligible entity shall use a grant received under this section for expenses of a treatment alternative to incarceration program, including—

''(1) salaries, personnel costs, equipment costs, and other costs directly related to the operation of the program, including the enforcement unit;

''(2) payments for treatment providers that are approved by the relevant State or Tribal jurisdiction and licensed, if necessary, to provide needed treatment to eligible offenders participating in the program, including aftercare supervision, vocational training, education, and job placement; and

''(3) payments to public and nonprofit private entities that are approved by the State or Tribal jurisdiction and licensed, if necessary, to provide alcohol and drug addiction treatment to eligible offenders participating in the program.

''(f) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of those Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant those funds. The Federal share of a grant made under this section may not exceed 50 percent of the total costs of the program described in an application under subsection (d).

''(g) GEOGRAPHIC DISTRIBUTION.—The Attorney General shall ensure that, to the extent practicable, the geographical distribution of grants under this section is equitable and includes a grant to an eligible entity in—

''(1) each State;

''(2) rural, suburban, and urban areas; and

''(3) Tribal jurisdictions.

''(h) REPORTS AND EVALUATIONS.—Each fiscal year, each recipient of a grant under this section during that fiscal year shall submit to the Attorney General a report on the outcomes of activities carried out using that grant in such form, containing such information, and on such dates as the Attorney General shall specify.

''(i) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date on which the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts made available to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the head of the relevant agency or department, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

''(5) PREVENTING DUPLICATIVE GRANTS.—

''(A) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(B) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(i) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(ii) the reason the Attorney General awarded the duplicate grants.''.

SEC. 114. NATIONAL CRIMINAL JUSTICE AND MENTAL HEALTH TRAINING AND TECHNICAL ASSISTANCE.

Part HH of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa et seq.) is amended by adding at the end the following:

''SEC. 2992. NATIONAL CRIMINAL JUSTICE AND MENTAL HEALTH TRAINING AND TECHNICAL ASSISTANCE.

''(a) AUTHORITY.—The Attorney General may make grants to eligible organizations to provide for the establishment of a National Criminal Justice and Mental Health Training and Technical Assistance Center.

''(b) ELIGIBLE ORGANIZATION.—For purposes of subsection (a), the term 'eligible organization' means a national nonprofit organization that provides technical assistance and training to, and has special expertise and broad, national-level experience in, mental health, crisis intervention, criminal justice systems, law enforcement, translating evidence into practice, training, and research, and education and support of people with mental illness and the families of such individuals.

''(c) USE OF FUNDS.—Any organization that receives a grant under subsection (a) shall establish and operate a National Criminal Justice and Mental Health Training and Technical Assistance Center to—

''(1) provide law enforcement officer training regarding mental health and working with individuals with mental illnesses, with an emphasis on de-escalation of encounters between law enforcement officers and those with mental disorders or in crisis, which shall include support the development of in-person and technical information exchanges between systems and the individuals working in those systems in support of the concepts identified in the training;

''(2) provide education, training, and technical assistance for States, Indian tribes, territories, units of local government, service providers, nonprofit organizations, probation or parole officers, prosecutors, defense attorneys, emergency response providers, and corrections institutions to advance practice and knowledge relating to mental health crisis and approaches to mental health and criminal justice across systems;

''(3) provide training and best practices around relating to diversion initiatives, jail and prison strategies, reentry of individuals with mental illnesses in into the community, and dispatch protocols and triage capabilities, including the establishment of learning sites;

''(4) develop suicide prevention and crisis intervention training and technical assistance for criminal justice agencies;

''(5) develop a receiving center system and pilot strategy that provides a single point of entry into the mental health and substance abuse system for assessments and appropriate placement of individuals experiencing a crisis;

''(6) collect data and best practices in mental health and criminal health and criminal justice initiatives and policies from grantees under this part, other recipients of grants under this section, Federal, State, and local agencies involved in the provision of mental health services, and non-governmental organizations involved in the provision of mental health services;

''(7) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document performance measures and outcomes;

''(8) disseminate information to States, units of local government, criminal justice agencies, law enforcement agencies, and other relevant entities about best practices, policy standards, and research findings; and

''(9) provide education and support to individuals with mental illness involved with, or at risk of involvement with, the criminal justice system, including the families of such individuals.

''(d) ACCOUNTABILITY.—Grants awarded under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice under subparagraph (C) that the audited grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 1 year after the date on which the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of grantees under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) FINAL AUDIT REPORT.—The Inspector General of the Department of Justice shall submit a final report on each audit conducted under subparagraph (B).

''(D) MANDATORY EXCLUSION.—Grantees under this section about which there is an unresolved audit finding shall not be eligible to receive a grant under this section during the 2 fiscal years beginning after the end of the 1-year period described in subparagraph (A).

''(E) PRIORITY.—In making grants under this section, the Attorney General shall give priority to applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(F) REIMBURSEMENT.—If an entity receives a grant under this section during the 2-fiscal-year period during which the entity is prohibited from receiving grants under subparagraph (D), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant that was improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment under clause (i) from the grantee that was erroneously awarded grant funds.

''(2) NONPROFIT AGENCY REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant program under this section, the term 'nonprofit agency' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)).

''(B) PROHIBITION.—The Attorney General may not award a grant under this section to a nonprofit agency that holds money in an offshore account for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986 (26 U.S.C. 511(a)).

''(C) DISCLOSURE.—Each nonprofit agency that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts made available to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the head of the relevant agency or department, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification—

''(A) indicating whether—

''(i) all final audit reports issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(D) have been issued; and

''(iii) any reimbursements required under paragraph (1)(F) have been made; and

''(B) that includes a list of any grantees excluded under paragraph (1)(D) from the previous year.

''(5) PREVENTING DUPLICATIVE GRANTS.—

''(A) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(B) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(i) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(ii) the reason the Attorney General awarded the duplicate grants.''.

SEC. 115. IMPROVING DEPARTMENT OF JUSTICE DATA COLLECTION ON MENTAL ILLNESS INVOLVED IN CRIME.

(a) IN GENERAL.—Notwithstanding any other provision of law, on or after the date that is 90 days after the date on which the Attorney General promulgates regulations under subsection (b), any data prepared by, or submitted to, the Attorney General or the Director of the Federal Bureau of Investigation with respect to the incidences of homicides, law enforcement officers killed, seriously injured, and assaulted, or individuals killed or seriously injured by law enforcement officers shall include data with respect to the involvement of mental illness in such incidences, if any.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall promulgate or revise regulations as necessary to carry out subsection (a).

SEC. 116. REPORTS ON THE NUMBER OF MENTALLY ILL OFFENDERS IN PRISON.

(a) REPORT ON THE COST OF TREATING THE MENTALLY ILL IN THE CRIMINAL JUSTICE SYSTEM.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report detailing the cost of imprisonment for individuals who have serious mental illness by the Federal Government or a State or unit of local government, which shall include—

(1) the number and type of crimes committed by individuals with serious mental illness each year; and

(2) detail strategies or ideas for preventing crimes by those individuals with serious mental illness from occurring.

(b) DEFINITION.—For purposes of this section, the Attorney General, in consultation with the Assistant Secretary of Mental Health and Substance Use Disorders shall defined ''serious mental illness'' based on the ''Health Care Reform for Americans with Severe Mental Illnesses: Report'' of the National Advisory Mental Health Council, American Journal of Psychiatry 1993; 150:1447–1465.

TITLE II—COMPREHENSIVE JUSTICE AND MENTAL HEALTH ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Comprehensive Justice and Mental Health Act of 2015''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) An estimated 2,000,000 individuals with serious mental illnesses are booked into jails

each year, resulting in prevalence rates of serious mental illness in jails that are 3 to 6 times higher than in the general population. An even greater number of individuals who are detained in jails each year have mental health problems that do not rise to the level of a serious mental illness but may still require a resource-intensive response.

(2) Adults with mental illnesses cycle through jails more often than individuals without mental illnesses, and tend to stay longer (including before trial, during trial, and after sentencing).

(3) According to estimates, almost ¾ of jail detainees with serious mental illnesses have co-occurring substance use disorders, and individuals with mental illnesses are also much more likely to have serious physical health needs.

(4) Among individuals under probation supervision, individuals with mental disorders are nearly twice as likely as other individuals to have their community sentence revoked, furthering their involvement in the criminal justice system. Reasons for revocation may be directly or indirectly related to an individual's mental disorder.

SEC. 203. SEQUENTIAL INTERCEPT MODEL.

(a) REDESIGNATION.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by redesignating subsection (i) as subsection (o).

(b) SEQUENTIAL INTERCEPT MODEL.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (h) the following:

''(i) SEQUENTIAL INTERCEPT GRANTS.—

''(1) DEFINITION.—In this subsection, the term 'eligible entity' means a State, unit of local government, Indian tribe, or tribal organization.

''(2) AUTHORIZATION.—The Attorney General may make grants under this subsection to an eligible entity for sequential intercept mapping and implementation in accordance with paragraph (3).

''(3) SEQUENTIAL INTERCEPT MAPPING; IMPLEMENTATION.—An eligible entity that receives a grant under this subsection may use funds for—

''(A) sequential intercept mapping, which—

''(i) shall consist of—

''(I) convening mental health and criminal justice stakeholders to—

''(aa) develop a shared understanding of the flow of justice-involved individuals with mental illnesses through the criminal justice system; and

''(bb) identify opportunities for improved collaborative responses to the risks and needs of individuals described in item (aa); and

''(II) developing strategies to address gaps in services and bring innovative and effective programs to scale along multiple intercepts, including—

''(aa) emergency and crisis services;

''(bb) specialized police-based responses;

''(cc) court hearings and disposition alternatives;

''(dd) reentry from jails and prisons; and

''(ee) community supervision, treatment and support services; and

''(ii) may serve as a starting point for the development of strategic plans to achieve positive public health and safety outcomes; and

''(B) implementation, which shall—

''(i) be derived from the strategic plans described in subparagraph (A)(ii); and

''(ii) consist of—

''(I) hiring and training personnel;

''(II) identifying the eligible entity's target population;

''(III) providing services and supports to reduce unnecessary penetration into the criminal justice system;

''(IV) reducing recidivism;

''(V) evaluating the impact of the eligible entity's approach; and

''(VI) planning for the sustainability of effective interventions.''.

SEC. 204. VETERANS TREATMENT COURTS.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as added by section 203, the following:

''(j) ASSISTING VETERANS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PEER TO PEER SERVICES OR PROGRAMS.—The term 'peer to peer services or programs' means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

''(B) QUALIFIED VETERAN.—The term 'qualified veteran' means a preliminarily qualified offender who—

''(i) served on active duty in any branch of the Armed Forces, including the National Guard or Reserves; and

''(ii) was discharged or released from such service under conditions other than dishonorable.

''(C) VETERANS TREATMENT COURT PROGRAM.—The term 'veterans treatment court program' means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

''(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

''(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

''(iii) alternatives to incarceration; and

''(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, and assistance in applying for and obtaining available benefits.

''(2) VETERANS ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

''(i) veterans treatment court programs;

''(ii) peer to peer services or programs for qualified veterans;

''(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; and

''(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

''(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

''(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

''(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

''(iii) propose interventions with empirical support to improve outcomes for qualified veterans.''.

SEC. 205. PRISON AND JAILS.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (j), as added by section 204, the following:

''(k) CORRECTIONAL FACILITIES.—

''(1) DEFINITIONS.—

''(A) CORRECTIONAL FACILITY.—The term 'correctional facility' means a jail, prison, or other detention facility used to house people who have been arrested, detained, held, or convicted by a criminal justice agency or a court.

''(B) ELIGIBLE INMATE.—The term 'eligible inmate' means an individual who—

''(i) is being held, detained, or incarcerated in a correctional facility; and

''(ii) manifests obvious signs of a mental illness or has been diagnosed by a qualified mental health professional as having a mental illness.

''(2) CORRECTIONAL FACILITY GRANTS.—The Attorney General may award grants to applicants to enhance the capabilities of a correctional facility—

''(A) to identify and screen for eligible inmates;

''(B) to plan and provide—

''(i) initial and periodic assessments of the clinical, medical, and social needs of inmates; and

''(ii) appropriate treatment and services that address the mental health and substance abuse needs of inmates;

''(C) to develop, implement, and enhance—

''(i) post-release transition plans for eligible inmates that, in a comprehensive manner, coordinate health, housing, medical, employment, and other appropriate services and public benefits;

''(ii) the availability of mental health care services and substance abuse treatment services; and

''(iii) alternatives to solitary confinement and segregated housing and mental health screening and treatment for inmates placed in solitary confinement or segregated housing; and

''(D) to train each employee of the correctional facility to identify and appropriately respond to incidents involving inmates with mental health or co-occurring mental health and substance abuse disorders.''.

SEC. 206. ALLOWABLE USES.

Section 2991(b)(5)(I) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(b)(5)(I)) is amended by adding at the end the following:

''(v) TEAMS ADDRESSING FREQUENT USERS OF CRISIS SERVICES.—Multidisciplinary teams that—

''(I) coordinate, implement, and administer community-based crisis responses and long-term plans for frequent users of crisis services;

''(II) provide training on how to respond appropriately to the unique issues involving frequent users of crisis services for public service personnel, including criminal justice, mental health, substance abuse, emergency room, healthcare, law enforcement, corrections, and housing personnel;

''(III) develop or support alternatives to hospital and jail admissions for frequent users of crisis services that provide treatment, stabilization, and other appropriate supports in the least restrictive, yet appropriate, environment; and

''(IV) develop protocols and systems among law enforcement, mental health, substance abuse, housing, corrections, and emergency medical service operations to provide coordinated assistance to frequent users of crisis services.''.

SEC. 207. LAW ENFORCEMENT TRAINING.

Section 2991(h) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(h)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(F) ACADEMY TRAINING.—To provide support for academy curricula, law enforcement officer orientation programs, continuing

education training, and other programs that teach law enforcement personnel how to identify and respond to incidents involving persons with mental health disorders or co-occurring mental health and substance abuse disorders.''; and

(2) by adding at the end the following:

''(4) PRIORITY CONSIDERATION.—The Attorney General, in awarding grants under this subsection, shall give priority to programs that law enforcement personnel and members of the mental health and substance abuse professions develop and administer cooperatively.''.

SEC. 208. FEDERAL LAW ENFORCEMENT TRAINING.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall provide direction and guidance for the following:

(1) TRAINING PROGRAMS.—Programs that offer specialized and comprehensive training, in procedures to identify and appropriately respond to incidents in which the unique needs of individuals who have a mental illness are involved, to first responders and tactical units of—

(A) Federal law enforcement agencies; and

(B) other Federal criminal justice agencies such as the Bureau of Prisons, the Administrative Office of the United States Courts, and other agencies that the Attorney General determines appropriate.

(2) IMPROVED TECHNOLOGY.—The establishment of, or improvement of existing, computerized information systems to provide timely information to employees of Federal law enforcement agencies, and Federal criminal justice agencies to improve the response of such employees to situations involving individuals who have a mental illness.

SEC. 209. GAO REPORT.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in coordination with the Attorney General, shall submit to Congress a report on—

(1) the practices that Federal first responders, tactical units, and corrections officers are trained to use in responding to individuals with mental illness;

(2) procedures to identify and appropriately respond to incidents in which the unique needs of individuals who have a mental illness are involved, to Federal first responders and tactical units;

(3) the application of evidence-based practices in criminal justice settings to better address individuals with mental illnesses; and

(4) recommendations on how the Department of Justice can expand and improve information sharing and dissemination of best practices.

SEC. 210. EVIDENCE BASED PRACTICES.

Section 2991(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(c)) is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) by redesignating paragraph (4) as paragraph (6); and

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

''(4) propose interventions that have been shown by empirical evidence to reduce recidivism;

''(5) when appropriate, use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services; or''.

SEC. 211. TRANSPARENCY, PROGRAM ACCOUNTABILITY, AND ENHANCEMENT OF LOCAL AUTHORITY.

(a) IN GENERAL.—Section 2991(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(a)) is amended—

(1) in paragraph (7)—

(A) in the heading, by striking ''MENTAL ILLNESS'' and inserting ''MENTAL ILLNESS; MENTAL HEALTH DISORDER''; and

(B) by striking ''term ''mental illness'' means'' and inserting ''terms ''mental illness'' and ''mental health disorder'' mean''; and

(2) by striking paragraph (9) and inserting the following:

''(9) PRELIMINARILY QUALIFIED OFFENDER.—

''(A) IN GENERAL.—The term 'preliminarily qualified offender' means an adult or juvenile accused of an offense who—

''(i)(I) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness or co-occurring mental illness and substance abuse disorders;

''(II) manifests obvious signs of mental illness or co-occurring mental illness and substance abuse disorders during arrest or confinement or before any court; or

''(III) in the case of a veterans treatment court provided under subsection (i), has been diagnosed with, or manifests obvious signs of, mental illness or a substance abuse disorder or co-occurring mental illness and substance abuse disorder;

''(ii) has been unanimously approved for participation in a program funded under this section by, when appropriate—

''(I) the relevant—

''(aa) prosecuting attorney;

''(bb) defense attorney;

''(cc) probation or corrections official; and

''(dd) judge; and

''(II) a representative from the relevant mental health agency described in subsection (b)(5)(B)(i);

''(iii) has been determined, by each person described in clause (ii) who is involved in approving the adult or juvenile for participation in a program funded under this section, to not pose a risk of violence to any person in the program, or the public, if selected to participate in the program; and

''(iv) has not been charged with or convicted of—

''(I) any sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)) or any offense relating to the sexual exploitation of children; or

''(II) murder or assault with intent to commit murder.

''(B) DETERMINATION.—In determining whether to designate a defendant as a preliminarily qualified offender, the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and mental health or substance abuse agency representative shall take into account—

''(i) whether the participation of the defendant in the program would pose a substantial risk of violence to the community;

''(ii) the criminal history of the defendant and the nature and severity of the offense for which the defendant is charged;

''(iii) the views of any relevant victims to the offense;

''(iv) the extent to which the defendant would benefit from participation in the program;

''(v) the extent to which the community would realize cost savings because of the defendant's participation in the program; and

''(vi) whether the defendant satisfies the eligibility criteria for program participation unanimously established by the relevant prosecuting attorney, defense attorney, probation or corrections official, judge and mental health or substance abuse agency representative.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 2927(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s-6(2)) is amended by striking ''has the meaning given that term in section 2991(a).'' and inserting ''means an offense that—

''(A) does not have as an element the use, attempted use, or threatened use of physical force against the person or property of another; or

''(B) is not a felony that by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.''.

SEC. 212. GRANT ACCOUNTABILITY.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (k), as added by section 205, the following:

''(m) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts made available to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the head of the relevant agency or department, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

''(n) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

TITLE III—NICS REAUTHORIZATION AND NICS IMPROVEMENT

SEC. 301. REAUTHORIZATION OF NICS.

(a) IN GENERAL.—Section 103(e) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking ''fiscal year 2013'' and inserting ''each of fiscal years 2016 through 2020''.

SEC. 302. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

''(36)(A) Subject to subparagraph (B), the term 'has been adjudicated mentally incompetent or has been committed to a psychiatric hospital', with respect to a person—

''(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

''(I) that was issued after—

''(aa) a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person had an opportunity to participate with counsel; or

''(bb) the person knowingly and intelligently waived the opportunity for a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person would have had an opportunity to participate with counsel; and

''(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, mental illness, incompetency, condition, or disease—

''(aa) was a danger to himself or herself or to others;

''(bb) was guilty but mentally ill in a criminal case, in a jurisdiction that provides for such a verdict;

''(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

''(dd) was incompetent to stand trial in a criminal case;

''(ee) was not guilty by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

''(ff) required involuntary inpatient treatment by a psychiatric hospital for any reason, including substance abuse; or

''(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or herself or to others; and

''(ii) does not include—

''(I) an admission to a psychiatric hospital for observation; or

''(II) a voluntary admission to a psychiatric hospital.

''(B) In this paragraph, the term 'order or finding' does not include—

''(i) an order or finding that has expired or has been set aside or expunged;

''(ii) an order or finding that is no longer applicable because a judicial officer, court, board, commission, or other adjudicative body has found that the person who is the subject of the order or finding—

''(I) does not present a danger to himself or herself or to others;

''(II) has been restored to sanity or cured of mental disease or defect;

''(III) has been restored to competency; or

''(IV) no longer requires involuntary inpatient or outpatient treatment by a psychiatric hospital; or

''(iii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c), under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note), or under any other State-authorized relief from disabilities program of the State in which the original commitment or adjudication occurred.

''(37) The term 'psychiatric hospital' includes a mental health facility, a mental hospital, a sanitarium, a psychiatric facility, and any other facility that provides diagnoses or treatment by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.''; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking ''as a mental defective'' and inserting ''mentally incompetent''; and

(ii) by striking ''any mental institution'' and inserting ''a psychiatric hospital''; and

(B) in subsection (g)(4)—

(i) by striking ''as a mental defective or who has'' and inserting ''mentally incompetent or has''; and

(ii) by striking ''mental institution'' and inserting ''psychiatric hospital''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking ''as a mental defective'' each place that term appears and inserting ''mentally incompetent'';

(2) by striking ''mental institution'' each place that term appears and inserting ''psychiatric hospital'';

(3) in section 101(c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(ii) in subparagraph (B), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(4) in section 102(c)(3)—

(A) in the paragraph heading, by striking ''AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION'' and inserting ''MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL''; and

(B) by striking ''mental institutions'' and inserting ''psychiatric hospitals''.

SEC. 303. INCENTIVES FOR STATE COMPLIANCE WITH NICS MENTAL HEALTH RECORD REQUIREMENTS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking ''of paragraph (2)'' and inserting ''of paragraph (1)''; and

(4) by inserting before paragraph (2), as redesignated, the following:

''(1) INCENTIVES FOR PROVIDING MENTAL HEALTH RECORDS AND FIXING THE BACKGROUND CHECK SYSTEM.—

''(A) DEFINITION OF COMPLIANT STATE.—In this paragraph, the term 'compliant State' means a State that has—

''(i) provided not less than 90 percent of the records required to be provided under sections 102 and 103; or

''(ii) in effect a statute that—

''(I) requires the State to provide the records required to be provided under sections 102 and 103; and

''(II) implements a relief from disabilities program in accordance with section 105.

''(B) INCENTIVES FOR COMPLIANCE.—During the period beginning on the date that is 18 months after the enactment of the Mental Health and Safe Communities Act of 2015 and ending on the date that is 5 years after the date of enactment of such Act, the Attorney General—

''(i) shall use funds appropriated to carry out section 103 of this Act, the excess unobligated balances of the Department of Justice and funds withheld under clause (ii), or any combination thereof, to increase the amounts available under section 505 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) for each compliant State in an amount that is not less than 2 percent nor more than 5 percent of the amount that was allocated to such State under such section 505 in the previous fiscal year; and

''(ii) may withhold an amount not to exceed the amount described in clause (i) that would otherwise be allocated to a State under any section of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) if the State—

''(I) is not a compliant State; and

''(II) does not submit an assurance to the Attorney General that—

''(aa) an amount that is not less than the amount described in clause (i) will be used solely for the purpose of enabling the State to become a compliant State; or

''(bb) the State will hold in abeyance an amount that is not less than the amount described in clause (i) until such State has become a compliant State.

''(C) REGULATIONS.—Not later than 180 days after the enactment of the Mental Health and Safe Communities Act of 2015, the Attorney General shall issue regulations implementing this paragraph.''.

SEC. 304. PROTECTING THE SECOND AMENDMENT RIGHTS OF VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''(a) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Mental Health and Safe Communities Act of 2015, the Secretary shall provide written notice in accordance with subsection (b) of the opportunity for administrative review under subsection (c) to all persons who, on the date of enactment of the Mental Health and Safe Communities Act of 2015, are considered to have been adjudicated mentally incompetent or committed to a psychiatric hospital under subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department to be mentally incompetent.

''(b) NOTICE.—The Secretary shall provide notice under this section to a person described in subsection (a) that notifies the person of—

''(1) the determination made by the Secretary;

''(2) a description of the implications of being considered to have been adjudicated mentally incompetent or committed to a psychiatric hospital under subsection (d)(4) or (g)(4) of section 922 of title 18; and

''(3) the right of the person to request a review under subsection (c)(1).

''(c) ADMINISTRATIVE REVIEW.—

''(1) REQUEST.—Not later than 30 days after the date on which a person described in subsection (a) receives notice in accordance with subsection (b), such person may request a review by the board designed or established under paragraph (2) or by a court of competent jurisdiction to assess whether the person is a danger to himself or herself or to others. In such assessment, the board may consider the person's honorable discharge or decorations.

''(2) BOARD.—Not later than 180 days after the date of enactment of the Mental Health and Safe Communities Act of 2015, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether the person is a danger to himself or herself or to others.

''(d) JUDICIAL REVIEW.—A person may file a petition with a Federal court of competent jurisdiction for judicial review of an assessment of the person under subsection (c) by the board designated or established under subsection (c)(2).''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

SEC. 305. APPLICABILITY OF AMENDMENTS.

With respect to any record of a person prohibited from possessing or receiving a firearm under subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, before the date of enactment of this Act, the Attorney General shall remove such a record from the National Instant Criminal Background Check System—

(1) upon being made aware that the person is no longer considered as adjudicated mentally incompetent or committed to a psychiatric hospital according to the criteria under paragraph (36)(A)(i)(II) of section 921(a) of title 18, United States Code (as added by this title), and is therefore no longer prohibited from possessing or receiving a firearm;

(2) upon being made aware that any order or finding that the record is based on is an order or finding described in paragraph (36)(B) of section 921(a) of title 18, United State Code (as added by this title); or

(3) upon being made aware that the person has been found competent to possess a firearm after an administrative or judicial review under subsection (c) or (d) of section 5511 of title 38, United States Code (as added by this title).

SEC. 306. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this paragraph—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

TITLE IV—REAUTHORIZATIONS AND OFFSET

SEC. 401. REAUTHORIZATION OF APPROPRIATIONS.

(a) ADULT AND JUVENILE COLLABORATION PROGRAMS.—Subsection (o) of section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa), as redesignated by section 203, is amended—

(1) in paragraph (1)(C), by striking ''2009 through 2014'' and inserting ''2016 through 2020''; and

(2) by adding at the end the following:

''(3) LIMITATION.—Not more than 20 percent of the funds authorized to be appropriated under this section may be used for purposes described in subsection (j) (relating to veterans).''.

(b) MENTAL HEALTH COURTS AND QUALIFIED DRUG TREATMENT PROGRAMS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended—

(1) in paragraph (20), by striking ''2001 through 2004'' and inserting ''2016 through 2020''; and

(2) in paragraph (26), by striking ''2009 and 2010'' and inserting ''2016 through 2020''.

SEC. 402. OFFSET.

(a) DEFINITION.—In this subsection, the term ''covered amounts'' means the unobligated balances of discretionary appropriations accounts, except for the discretionary appropriations accounts of the Department of Defense, the Department of Veterans Affairs, and the Department of Homeland Security.

(b) RESCISSION.—

(1) IN GENERAL.—Effective on the first day of each of fiscal years 2016 through 2020 , there are rescinded from covered amounts, on a pro rata basis, the amount described in paragraph (2).

(2) AMOUNT OF RESCISSION.—The amount described in this subparagraph is the sum of the amounts authorized to be appropriated under paragraphs (20) and (26) of section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)).

(3) REPORT.—Not later 60 days after the first day of each of fiscal years 2016 through 2020, the Director of the Office of Management and Budget shall submit to Congress and the Secretary of the Treasury a report specifying the account and amount of each rescission under this subsection.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 242—CELEBRATING 25 YEARS OF SUCCESS FROM THE OFFICE OF RESEARCH ON WOMEN'S HEALTH AT THE NATIONAL INSTITUTES OF HEALTH

Ms. MIKULSKI (for herself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 242

Whereas, on September 10, 1990, the Office of Research on Women's Health (in this resolution referred to as ''ORWH'') was established at the National Institutes of Health (in this resolution referred to as ''NIH'') to—

(1) ensure that women were included in NIH-funded clinical research;

(2) set research priorities to address gaps in scientific knowledge; and

(3) promote biomedical research careers for women;

Whereas ORWH was established in law by the National Institutes of Health Revitalization Act of 1993 (Public Law 103–43; 107 Stat. 122) and implemented the law requiring researchers to include women in NIH-funded tests of new drugs and other clinical trials;

Whereas, today, more than ½ of the participants in NIH-funded clinical trials are women, enabling the development of clinical approaches to prevention, diagnosis, or treatment appropriate for women;

Whereas, in 2015, ORWH, with enthusiastic support from NIH leadership, announced that, beginning in January 2016, NIH-funded scientists must account for the possible role of sex as a biological variable in vertebrate animal and human studies;

Whereas ORWH, along with NIH leadership, enhances awareness of the need to adhere to principles of rigor and transparency, including the need to publish sex-specific results to inform the treatment of women, men, boys, and girls;

Whereas, over the past 25 years, ORWH has helped expand research on women's health beyond its roots in reproductive health to include—

(1) the study of the health of women across the lifespans of women; and

(2) biomedical and behavioral research from cells to selves;

Whereas, by studying both sexes, ORWH is leading the scientific community to make discoveries headed toward treatments that are more personalized for both women and men;

Whereas, today, ORWH communicates through programs and policies that sex and gender affect health, wellness, and how diseases progress;

Whereas turning discovery into health for all, the NIH motto, means studying both females and males across the biomedical research continuum;

Whereas the ORWH Specialized Centers of Research on Sex Differences program supports established scientists who do basic, clinical, and translational research with a sex and gender focus;

Whereas all NIH Institutes and Centers fund and encourage scientists at universities across the nation to conduct research on the health of women and on sex and gender influences;

Whereas, over the past 25 years, ORWH has established several career-enhancement initiatives for women in biomedicine, including the Building Interdisciplinary Research Careers in Women's Health program that connects junior faculty with mentors who share interests in women's health research;

Whereas ORWH co-directs the NIH Working Group on Women in Biomedical Careers, which develops and evaluates policies to promote the recruitment, retention, and sustained advancement of women scientists;

Whereas the Women's Health Initiative (in this resolution referred to as ''WHI'') marked the first long term study of its kind and resulted in a wealth of information so that women and their physicians can make more informed decisions regarding postmenopausal hormone therapy;

Whereas WHI reduced the incidence of breast cancer by 10,000 to 15,000 cases per year, and the overall health care savings far exceeded the WHI investment;

Whereas ORWH supported the National Cancer Institute's development of a vaccine that prevents the transmission of Human Papilloma Virus, resulting in a decrease in the number of cases of cervical cancer;

Whereas, in 1994, ORWH co-sponsored with the National Institute of Allergy and Infectious Diseases a landmark study, the results of which showed that giving the drug AZT to HIV-infected women with little or no prior antiretroviral therapy reduced the risk of mother-to-child transmission of HIV by ⅔;

Whereas, according to the CDC, perinatal HIV infections in the United States have dropped by more than 90 percent;

Whereas ORWH co-funded a large clinical study of the genetic and environmental risk factors for ischemic stroke, which identified a strong relationship between the number of cigarettes smoked per day and the probability of ischemic stroke in young women, prompting the targeting of smoking as a preventable and modifiable risk factor for cerebrovascular disease in young women; and

Whereas, over the past 25 years, ORWH has contributed support toward major advances in knowledge about the genetic risk for breast cancer, and discovery of the BRCA1 and BRCA2 genetic risk markers has enabled better-informed genetic counseling and treatment for members of families that carry mutant alleles: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) ORWH has improved and saved the lives of countless women worldwide and must remain intact for this and future generations;

(2) there remain striking sex and gender differences in many diseases and conditions, on which ORWH should continue to focus, including—

(A) autoimmune diseases;

(B) cancer;

(C) cardiovascular diseases;

(D) depression and brain disorders;

(E) Alzheimer's disease;

(F) diabetes;

(G) chronic diseases and disorders;

(H) infectious diseases;

(I) obesity; and

(J) addictive disorders;

(3) ORWH must continue to focus on ensuring that NIH funds biomedical research that considers sex as a basic biological variable, across the research spectrum from basic to clinical studies; and

(4) the Director of the NIH should continue to consult and involve ORWH on all matters related to the influence of sex and gender on health, especially those pertaining to the consideration of sex as a biological variable in research with vertebrate animals and humans.

SENATE RESOLUTION 243—CELEBRATING THE 35TH ANNIVERSARY OF THE SMALL BUSINESS DEVELOPMENT CENTERS OF THE UNITED STATES

Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. ENZI, Ms. HIRONO, Mr. RISCH, Mr. PETERS, Ms. AYOTTE, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Small Business and Entrepreneurship:

S. RES. 243

Whereas America's Small Business Development Center (referred to in this preamble as ''SBDC'') network will celebrate the 35th anniversary of the SBDC network at a conference to be held September 8 through 11, 2015, in San Francisco, California;

Whereas the conference will be held—

(1) to continue the professional development of employees of SBDCs; and

(2) to commemorate the educational and technical assistance offered by SBDCs to small businesses across the United States;

Whereas for 35 years, SBDCs have been among the preeminent organizations in the United States for providing business advice, 1-on-1 counseling, and in-depth training to small businesses;

Whereas, during the 35 years before the date of approval of this resolution, the SBDC network has grown from 9 fledgling centers to a nationwide network of 63 State and regional centers with more than 4,200 business advisors providing free counseling at nearly 1,000 individual locations;

Whereas the SBDC network has worked for 35 years with the Small Business Administration, institutions of higher education, State governments, Congress, and others, to significantly enhance the economic health and strength of small businesses in the United States;

Whereas SBDCs—

(1) have assisted more than 22,500,000 small businesses during the 35 years before the date of approval of this resolution; and

(2) continue to aid and support hundreds of thousands of small businesses annually;

Whereas 28 percent of all SBDC clients are minorities, 44 percent of SBDC clients are women, and 9 percent of all SBDC clients are veterans;

Whereas SBDCs provide over 1,250,000 hours of counseling to small businesses and invest over $140,000,000 annually in supporting small business;

Whereas, since 2012, SBDCs have helped small businesses create over 750,000 jobs, add $67,500,000,000 in sales and attract over $38,000,000,000 in capital;

Whereas, since the inception of SBDCs, SBDCs have continued to redefine and transform the services offered by SBDCs, including training and advising, and have taken on new missions, in order to ensure that small businesses have relevant and significant assistance in all economic conditions; and

Whereas Congress continues to support SBDCs and the role of SBDCs in assisting small businesses and building the economic success of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 35th anniversary of America's Small Business Development Center network; and

(2) expresses appreciation for—

(A) the steadfast partnership between America's Small Business Development Center network and the Small Business Administration; and

(B) the work of America's Small Business Development Center network in ensuring quality assistance to small business and access for all to the American dream.

SENATE RESOLUTION 244—EXPRESSING THE SENSE OF THE SENATE REGARDING THE ''LAUDATO SI'' ENCYCLICAL OF POPE FRANCIS, AND GLOBAL CLIMATE CHANGE

Mr. FRANKEN (for himself, Mr. UDALL, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 244

Whereas on June 18, 2015, Pope Francis published an encyclical letter on the environment that—

(1) declares, ''A very solid scientific consensus indicates that we are presently witnessing a disturbing warming of the climatic system. In recent decades this warming has been accompanied by a constant rise in the sea level and, it would appear, by an increase of extreme weather events, even if a scientifically determinable cause cannot be assigned to each particular phenomenon. Humanity is called to recognize the need for changes of lifestyle, production and consumption, in order to combat this warming or at least the human causes which produce or aggravate it. It is true that there are other factors (such as volcanic activity, variations in the earth's orbit and axis, the solar cycle), yet a number of scientific studies indicate that most global warming in recent decades is due to the great concentration of greenhouse gases (carbon dioxide, methane, nitrogen oxides and others) released mainly as a result of human activity.'';

(2) states, ''If present trends continue, this century may well witness extraordinary climate change and an unprecedented destruction of ecosystems, with serious consequences for all of us. A rise in the sea level, for example, can create extremely serious situations, if we consider that a quarter

of the world's population lives on the coast or nearby, and that the majority of our megacities are situated in coastal areas.'';

(3) affirms, ''There is an urgent need to develop policies so that, in the next few years, the emission of carbon dioxide and other highly polluting gases can be drastically reduced, for example, substituting for fossil fuels and developing sources of renewable energy. Worldwide there is minimal access to clean and renewable energy. There is still a need to develop adequate storage technologies.'';

(4) emphasizes, ''The deterioration of the environment and of society affects the most vulnerable people on the planet: 'Both everyday experience and scientific research show that the gravest effects of all attacks on the environment are suffered by the poorest'.''; and

(5) proclaims, ''Climate change is a global problem with grave implications: environmental, social, economic, political and for the distribution of goods. It represents one of the principal challenges facing humanity in our day.'';

Whereas leading scientific organizations in the United States have affirmed that human activity is the primary cause of climate change, including the American Association for the Advancement of Science, the National Academy of Sciences, the American Meteorological Society, the American Chemical Society, the American Geophysical Union, the American Institute of Biological Sciences, and many others;

Whereas the U.S. Global Change Research Program's 2014 National Climate Assessment documents that, over the past several decades, as a result of climate change, the United States has experienced more frequent and intense heat waves, record droughts, increased flooding in certain regions, increased hurricane intensity, frequency, and duration, increased frequency and intensity of winter storms, rising sea levels, and other ecologically problematic trends; and

Whereas if present climate trends persist, the effects of a warming planet will become more catastrophic, as the 2014 National Climate Assessment states, ''Children, the elderly, the sick, and the poor are especially vulnerable. There is mounting evidence that harm to the nation will increase substantially in the future unless global emissions of heat-trapping gases are greatly reduced.'': Now, therefore, be it

Resolved, That the Senate stands with Pope Francis and the scientific consensus that—

(1) human activity is the primary driver of climate change;

(2) present climate trends are unsustainable; and

(3) immediate action must be taken to significantly reduce greenhouse gas emissions in order to limit the deleterious effects of human-induced climate change.

SENATE RESOLUTION 245—DESIGNATING THE WEEK BEGINNING SEPTEMBER 13, 2015, AS ''NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK''

Mr. CARDIN (for himself, Ms. COLLINS, Mr. BROWN, Mr. PORTMAN, Mr. KING, Mr. MENENDEZ, Mr. GRASSLEY, Mr. MURPHY, Ms. KLOBUCHAR, Mr. BOOKER, Mr. MARKEY, Mr. BLUMENTHAL, Ms. AYOTTE, and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 245

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (in this resolution collectively referred to as ''direct support professionals'') are the primary providers of publicly funded long-term support and services for millions of individuals with disabilities;

Whereas a direct support professional must build a close, respectful, and trusting relationship with an individual with disabilities;

Whereas a direct support professional assists individuals with disabilities with intimate personal care assistance on a daily basis;

Whereas direct support professionals provide a broad range of individualized support, including—

(1) preparation of meals;

(2) helping with medications;

(3) assisting with bathing, dressing, and other aspects of daily living;

(4) assisting individuals with physical disabilities in accessing their environment;

(5) providing transportation to school, work, religious activities, and recreational activities; and

(6) helping with general daily affairs, such as assisting with financial matters, medical appointments, and personal interests;

Whereas direct support professionals provide essential support to help keep individuals with disabilities connected to the families, friends, and communities of the individuals;

Whereas direct support professionals support individuals with disabilities in making choices that lead to meaningful, productive lives;

Whereas direct support professionals are integral to helping individuals with disabilities live successfully in the communities of the individuals, avoiding more costly institutional care;

Whereas the participation of direct support professionals in medical care planning is critical to the successful transition from medical events to post-acute care and long-term support and services;

Whereas many direct support professionals are the primary financial providers for the families of the direct support professionals;

Whereas direct support professionals are a critical element in supporting individuals—

(1) who receive health care services for severe chronic health conditions; and

(2) with functional limitations;

Whereas direct support professionals are hardworking, taxpaying citizens who provide an important service to individuals with disabilities, yet many direct support professionals continue to earn low wages, receive inadequate benefits, and have limited opportunities for advancement, resulting in high turnover and vacancy rates, adversely affecting the quality of support for, and the safety and health of, individuals with disabilities;

Whereas there is a documented critical and increasing shortage of direct support professionals throughout the United States;

Whereas the Supreme Court of the United States, in Olmstead v. L.C., 527 U.S. 581 (1999), recognized the importance of community-based services for individuals with disabilities in holding that, under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), States must provide community-based treatment to individuals with disabilities when—

(1) the services are appropriate;

(2) the affected individuals do not oppose community-based treatment; and

(3) community-based treatment can be reasonably accommodated, taking into account the resources available to the State and the needs of other individuals with disabilities; and

Whereas, in 2015, the majority of direct support professionals are employed in home-based and community-based settings, and this trend is projected to increase over the next decade: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 13, 2015, as ''National Direct Support Professionals Recognition Week'';

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting individuals with disabilities and their families in the United States;

(4) commends direct support professionals as integral to the long-term support of and services for individuals with disabilities; and

(5) finds that the successful implementation of the public policies affecting individuals with disabilities in the United States depends on the dedication of direct support professionals.

Mr. CARDIN. Mr. President, I rise today to submit, with my colleague Senator COLLINS, a resolution designating the week beginning September 13, 2015, as ''National Direct Support Professionals Recognition Week.'' The Senate has passed a similar resolution each year for the past seven years, and National Direct Support Professionals Recognition Week holds special significance this year as we celebrate the 25th anniversary of the Americans with Disabilities Act, ADA.

Direct support professionals play an incredibly important role in providing essential community supports to millions of Americans with disabilities. These dedicated workers assist individuals with disabilities with daily life activities such as dressing, eating, and bathing, and they help ensure that people with disabilities can be active participants in their communities.

Let me share with you the story of Ed Wainwright, Jr., a direct support professional who was recognized this year for his incredible work and dedication when he was given Maryland's Direct Support Professional, DSP, of the Year Award by the American Network of Community Options and Resources, ANCOR. Ed works for New Horizons Supported Services in Upper Marlboro, MD, and has been a direct support professional for over 6 years. He and his staff provide essential support to 33 individuals with disabilities. Ed's primary job is to teach and reinforce practical life skills for individuals with intellectual and developmental disabilities by integrating strategic goal setting with daily living, with the goal of achieving self-sufficiency.

Ed is committed to helping individuals with disabilities realize their full potential. For example, Ed once worked with a man who had suffered a traumatic brain injury in a car accident as a youth. After the accident, he could not walk, and the prognosis for regaining his mobility was poor. After work, Ed would often take this young man to the gym with him to help rebuild his strength, on Ed's own time

and using his personal gym membership. Recognizing this young man's creative abilities, Ed also took it upon himself to research and apply for a grant to help pay for his college expenses. Thanks in large part to Ed's commitment and dedication, that young man is a now graphic designer and, as he continues to work on his rehabilitation, taking steps again is a real possibility.

As Ed's story demonstrates, the job of a direct support professional is not easy. The hours are often long, and the wages are low. The job can be physically laborious, as well as emotionally draining. The reward for direct support professionals, however, is that they are able to improve the lives of individuals with disabilities and help fulfill the promise of the ADA by making it possible for these Americans to participate in their communities to the fullest extent possible.

Today, we have the opportunity to recognize the millions of direct support professionals who provide essential services to individuals with disabilities, to thank them for their commitment and dedication, and to express our appreciation for the critically important work they do every day throughout our country.

I urge my colleagues to join me and Senator COLLINS in expressing our appreciation for our country's direct support professionals and supporting the resolution designating the week beginning September 13, 2015, as ''National Direct Support Professionals Recognition Week.''

SENATE RESOLUTION 246—COMMEMORATING 80 YEARS SINCE THE CREATION OF SOCIAL SECURITY

Mr. WYDEN (for himself, Mr. REID, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BOXER, Mr. COONS, Mr. DONNELLY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MANCHIN, Mr. MARKEY, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Mr. TESTER, Mr. UDALL, Ms. WARREN, and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 246

Whereas on August 14, 1935, President Franklin D. Roosevelt signed the Social Security Act into law, thereby establishing a vital – and ultimately universal - insurance program for workers and families under which workers earn coverage by working and paying Social Security taxes on their earnings;

Whereas Congress further strengthened Social Security over the years by enacting improvements to, and expansion of, retirement, survivors, and disability benefits for workers and their families, and now Social Security provides economic security to the Nation, and touches the life of nearly every American;

Whereas Social Security is one program that offers two essential earned benefits that are fundamentally linked: benefits for workers with disabilities and benefits for retired workers;

Whereas in 2014, more than 48,000,000 retirement and survivors beneficiaries and about 11,000,000 disability beneficiaries, including eligible family members, received Social Security benefits;

Whereas Social Security benefits are modest but fundamental to the economic security of our Nation, with the average disability benefit less than $1,200 per month, or less than $14,000 per year—falling just above the poverty line—and the average retirement benefit of close to $1,300 per month, or less than $16,000 per year;

Whereas older Americans rely heavily on Social Security, with 9 out of 10 individuals age 65 and older receiving Social Security benefits, and among elderly Social Security beneficiaries, 52 percent of married couples and 74 percent of unmarried persons receive more than half of their income from Social Security;

Whereas the Social Security Administration will issue almost $900,000,000,000 in earned benefits this year, while more than 1,200 Social Security field offices nationwide provide essential, accurate, and face-to-face services to millions of Americans each day;

Whereas workers who are supported by disability benefits today will receive retirement benefits at full retirement age because Social Security Disability Insurance ensures that workers who are no longer able to work and their families are protected from the loss of future retirement benefits;

Whereas Social Security's Disability Insurance protections are especially important to older workers, with 70 percent of Social Security Disability Insurance beneficiaries are older than 50 and 30 percent are older than 60;

Whereas Social Security has evolved with changes in the American workforce, with the number of working women who are fully insured for Social Security benefits more than doubling between 1970 and today;

Whereas Social Security provides fundamental protection to workers of every age, including young workers, who have a one-in-three chance of dying or needing Social Security disability benefits before reaching retirement age;

Whereas Social Security is America's ''family insurance plan,'' providing more than 9 out of 10 American workers and their families basic but critical protection in the event they can no longer work to support themselves and their families due to a severe medical condition;

Whereas, Social Security provides a lifeline for almost 7,000,000 children nationwide who receive benefits directly because a parent has died, become disabled, or retired, or indirectly because they live with a relative who is eligible to collect benefits;

Whereas Social Security is efficient – administrative expenses are less than one percent of benefits paid – and benefit payments are 99 percent accurate; and

Whereas Social Security has dramatically reduced poverty, with research indicating that the entire reduction in elderly poverty between 1967 and 2000 was due to Social Security, that without Social Security 40 percent of the population older than 65 would be poor, and that Social Security benefits lifted an estimated 2,000,000 children out of poverty in 2013: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Social Security provides earned benefits that are crucial to the economic security of our Nation and must be preserved to ensure future generations of Americans are protected;

(2) with the strong support of the Federal Government, Social Security must continue to deliver guaranteed retirement and life insurance benefits for workers and their families, as well as serve as an indispensable safety net for the most vulnerable segments of American society, including children, persons with disabilities, the elderly, and the poor; and

(3) while the Trust Funds that support Social Security are projected to pay all benefits through 2034, Congress should act to ensure this vital program can support workers and families far into the future, but should reject proposals that weaken or privatize Social Security and should consider proposals to strengthen Social Security benefits.

Mr. WYDEN. Mr. President, I wish to take a few minutes in my capacity as ranking Democrat on the Committee on Finance to talk about the upcoming 80th anniversary of a great moment in our country's history—the creation of the Social Security Program on August 14, 1935.

I am very pleased to be joined by all of my colleagues on this side of the aisle in the introduction of a resolution demonstrating how much we appreciate this historic anniversary. Thanks in large part to Social Security, old age in America is no longer synonymous with hardship. American workers have the great comfort of knowing that if the worst happens, Social Security will be there for them and their families.

I remember how essential Social Security was to many of the older people I worked with when I was director of the Oregon Gray Panthers. However, eight short decades ago, seniors often lived in poverty and hard-working Americans had no guarantee of economic security. Our country was in the throes of the Great Depression. Unemployment topped 20 percent. You had bread lines for blocks, and the homeless population was growing. There was no social safety net, no lifeline that offered some measure of dignity. If a person lost their job, became disabled, suffered the loss of a family member, they were on their own. There was nowhere to turn. Life was difficult for many Americans but none more so than the poor, the elderly, or the disabled. Tragically, many aging and disabled Americans without family to care for them ended up destitute or on the street.

America is now a different place, thanks in no small part to the protection of Social Security. It is one of the strongest threads in America's safety net, protecting the well-being of millions and keeping millions more out of poverty. This year nearly 60 million American workers and eligible family members will receive nearly $900 billion in retirement, survivors, and disability benefits.

Among older Social Security beneficiaries, more than half of married couples and nearly three-quarters of

unmarried individuals get the majority of their income from Social Security. As of 2014, 151 million Americans had earned the protection of disability insurance. That is a tremendous accomplishment. Well over 100 million workers and their families can go about their days with the confidence that they are financially protected in the event of a medical catastrophe because of Social Security.

The program also provides indispensable benefits to nearly 7 million children. Without those benefits, many of the youngsters would face dire circumstances after the death or disability of a parent. None of this could have happened without the continuing support of the Congress.

Time and time again, Members have come together on a bipartisan basis to ensure this vital program remains strong. The 1939 amendments to Social Security expanded retirement benefits. In 1954, the Congress passed amendments that provided protection for workers who became disabled. The Social Security amendments of 1980 and 1983 also made important changes that helped ensure the program's long-term viability.

Social Security is one of America's great economic successes. The program is robust. In my view, there is big bipartisan interest in keeping it that way. I look forward to working with my colleagues and the ranking Democrat on the Finance Committee so that on both sides of the aisle we work together to ensure that Social Security continues to thrive for generations to come.

SENATE RESOLUTION 247—COMMEMORATING AND HONORING THE ACTIONS OF PRESIDENT HARRY S. TRUMAN AND THE CREWS OF THE ENOLA GAY AND BOCKSCAR IN USING THE ATOMIC BOMB TO BRING WORLD WAR II TO AN END

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 247

Whereas, during World War II, in 1945, war in the Pacific Theater between the United States and Japan had entered its fourth year;

Whereas Allied military commanders were preparing to invade Japan;

Whereas President Harry S. Truman made the tactical decision to use the newly developed atomic bomb against Japan instead of invading Japan;

Whereas, on August 6, 1945, the crew of the Enola Gay, under the command of Colonel Paul W. Tibbets, Jr., dropped an atomic bomb on Hiroshima, Japan; and

Whereas, on August 9, 1945, the crew of the Bockscar, under the command of Major Charles W. Sweeney, dropped an atomic bomb on Nagasaki, Japan: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and honors the courageous decision of President Harry S. Truman to use atomic bombs against Japan to bring an end to World War II; and

(2) commemorates and honors the courageous actions by the crews of the Enola Gay and the Bockscar in carrying out missions against Hiroshima and Nagasaki, respectively, that accomplished tactical terminal objectives and saved a countless number of lives of citizens of the United States.

SENATE RESOLUTION 248—DESIGNATING SEPTEMBER 2015 AS ''NATIONAL PROSTATE CANCER AWARENESS MONTH''

Mr. SESSIONS (for himself, Mr. SHELBY, Mr. MENENDEZ, Mr. VITTER, Mrs. FEINSTEIN, Mr. MORAN, Mrs. BOXER, Ms. AYOTTE, Mr. CARDIN, Mr. KING, Mr. BLUNT, Mr. BOOKER, and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 248

Whereas over 2,900,000 families in the United States live with prostate cancer;

Whereas 1 in 7 males in the United States will be diagnosed with prostate cancer in their lifetimes;

Whereas prostate cancer is the most commonly diagnosed non-skin cancer and the second leading cause of cancer-related deaths among males in the United States;

Whereas in 2015, the National Cancer Institute estimates that 220,800 men will be diagnosed with, and more than 27,000 men will die of, prostate cancer;

Whereas 40 percent of newly diagnosed prostate cancer cases occur in males under the age of 65;

Whereas the odds of developing prostate cancer rise rapidly after age 50;

Whereas African-American males suffer from a prostate cancer incidence rate that is significantly higher than White males and have double the prostate cancer mortality rate of White males;

Whereas obesity is a significant predictor of the severity of prostate cancer;

Whereas the probability that obesity will lead to death and high cholesterol levels is strongly associated with advanced prostate cancer;

Whereas having a father or brother with prostate cancer more than doubles the risk of a man developing prostate cancer, with a particularly high risk for men who have a brother with the disease;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease at the earlier, more treatable stages, which could increase the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 38 percent of males survive more than 5 years if diagnosed with prostate cancer after the cancer has metastasized;

Whereas there are no noticeable symptoms of prostate cancer while prostate cancer is in the early stages, making appropriate screening critical;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of males and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2015 as ''National Prostate Cancer Awareness Month'';

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to encourage research so that screening and treatment for prostate cancer may be improved, the causes of prostate cancer may be discovered, and a cure for prostate cancer may be developed; and

(C) to continue to consider ways for improving access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interest groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2616. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table.

SA 2617. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2618. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2619. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2620. Mr. WHITEHOUSE (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2621. Mr. WYDEN (for himself, Mr. UDALL, Mr. BROWN, Mr. FRANKEN, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table .

SA 2622. Mr. WYDEN (for himself, Mr. UDALL, Mr. BROWN, Mr. FRANKEN, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table .

SA 2623. Ms. COLLINS (for herself, Ms. HIRONO, Mr. WARNER, and Mr. COATS) submitted an amendment intended to be proposed by her to the bill S. 754, supra; which was ordered to lie on the table.

SA 2624. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2625. Mr. JOHNSON (for himself, Mr. CARPER, Ms. AYOTTE, Mrs. MCCASKILL, Ms. COLLINS, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2626. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2627. Mr. CARPER (for himself, Mr. JOHNSON, Ms. AYOTTE, Mrs. MCCASKILL, Ms. COLLINS, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2628. Mr. WYDEN submitted an amendment intended to be proposed by him to the

bill S. 754, supra; which was ordered to lie on the table.

SA 2629. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2630. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2631. Mr. GARDNER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2632. Mr. TESTER (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2633. Ms. AYOTTE (for Mr. GRAHAM) submitted an amendment intended to be proposed by Ms. Ayotte to the bill S. 754, supra; which was ordered to lie on the table.

SA 2634. Ms. AYOTTE (for Mr. GRAHAM) submitted an amendment intended to be proposed by Ms. Ayotte to the bill S. 754, supra; which was ordered to lie on the table.

SA 2635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2636. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2637. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2638. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2639. Mr. WHITEHOUSE proposed an amendment to the bill S. 1523 , to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

TEXT OF AMENDMENTS

SA 2616. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 11. EFFECTIVE PERIOD.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall cease to have effect 4 years after the date of the enactment of this Act.

(b) EXCEPTION.—With respect to any action authorized by this Act or information obtained pursuant to an action authorized by this Act, which occurred before the date on which the provisions referred to in subsection (a) cease to have effect, the provisions of this Act shall continue in effect.

SA 2617. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, line 9, insert ''make reasonable efforts to'' before ''review''.

On page 16, line 11, strike ''knows'' and insert ''reasonably believes''.

On page 16, line 17, insert ''identify and'' before ''remove''.

On page 16, line 19, strike ''knows'' and insert ''reasonably believes''.

SA 2618. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—COMMERCIAL PRIVACY

SEC. 201. SHORT TITLE.

This title may be cited as the ''Commercial Privacy Bill of Rights Act of 2015''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) Personal privacy is worthy of protection through appropriate legislation.

(2) Trust in the treatment of personally identifiable information collected on and off the Internet is essential for businesses to succeed.

(3) Persons interacting with others engaged in interstate commerce have a significant interest in their personal information, as well as a right to control how that information is collected, used, stored, or transferred.

(4) Persons engaged in interstate commerce and collecting personally identifiable information on individuals have a responsibility to treat that information with respect and in accordance with common standards.

(5) On the day before the date of the enactment of this Act, the laws of the Federal Government and State and local governments provided inadequate privacy protection for individuals engaging in and interacting with persons engaged in interstate commerce.

(6) As of the day before the date of the enactment of this Act, with the exception of Federal Trade Commission enforcement of laws against unfair and deceptive practices, the Federal Government has eschewed general commercial privacy laws in favor of industry self-regulation, which has led to several self-policing schemes, some of which are enforceable, and some of which provide insufficient privacy protection to individuals.

(7) As of the day before the date of the enactment of this Act, many collectors of personally identifiable information have yet to provide baseline fair information practice protections for individuals.

(8) The ease of gathering and compiling personal information on the Internet and off, both overtly and surreptitiously, is becoming increasingly efficient and effortless due to advances in technology which have provided information gatherers the ability to compile seamlessly highly detailed personal histories of individuals.

(9) Personal information requires greater privacy protection than is available on the day before the date of the enactment of this Act. Vast amounts of personal information, including sensitive information, about individuals are collected on and off the Internet, often combined and sold or otherwise transferred to third parties, for purposes unknown to an individual to whom the personally identifiable information pertains.

(10) Toward the close of the 20th Century, as individuals' personal information was increasingly collected, profiled, and shared for commercial purposes, and as technology advanced to facilitate these practices, Congress enacted numerous statutes to protect privacy.

(11) Those statutes apply to the government, telephones, cable television, e-mail, video tape rentals, and the Internet (but only with respect to children and law enforcement requests).

(12) As in those instances, the Federal Government has a substantial interest in creating a level playing field of protection across all collectors of personally identifiable information, both in the United States and abroad.

(13) Enhancing individual privacy protection in a balanced way that establishes clear, consistent rules, both domestically and internationally, will stimulate commerce by instilling greater consumer confidence at home and greater confidence abroad as more and more entities digitize personally identifiable information, whether collected, stored, or used online or offline.

SEC. 203. DEFINITIONS.

(a) IN GENERAL.—Subject to subsection (b), in this title:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) COVERED ENTITY.—The term ''covered entity'' means any person to whom this title applies under section 241.

(3) COVERED INFORMATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''covered information'' means only the following:

(i) Personally identifiable information.

(ii) Unique identifier information.

(iii) Any information that is collected, used, or stored in connection with personally identifiable information or unique identifier information in a manner that may reasonably be used by the party collecting the information to identify a specific individual.

(B) EXCEPTION.—The term ''covered information'' does not include the following:

(i) Personally identifiable information obtained from public records that is not merged with covered information gathered elsewhere.

(ii) Personally identifiable information that is obtained from a forum—

(I) where the individual voluntarily shared the information or authorized the information to be shared; and

(II) that—

(aa) is widely and publicly available and was not made publicly available in bad faith; and

(bb) contains no restrictions on who can access and view such information.

(iii) Personally identifiable information reported in public media.

(iv) Personally identifiable information dedicated to contacting an individual at the individual's place of work.

(4) ESTABLISHED BUSINESS RELATIONSHIP.—The term ''established business relationship'' means, with respect to a covered entity and a person, a relationship formed with or without the exchange of consideration, involving the establishment of an account by the person with the covered entity for the receipt of products or services offered by the covered entity.

(5) PERSONALLY IDENTIFIABLE INFORMATION.—The term ''personally identifiable information'' means only the following:

(A) Any of the following information about an individual:

(i) The first name (or initial) and last name of an individual, whether given at birth or time of adoption, or resulting from a lawful change of name.

(ii) The postal address of a physical place of residence of such individual.

(iii) An e-mail address.

(iv) A telephone number or mobile device number.

(v) A social security number or other government issued identification number issued to such individual.

(vi) The account number of a credit card issued to such individual.

(vii) Unique identifier information that alone can be used to identify a specific individual.

(viii) Biometric data about such individual, including fingerprints and retina scans.

(B) If used, transferred, or stored in connection with 1 or more of the items of information described in subparagraph (A), any of the following:

(i) A date of birth.

(ii) The number of a certificate of birth or adoption.

(iii) A place of birth.

(iv) Unique identifier information that alone cannot be used to identify a specific individual.

(v) Precise geographic location, at the same degree of specificity as a global positioning system or equivalent system, and not including any general geographic information that may be derived from an Internet Protocol address.

(vi) Information about an individual's quantity, technical configuration, type, destination, location, and amount of uses of voice services, regardless of technology used.

(vii) Any other information concerning an individual that may reasonably be used by the party using, collecting, or storing that information to identify that individual.

(6) SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION.—The term ''sensitive personally identifiable information'' means—

(A) personally identifiable information which, if lost, compromised, or disclosed without authorization either alone or with other information, carries a significant risk of economic or physical harm; or

(B) information related to—

(i) a particular medical condition or a health record; or

(ii) the religious affiliation of an individual.

(7) THIRD PARTY.—

(A) IN GENERAL.—The term ''third party'' means, with respect to a covered entity, a person that—

(i) is—

(I) not related to the covered entity by common ownership or corporate control; or

(II) related to the covered entity by common ownership or corporate control and an ordinary consumer would not understand that the covered entity and the person were related by common ownership or corporate control;

(ii) is not a service provider used by the covered entity to receive personally identifiable information or sensitive personally identifiable information in performing services or functions on behalf of and under the instruction of the covered entity; and

(iii) with respect to the collection of covered information of an individual, does not have an established business relationship with the individual and does not identify itself to the individual at the time of such collection in a clear and conspicuous manner that is visible to the individual.

(B) COMMON BRANDS.—The term ''third party'' may include, with respect to a covered entity, a person who operates under a common brand with the covered entity.

(8) UNAUTHORIZED USE.—

(A) IN GENERAL.—The term ''unauthorized use'' means the use of covered information by a covered entity or its service provider for any purpose not authorized by the individual to whom such information relates.

(B) EXCEPTIONS.—Except as provided in subparagraph (C), the term ''unauthorized use'' does not include use of covered information relating to an individual by a covered entity or its service provider as follows:

(i) To process and enforce a transaction or deliver a service requested by that individual.

(ii) To operate the covered entity that is providing a transaction or delivering a service requested by that individual, such as inventory management, financial reporting and accounting, planning, and product or service improvement or forecasting.

(iii) To prevent or detect fraud or to provide for a physically or virtually secure environment.

(iv) To investigate a possible crime.

(v) That is required by a provision of law or legal process.

(vi) To market or advertise to an individual from a covered entity within the context of a covered entity's own Internet website, services, or products if the covered information used for such marketing or advertising was—

(I) collected directly by the covered entity; or

(II) shared with the covered entity—

(aa) at the affirmative request of the individual; or

(bb) by an entity with which the individual has an established business relationship.

(vii) Use that is necessary for the improvement of transaction or service delivery through research, testing, analysis, and development.

(viii) Use that is necessary for internal operations, including the following:

(I) Collecting customer satisfaction surveys and conducting customer research to improve customer service information.

(II) Information collected by an Internet website about the visits to such website and the click-through rates at such website—

(aa) to improve website navigation and performance; or

(bb) to understand and improve the interaction of an individual with the advertising of a covered entity.

(ix) Use—

(I) by a covered entity with which an individual has an established business relationship;

(II) which the individual could have reasonably expected, at the time such relationship was established, was related to a service provided pursuant to such relationship; and

(III) which does not constitute a material change in use or practice from what could have reasonably been expected.

(C) SAVINGS.—A use of covered information regarding an individual by a covered entity or its service provider may only be excluded under subparagraph (B) from the definition of ''unauthorized use'' under subparagraph (A) if the use is reasonable and consistent with the practices and purposes described in the notice given the individual in accordance with section 121(a)(1).

(9) UNIQUE IDENTIFIER INFORMATION.—The term ''unique identifier information'' means a unique persistent identifier associated with an individual or a networked device, including a customer number held in a cookie, a user ID, a processor serial number, or a device serial number.

(b) MODIFIED DEFINITION BY RULEMAKING.—If the Commission determines that a term defined in any of paragraphs (3) through (8) is not reasonably sufficient to protect an individual from unfair or deceptive acts or practices, the Commission may by rule modify such definition as the Commission considers appropriate to protect such individual from an unfair or deceptive act or practice to the extent that the Commission determines will not unreasonably impede interstate commerce.

Subtitle A—Right to Security and Accountability

SEC. 211. SECURITY.

(a) RULEMAKING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commission shall initiate a rulemaking proceeding to require each covered entity to carry out security measures to protect the covered information it collects and maintains.

(b) PROPORTION.—The requirements prescribed under subsection (a) shall provide for security measures that are proportional to the size, type, nature, and sensitivity of the covered information a covered entity collects.

(c) CONSISTENCY.—The requirements prescribed under subsection (a) shall be consistent with guidance provided by the Commission and recognized industry practices for safety and security on the day before the date of the enactment of this Act.

(d) TECHNOLOGICAL MEANS.—In a rule prescribed under subsection (a), the Commission may not require a specific technological means of meeting a requirement.

SEC. 212. ACCOUNTABILITY.

Each covered entity shall, in a manner proportional to the size, type, and nature of the covered information it collects—

(1) have managerial accountability, proportional to the size and structure of the covered entity, for the adoption and implementation of policies consistent with this title;

(2) have a process to respond to non-frivolous inquiries from individuals regarding the collection, use, transfer, or storage of covered information relating to such individuals; and

(3) describe the means of compliance of the covered entity with the requirements of this Act upon request from—

(A) the Commission; or

(B) an appropriate safe harbor program established under section 241.

SEC. 213. PRIVACY BY DESIGN.

Each covered entity shall, in a manner proportional to the size, type, and nature of the covered information that it collects, implement a comprehensive information privacy program by—

(1) incorporating necessary development processes and practices throughout the product life cycle that are designed to safeguard the personally identifiable information that is covered information of individuals based on—

(A) the reasonable expectations of such individuals regarding privacy; and

(B) the relevant threats that need to be guarded against in meeting those expectations; and

(2) maintaining appropriate management processes and practices throughout the data life cycle that are designed to ensure that information systems comply with—

(A) the provisions of this title;

(B) the privacy policies of a covered entity; and

(C) the privacy preferences of individuals that are consistent with the consent choices and related mechanisms of individual participation as described in section 222.

Subtitle B—Right to Notice and Individual Participation

SEC. 221. TRANSPARENT NOTICE OF PRACTICES AND PURPOSES.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Commission shall initiate a rulemaking proceeding to require each covered entity—

(1) to provide accurate, clear, concise, and timely notice to individuals of—

(A) the practices of the covered entity regarding the collection, use, transfer, and storage of covered information; and

(B) the specific purposes of those practices;

(2) to provide accurate, clear, concise, and timely notice to individuals before implementing a material change in such practices; and

(3) to maintain the notice required by paragraph (1) in a form that individuals can readily access.

(b) COMPLIANCE AND OTHER CONSIDERATIONS.—In the rulemaking required by subsection (a), the Commission—

(1) shall consider the types of devices and methods individuals will use to access the required notice;

(2) may provide that a covered entity unable to provide the required notice when information is collected may comply with the requirement of subsection (a)(1) by providing an alternative time and means for an individual to receive the required notice promptly;

(3) may draft guidance for covered entities to use in designing their own notice and may include a draft model template for covered entities to use in designing their own notice; and

(4) may provide guidance on how to construct computer-readable notices or how to use other technology to deliver the required notice.

SEC. 222. INDIVIDUAL PARTICIPATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commission shall initiate a rulemaking proceeding to require each covered entity—

(1) to offer individuals a clear and conspicuous mechanism for opt-in consent for any use of their covered information that would otherwise be unauthorized use;

(2) to offer individuals a robust, clear, and conspicuous mechanism for opt-in consent for the use by third parties of the individuals' covered information for behavioral advertising or marketing;

(3) to provide any individual to whom the personally identifiable information that is covered information pertains, and which the covered entity or its service provider stores, appropriate and reasonable—

(A) access to such information; and

(B) mechanisms to correct such information to improve the accuracy of such information; and

(4) in the case that a covered entity enters bankruptcy or an individual requests the termination of a service provided by the covered entity to the individual or termination of some other relationship with the covered entity, to permit the individual to easily request that—

(A) all of the personally identifiable information that is covered information that the covered entity maintains relating to the individual, except for information the individual authorized the sharing of or which the individual shared with the covered entity in a forum that is widely and publicly available, be rendered not personally identifiable; or

(B) if rendering such information not personally identifiable is not possible, to cease the unauthorized use or transfer to a third party for an unauthorized use of such information or to cease use of such information for marketing, unless such unauthorized use or transfer is otherwise required by a provision of law.

(b) UNAUTHORIZED USE TRANSFERS.—In the rulemaking required by subsection (a), the Commission shall provide that with respect to transfers of covered information to a third party for which an individual provides opt-in consent, the third party to which the information is transferred may not use such information for any unauthorized use other than a use—

(1) specified pursuant to the purposes stated in the required notice under section 221(a); and

(2) authorized by the individual when the individual granted consent for the transfer of the information to the third party.

(c) ALTERNATIVE MEANS TO TERMINATE USE OF COVERED INFORMATION.—In the rulemaking required by subsection (a), the Commission shall allow a covered entity to provide individuals an alternative means, in lieu of the access, consent, and correction requirements, of prohibiting a covered entity from use or transfer of that individual's covered information.

(d) SERVICE PROVIDERS.—

(1) IN GENERAL.—The use of a service provider by a covered entity to receive covered information in performing services or functions on behalf of and under the instruction of the covered entity does not constitute an unauthorized use of such information by the covered entity if the covered entity and the service provider execute a contract that requires the service provider to collect, use, and store the information on behalf of the covered entity in a manner consistent with—

(A) the requirements of this title; and

(B) the policies and practices related to such information of the covered entity.

(2) TRANSFERS BETWEEN SERVICE PROVIDERS FOR A COVERED ENTITY.—The disclosure by a service provider of covered information pursuant to a contract with a covered entity to another service provider in order to perform the same service or functions for that covered entity does not constitute an unauthorized use.

(3) LIABILITY REMAINS WITH COVERED ENTITY.—A covered entity remains responsible and liable for the protection of covered information that has been transferred to a service provider for processing, notwithstanding any agreement to the contrary between a covered entity and the service provider.

Subtitle C—Rights Relating to Data Minimization, Constraints on Distribution, and Data Integrity

SEC. 231. DATA MINIMIZATION.

Each covered entity shall—

(1) collect only as much covered information relating to an individual as is reasonably necessary—

(A) to process or enforce a transaction or deliver a service requested by such individual;

(B) for the covered entity to provide a transaction or delivering a service requested by such individual, such as inventory management, financial reporting and accounting, planning, product or service improvement or forecasting, and customer support and service;

(C) to prevent or detect fraud or to provide for a secure environment;

(D) to investigate a possible crime;

(E) to comply with a provision of law;

(F) for the covered entity to market or advertise to such individual if the covered information used for such marketing or advertising was collected directly by the covered entity; or

(G) for internal operations, including—

(i) collecting customer satisfaction surveys and conducting customer research to improve customer service; and

(ii) collection from an Internet website of information about visits and click-through rates relating to such website to improve—

(I) website navigation and performance; and

(II) the customer's experience;

(2) retain covered information for only such duration as—

(A) with respect to the provision of a transaction or delivery of a service to an individual—

(i) is necessary to provide such transaction or deliver such service to such individual; or

(ii) if such service is ongoing, is reasonable for the ongoing nature of the service; or

(B) is required by a provision of law;

(3) retain covered information only for the purpose it was collected, or reasonably-related purposes; and

(4) exercise reasonable data retention procedures with respect to both the initial collection and subsequent retention.

SEC. 232. CONSTRAINTS ON DISTRIBUTION OF INFORMATION.

(a) IN GENERAL.—Each covered entity shall—

(1) require by contract that any third party to which it transfers covered information use the information only for purposes that are consistent with—

(A) the provisions of this title; and

(B) as specified in the contract;

(2) require by contract that such third party may not combine information that the covered entity has transferred to it, that relates to an individual, and that is not personally identifiable information with other information in order to identify such individual, unless the covered entity has obtained the opt-in consent of such individual for such combination and identification; and

(3) before executing a contract with a third party—

(A) assure through due diligence that the third party is a legitimate organization; and

(B) in the case of a material violation of the contract, at a minimum notify the Commission of such violation.

(b) TRANSFERS TO UNRELIABLE THIRD PARTIES PROHIBITED.—A covered entity may not transfer covered information to a third party that the covered entity knows—

(1) has intentionally or willfully violated a contract required by subsection (a); and

(2) is reasonably likely to violate such contract.

(c) APPLICATION OF RULES TO THIRD PARTIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), a third party that receives covered information from a covered entity shall be subject to the provisions of this Act as if it were a covered entity.

(2) EXEMPTION.—The Commission may, as it determines appropriate, exempt classes of third parties from liability under any provision of subtitle B if the Commission finds that—

(A) such class of third parties cannot reasonably comply with such provision; or

(B) with respect to covered information relating to individuals that is transferred to such class, compliance by such class with such provision would not sufficiently benefit such individuals.

SEC. 233. DATA INTEGRITY.

(a) IN GENERAL.—Each covered entity shall attempt to establish and maintain reasonable procedures to ensure that personally identifiable information that is covered information and maintained by the covered entity is accurate in those instances where the covered information could be used to deny consumers benefits or cause significant harm.

(b) EXCEPTION.—Subsection (a) shall not apply to covered information of an individual maintained by a covered entity that is provided—

(1) directly to the covered entity by the individual;

(2) to the covered entity by another entity at the request of the individual;

(3) to prevent or detect fraud; or

(4) to provide for a secure environment.

Subtitle D—Enforcement

SEC. 241. GENERAL APPLICATION.

The requirements of this title shall apply to any person who—

(1) collects, uses, transfers, or stores covered information concerning more than 5,000 individuals during any consecutive 12-month period; and

(2) is—

(A) a person over which the Commission has authority pursuant to section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2));

(B) a common carrier subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.), notwithstanding the definition of the term ''Acts to regulate commerce'' in section 4 of the Federal Trade Commission Act (15 U.S.C. 44) and the exception provided by section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)) for such carriers; or

(C) a nonprofit organization, including any organization described in section 501(c) of the Internal Revenue code of 1986 that is exempt from taxation under section 501(a) of such Code, notwithstanding the definition of the term ''Acts to regulate commerce'' in section 4 of the Federal Trade Commission Act (15 U.S.C. 44) and the exception provided by section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)) for such organizations.

SEC. 242. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

(a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A reckless or repetitive violation of a provision of this title shall be treated as an unfair or deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(b) POWERS OF COMMISSION.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Commission shall enforce this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this title.

(2) PRIVILEGES AND IMMUNITIES.—Except as provided in paragraph (3), any person who violates a provision of this title shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) COMMON CARRIERS AND NONPROFIT ORGANIZATIONS.—The Commission shall enforce this title with respect to common carriers and nonprofit organizations described in section 241 to the extent necessary to effectuate the purposes of this title as if such carriers and nonprofit organizations were persons over which the Commission has authority pursuant to section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)).

(c) RULEMAKING AUTHORITY.—

(1) LIMITATION.—In promulgating rules under this title, the Commission may not require the deployment or use of any specific products or technologies, including any specific computer software or hardware.

(2) ADMINISTRATIVE PROCEDURE.—The Commission shall promulgate regulations under this title in accordance with section 553 of title 5, United States Code.

(d) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to limit the authority of the Commission under any other provision of law.

SEC. 243. ENFORCEMENT BY STATES.

(a) CIVIL ACTION.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is adversely affected by a covered entity who violates any part of this title in a manner that results in economic or physical harm to an individual or engages in a pattern or practice that violates any part of this title, the attorney general may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(1) to enjoin further violation of this title or a regulation promulgated under this title by the defendant;

(2) to compel compliance with this title or a regulation promulgated under this title; or

(3) for violations of this title or a regulation promulgated under this title to obtain civil penalties in the amount determined under section title.

(b) RIGHTS OF FEDERAL TRADE COMMISSION.—

(1) NOTICE TO FEDERAL TRADE COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the attorney general of a State shall notify the Commission in writing of any civil action under subsection (b), prior to initiating such civil action.

(B) CONTENTS.—The notice required by subparagraph (A) shall include a copy of the complaint to be filed to initiate such civil action.

(C) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notice required by subparagraph (A), the State shall provide notice immediately upon instituting a civil action under subsection (b).

(2) INTERVENTION BY FEDERAL TRADE COMMISSION.—Upon receiving notice required by paragraph (1) with respect to a civil action, the Commission may—

(A) intervene in such action; and

(B) upon intervening—

(i) be heard on all matters arising in such civil action; and

(ii) file petitions for appeal of a decision in such action.

(c) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Commission institutes a civil action for violation of this title or a regulation promulgated under this title, no attorney general of a State may bring a civil action under subsection (a) against any defendant named in the complaint of the Commission for violation of this title or a regulation promulgated under this title that is alleged in such complaint.

(d) INVESTIGATORY POWERS.—Nothing in this section may be construed to prevent the attorney general of a State from exercising the powers conferred on such attorney general by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

(e) VENUE; SERVICE OF PROCESS.—

(1) VENUE.—Any action brought under subsection (a) may be brought in—

(A) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(B) another court of competent jurisdiction.

(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(A) is an inhabitant; or

(B) may be found.

(f) ACTIONS BY OTHER STATE OFFICIALS.—

(1) IN GENERAL.—In addition to civil actions brought by attorneys general under subsection (a), any other officer of a State who is authorized by the State to do so may bring a civil action under subsection (a), subject to the same requirements and limitations that apply under this section to civil actions brought by attorneys general.

(2) SAVINGS PROVISION.—Nothing in this section may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

SEC. 244. CIVIL PENALTIES.

(a) IN GENERAL.—In an action brought under section 243, in addition to any other penalty otherwise applicable to a violation of this title or any regulation promulgated under this title, the following civil penalties shall apply:

(1) SUBTITLE A VIOLATIONS.—A covered entity that recklessly or repeatedly violates subtitle A is liable for a civil penalty equal to the amount calculated by multiplying the number of days that the entity is not in compliance with such subtitle by an amount not to exceed $33,000.

(2) SUBTITLE B VIOLATIONS.—A covered entity that recklessly or repeatedly violates subtitle B is liable for a civil penalty equal to the amount calculated by multiplying the number of days that such an entity is not in compliance with such subtitle, or the number of individuals for whom the entity failed to obtain consent as required by such subtitle, whichever is greater, by an amount not to exceed $33,000.

(b) ADJUSTMENT FOR INFLATION.—Beginning on the date that the Consumer Price Index for All Urban Consumers is first published by the Bureau of Labor Statistics that is after 1 year after the date of the enactment of this Act, and each year thereafter, each of the amounts specified in subsection (a) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(c) MAXIMUM TOTAL LIABILITY.—Notwithstanding the number of actions which may be brought against a covered entity under section 243, the maximum civil penalty for which any covered entity may be liable under this section in such actions shall not exceed—

(1) $6,000,000 for any related series of violations of any rule promulgated under subtitle A; and

(2) $6,000,000 for any related series of violations of subtitle B.

SEC. 245. EFFECT ON OTHER LAWS.

(a) PREEMPTION OF STATE LAWS.—The provisions of this title shall supersede any provisions of the law of any State relating to those entities covered by the regulations issued pursuant to this title, to the extent that such provisions relate to the collection, use, or disclosure of—

(1) covered information addressed in this title; or

(2) personally identifiable information or personal identification information addressed in provisions of the law of a State.

(b) UNAUTHORIZED CIVIL ACTIONS; CERTAIN STATE LAWS.—

(1) UNAUTHORIZED ACTIONS.—No person other than a person specified in section 243 may bring a civil action under the laws of any State if such action is premised in whole or in part upon the defendant violating this title or a regulation promulgated under this title.

(2) PROTECTION OF CERTAIN STATE LAWS.—This title shall not be construed to preempt the applicability of—

(A) State laws that address the collection, use, or disclosure of health information or financial information; or

(B) other State laws to the extent that those laws relate to acts of fraud.

(c) RULE OF CONSTRUCTION RELATING TO REQUIRED DISCLOSURES TO GOVERNMENT ENTITIES.—This title shall not be construed to expand or limit the duty or authority of a covered entity or third party to disclose personally identifiable information to a government entity under any provision of law.

SEC. 246. NO PRIVATE RIGHT OF ACTION.

This title may not be construed to provide any private right of action.

Subtitle E—Co-regulatory Safe Harbor Programs

SEC. 251. ESTABLISHMENT OF SAFE HARBOR PROGRAMS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commission shall initiate a rulemaking proceeding to establish requirements for the establishment and administration of safe harbor programs under which a nongovernmental organization will administer a program that—

(1) establishes a mechanism for participants to implement the requirements of this title with regards to—

(A) certain types of unauthorized uses of covered information as described in paragraph (2); or

(B) any unauthorized use of covered information; and

(2) offers consumers a clear, conspicuous, persistent, and effective means of opting out of the transfer of covered information by a covered entity participating in the safe harbor program to a third party for—

(A) behavioral advertising purposes;

(B) location-based advertising purposes;

(C) other specific types of unauthorized use; or

(D) any unauthorized use.

(b) SELECTION OF NONGOVERNMENTAL ORGANIZATIONS TO ADMINISTER PROGRAM.—

(1) SUBMITTAL OF APPLICATIONS.—An applicant seeking to administer a program under the requirements established pursuant to subsection (a) shall submit to the Commission an application therefor at such time, in such manner, and containing such information as the Commission may require.

(2) NOTICE AND RECEIPT OF APPLICATIONS.—Upon completion of the rulemaking proceedings required by subsection (a), the Commission shall—

(A) publish a notice in the Federal Register that it will receive applications for approval of safe harbor programs under this subtitle; and

(B) begin receiving applications under paragraph (1).

(3) SELECTION.—Not later than 270 days after the date on which the Commission receives a completed application under this subsection, the Commission shall grant or deny the application on the basis of the Commission's evaluation of the applicant's capacity to provide protection of individuals' covered information with regard to specific types of unauthorized uses of covered information as described in subsection (a)(2) that is substantially equivalent to or superior to the protection otherwise provided under this title.

(4) WRITTEN FINDINGS.—Any decision reached by the Commission under this subsection shall be accompanied by written findings setting forth the basis for and reasons supporting such decision.

(c) SCOPE OF SAFE HARBOR PROTECTION.—The scope of protection offered by safe harbor programs approved by the Commission that establish mechanisms for participants to implement the requirements of the title only for certain uses of covered information as described in subsection (a)(2) shall be limited to participating entities' use of those particular types of covered information.

(d) SUPERVISION BY FEDERAL TRADE COMMISSION.—

(1) IN GENERAL.—The Commission shall exercise oversight and supervisory authority of a safe harbor program approved under this section through—

(A) ongoing review of the practices of the nongovernmental organization administering the program;

(B) the imposition of civil penalties on the nongovernmental organization if it is not compliant with the requirements established under subsection (a); and

(C) withdrawal of authorization to administer the safe harbor program under this subtitle.

(2) ANNUAL REPORTS BY NONGOVERNMENTAL ORGANIZATIONS.—Each year, each nongovernmental organization administering a safe harbor program under this section shall submit to the Commission a report on its activities under this subtitle during the preceding year.

SEC. 252. PARTICIPATION IN SAFE HARBOR PROGRAM.

(a) EXEMPTION.—Any covered entity that participates in, and demonstrates compliance with, a safe harbor program administered under section 251 shall be exempt from any provision of subtitle B or subtitle C if the Commission finds that the requirements of the safe harbor program are substantially the same as or more protective of privacy of individuals than the requirements of the provision from which the exemption is granted.

(b) LIMITATION.—Nothing in this subtitle shall be construed to exempt any covered entity participating in a safe harbor program from compliance with any other requirement of the regulations promulgated under this title for which the safe harbor does not provide an exception.

Subtitle F—Application With Other Federal Laws

SEC. 261. APPLICATION WITH OTHER FEDERAL LAWS.

(a) QUALIFIED EXEMPTION FOR PERSONS SUBJECT TO OTHER FEDERAL PRIVACY LAWS.—If a person is subject to a provision of this title and a provision of a Federal privacy law described in subsection (d), such provision of this title shall not apply to such person to the extent that such provision of Federal privacy law applies to such person.

(b) PROTECTION OF OTHER FEDERAL PRIVACY LAWS.—Nothing in this title may be construed to modify, limit, or supersede the operation of the Federal privacy laws described in subsection (d) or the provision of information permitted or required, expressly or by implication, by such laws, with respect to Federal rights and practices.

(c) COMMUNICATIONS INFRASTRUCTURE AND PRIVACY.—If a person is subject to a provision of section 222 or 631 of the Communications Act of 1934 (47 U.S.C. 222 and 551) and a provision of this title, such provision of such section 222 or 631 shall not apply to such person to the extent that such provision of this title applies to such person.

(d) OTHER FEDERAL PRIVACY LAWS DESCRIBED.—The Federal privacy laws described in this subsection are as follows:

(1) Section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974).

(2) The Right to Financial Privacy Act of 1978 (12 U.S.C. 3401 et seq.).

(3) The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

(4) The Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(5) The Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501 et seq.).

(6) Title V of the Gramm-Leach-Bliley Act of 1999 (15 U.S.C. 6801 et seq.).

(7) Chapters 119, 123, and 206 of title 18, United States Code.

(8) Section 2710 of title 18, United States Code.

(9) Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ''Family Educational Rights and Privacy Act of 1974'').

(10) Section 445 of the General Education Provisions Act (20 U.S.C. 1232h).

(11) The Privacy Protection Act of 1980 (42 U.S.C. 2000aa et seq.).

(12) The regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), as such regulations relate to a person described in section 1172(a) of the Social Security Act (42 U.S.C. 1320d–1(a)) or to transactions referred to in section 1173(a)(1) of such Act (42 U.S.C. 1320d–2(a)(1)).

(13) The Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(14) Section 227 of the Communications Act of 1934 (47 U.S.C. 227).

Subtitle G—Development of Commercial Data Privacy Policy in the Department of Commerce

SEC. 271. DIRECTION TO DEVELOP COMMERCIAL DATA PRIVACY POLICY.

The Secretary of Commerce shall contribute to the development of commercial data privacy policy by—

(1) convening private sector stakeholders, including members of industry, civil society groups, academia, in open forums, to develop codes of conduct in support of applications for safe harbor programs under subtitle E;

(2) expanding interoperability between the United States commercial data privacy framework and other national and regional privacy frameworks;

(3) conducting research related to improving privacy protection under this title; and

(4) conducting research related to improving data sharing practices, including the use of anonymised data, and growing the information economy.

SA 2619. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVIEW AND NOTIFICATIONS OF CATEGORICAL EXCLUSIONS GRANTED FOR NEXT GENERATION FLIGHT PROCEDURES.

Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

''(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 30 days before granting a categorical exclusion under this subsection for a new procedure, the Administrator shall notify and consult with the affected public and the operator of the airport at which the procedure would be implemented.

''(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

''(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

''(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in

the community in which the airport is located, the Administrator shall—

''(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

''(ii) in conducting such consultations, consider the use of alternative flight paths.''.

SA 2620. Mr. WHITEHOUSE (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—CYBERSECURITY PUBLIC AWARENESS ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Cybersecurity Public Awareness Act of 2015''.

SEC. 202. ENFORCEMENT OF CYBERSECURITY LAWS.

(a) PROSECUTION FOR CYBERCRIME.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in consultation with the Director of the United States Secret Service, the Director of U.S. Immigration and Customs Enforcement, and the Director of the Federal Bureau of Investigation, shall submit to Congress a report—

(A) describing investigations and prosecutions relating to cyber intrusions, computer or network compromise, or other forms of illegal hacking the preceding year, including—

(i) the number of investigations initiated relating to such crimes;

(ii) the number of arrests relating to such crimes;

(iii) the number and description of instances in which investigations or prosecutions relating to such crimes have been delayed or prevented because of an inability to extradite a criminal defendant in a timely manner; and

(iv) the number of prosecutions for such crimes, including—

(I) the number of defendants prosecuted;

(II) whether the prosecutions resulted in a conviction; and

(III) the sentence imposed and the statutory maximum for each such crime for which a defendant was convicted;

(B) identifying the number of employees, financial resources, and other resources (such as technology and training) devoted to the enforcement, investigation, and prosecution of cyber intrusions, computer or network compromised, or other forms of illegal hacking, including the number of investigators, prosecutors, and forensic specialists dedicated to investigating and prosecuting cyber intrusions, computer or network compromise, or other forms of illegal hacking; and

(C) discussing any impediments under the laws of the United States or international law to prosecutions for cyber intrusions, computer or network compromise, or other forms of illegal hacking, including discussion of ways to improve the mutual legal assistance process used to obtain evidence abroad and to provide domestic evidence to foreign requestors.

(2) UPDATES.—The Attorney General, in consultation with the Director of the United States Secret Service, the Director of Immigration and Customs Enforcement, and the Director of the Federal Bureau of Investigation, shall annually submit to Congress a report updating the report submitted under paragraph (1) at the same time the Attorney General submits annual reports under section 404 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (42 U.S.C. 3713d).

(b) PREPAREDNESS OF FEDERAL COURTS TO PROMOTE CYBERSECURITY.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Administrative Office of the United States Courts, shall submit to Congress a report—

(1) on whether Federal courts have granted timely relief in matters relating to botnets and other cybercrime and cyber threats; and

(2) that includes, as appropriate, recommendations on changes or improvements to—

(A) the Federal Rules of Civil Procedure or the Federal Rules of Criminal Procedure;

(B) the training and other resources available to support the Federal judiciary;

(C) the capabilities and specialization of courts to which such cases may be assigned; and

(D) Federal civil and criminal laws.

SEC. 203. CYBERSECURITY PUBLIC AWARENESS CAMPAIGNS.

(a) EVALUATION OF EXISTING CYBERSECURITY PUBLIC AWARENESS CAMPAIGNS.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining—

(1) the number of cybersecurity public awareness campaigns run by Federal agencies;

(2) the estimated costs of Federal cybersecurity public awareness campaigns; and

(3) the effectiveness of Federal cybersecurity public awareness campaigns.

(b) RECOMMENDATIONS FOR IMPROVING CYBERSECURITY PUBLIC AWARENESS CAMPAIGNS.—The report required under subsection (a) shall include recommendations for improving and, if appropriate, consolidating Federal cybersecurity public awareness campaigns.

SEC. 204. DEVELOPING TECHNOLOGIES TO ENHANCE CRITICAL INFRASTRUCTURE CYBERSECURITY.

(a) DEFINITION.—In this section, the term ''critical infrastructure sector'' has the meaning given the term in section 203.

(b) REPORTS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall enter into a contract with the National Research Council, or another Federally funded research and development corporation, under which the Council or corporation shall submit to Congress a report on opportunities to develop innovative or experimental technologies or technological approaches that would enhance the cybersecurity of the critical infrastructure sector.

(2) LIMITATIONS.—The report required under paragraph (1) shall—

(A) consider only technologies or technological options that can be deployed consistent with constitutional and statutory privacy rights; and

(B) identify any technologies or technological options described in subparagraph (A) that merit Federal research support.

(3) TIMING.—The contract entered into under paragraph (1) shall require that the report described in paragraph (1) be submitted not later than 1 year after the date of enactment of this Act. The Secretary of Homeland Security may enter into additional subsequent contracts as appropriate.

SA 2621. Mr. WYDEN (for himself, Mr. UDALL, Mr. BROWN, Mr. FRANKEN, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, strike lines 9 through 21 and insert the following:

(A) review such cyber threat indicator and remove, to the extent feasible, any personal information of or identifying a specific individual that is not necessary to describe or identity a cybersecurity threat; or

(B) implement and utilize a technical capability configured to remove, to the extent feasible, any personal information of or identifying a specific individual contained within such indicator that is not necessary to describe or identify a cybersecurity threat.

SA 2622. Mr. WYDEN (for himself, Mr. UDALL, Mr. BROWN, Mr. FRANKEN, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, between lines 7 and 8, insert the following:

(F) include procedures for notifying in a timely manner any person whose personal information is known or determined to have been shared or disclosed in contravention of this Act.

SA 2623. Ms. COLLINS (for herself, Ms. HIRONO, Mr. WARNER, and Mr. COATS) submitted an amendment intended to be proposed by her to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORTING ON INTRUSIONS OF INFORMATION SYSTEMS ESSENTIAL TO OPERATION OF CRITICAL INFRASTRUCTURE AT GREATEST RISK.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE AGENCY.—The term ''appropriate agency'' means, with respect to a covered entity—

(A) except as provided in subparagraph (B), the applicable sector-specific agency; or

(B) in the case of a covered entity that is regulated by a Federal entity, such Federal entity.

(2) APPROPRIATE AGENCY HEAD.—The term ''appropriate agency head'' means, with respect to a covered entity, the head of the appropriate agency.

(3) COVERED ENTITY.—The term ''covered entity'' means an entity that owns or controls critical cyber infrastructure.

(4) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' means a system or asset, whether physical or virtual, that is so vital to the United States that the incapacity or destruction of such system or asset would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

(5) CRITICAL CYBER INFRASTRUCTURE.—The term ''critical cyber infrastructure'' means critical infrastructure identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742; relating to

identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security), or any successor order.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(7) SECTOR-SPECIFIC AGENCY.—The term ''sector specific agency'' has the meaning given such term in Presidential Policy Directive–21, issued February 12, 2013, or any successor directive.

(b) REPORTING REQUIRED.—

(1) IN GENERAL.—Notwithstanding subsections (f) and (h) of section 8, if an information system of a covered entity that is essential to the operation of critical cyber infrastructure is successfully intruded upon, such covered entity shall submit to the Secretary or the appropriate agency head a report on such intrusion as soon as practicable after the covered entity discovers such intrusion.

(2) ELEMENTS.—Each report submitted by a covered entity under paragraph (1) with respect to an intrusion shall include the following:

(A) A description of the technique or method used in such intrusion.

(B) A sample of the malicious software, if discovered and isolated by the covered entity, involved in such intrusion.

(C) Damage assessment.

(D) Such other matters as the Secretary or the appropriate agency head, as the case may be, consider appropriate.

(3) CONSISTENCY.—Reports submitted under paragraph (1) shall be submitted in a manner that is consistent with the other requirements of this Act.

(c) PROTECTION FROM LIABILITY.—A submittal of a report under subsection (b)(1) shall be treated as a sharing of a cyber threat indicator or defensive measure under section 4(c) for purposes of section 6.

(d) POLICIES AND PROCEDURES.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall, in consultation with the appropriate agency heads of covered entities, promulgate policies and procedures to carry out this section.

(2) ELEMENTS.—The policies and procedures promulgated under paragraph (1) shall include the following:

(A) Policies and procedures for submitting reports under subsection (b).

(B) Policies and procedures for making cyber threat indicators available under subsection (e).

(C) Policies and procedures for taking action under subsection (f).

(3) EXISTING PROCESSES, ROLES, AND RESPONSIBILITIES.—The Secretary shall ensure that the policies and procedures promulgated pursuant to paragraph (1) incorporate, to the greatest extent practicable, processes, roles, and responsibilities of appropriate agencies and entities, including sector specific information sharing and analysis centers, that were in effect on the day before the date of the enactment of this Act.

(e) TWO-WAY SHARING.—In a case in which the Secretary or an appropriate agency head receives a report under subsection (b) from a covered entity, the Secretary or appropriate agency head, as the case may be, shall, pursuant to section 3 and to the greatest extent practicable, make available to such covered entity such cyber threat indicators as the Secretary or appropriate agency head considers appropriate.

(f) PROTECTION FROM IDENTIFICATION.—In a case in which the Secretary or an appropriate agency head shares with a non-Federal entity information from or information derived from a report submitted by a covered entity under this section, the Secretary or the appropriate agency head (as the case may be) shall take such actions as the Secretary or the appropriate agency head (as the case may be) considers appropriate to protect from disclosure the identity of the covered entity.

(g) EFFECTIVE DATE.—The requirements of subsection (b) shall take effect on the date on which the Secretary first promulgates policies and procedures under subsection (d)(1) and shall apply with respect to intrusions of critical cyber infrastructure occurring on or after such date.

SA 2624. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, lines 4 and 5, strike ''paragraph (2)'' and insert ''paragraphs (2) and (3)''.

On page 15, between lines 16 and 17, insert the following:

(3) COMPLIANCE WITH CYBERSECURITY CROSS-AGENCY PRIORITY GOAL.—

(A) DEFINITIONS.—In this paragraph—

(i) the term ''appropriate committees of Congress'' means—

(I) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(II) the Committee on the Judiciary, the Committee on Homeland Security, the Permanent Select Committee on Intelligence, and the Committee on Oversight and Government Reform of the House of Representatives; and

(ii) the term ''independent auditor'' means—

(I) for each Federal entity with an Inspector General appointed under the Inspector General Act of 1978, the Inspector General or an independent external auditor, as determined by the Inspector General of the Federal entity; and

(II) for each Federal entity not described in subclause (I), an independent external auditor as determined by the head of the Federal entity.

(B) REQUIREMENTS.—A Federal entity may not receive defensive measures under this Act unless the independent auditor for the Federal entity certifies that the Federal entity—

(i) is capable of properly using any defensive measures received; and

(ii) meets any additional metrics, as determined by Secretary of Homeland Security.

(C) RULES.—Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Director of the Office of Management and Budget, shall promulgate rules for updating the certification of the compliance of a Federal entity with the Cybersecurity Cross-Agency Priority Goal for purposes of receiving defensive measures.

(D) REPORT TO CONGRESS.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the independent auditor for each Federal entity, in consultation with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress and the head of the Federal entity a report detailing whether the Federal entity is capable of—

(I) adequately protecting the information shared or received under this Act;

(II) determining the original source of a cybersecurity threat; and

(III) determining whether a cybersecurity threat originates from a foreign entity.

(ii) FORM.—Each report required under clause (i) shall be submitted in writing and in unclassified form, but may include a classified annex.

On page 15, line 17, strike ''(3)'' and insert ''(4)''

SA 2625. Mr. JOHNSON (for himself, Mr. CARPER, Ms. AYOTTE, Mrs. MCCASKILL, Ms. COLLINS, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—FEDERAL CYBERSECURITY ENHANCEMENT ACT

SECTION 201. SHORT TITLE.

This title may be cited as the ''Federal Cybersecurity Enhancement Act of 2015''.

SEC. 202. DEFINITIONS.

In this title—

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

(2) the term ''agency information system'' has the meaning given the term in section 228 of the Homeland Security Act of 2002, as added by section 203(a);

(3) the term ''appropriate congressional committees'' means—

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

(B) the Committee on Homeland Security of the House of Representatives;

(4) the terms ''cybersecurity risk'' and ''information system'' have the meanings given those terms in section 227 of the Homeland Security Act of 2002, as so redesignated by section 203(a);

(5) the term ''Director'' means the Director of the Office of Management and Budget;

(6) the term ''intelligence community'' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

(7) the term ''Secretary'' means the Secretary of Homeland Security.

SEC. 203. IMPROVED FEDERAL NETWORK SECURITY.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended—

(1) by redesignating section 228 as section 229;

(2) by redesignating section 227 as subsection (c) of section 228, as added by paragraph (4), and adjusting the margins accordingly;

(3) by redesignating the second section designated as section 226 (relating to the national cybersecurity and communications integration center) as section 227;

(4) by inserting after section 227, as so redesignated, the following:

''SEC. 228. CYBERSECURITY PLANS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency information system' means an information system used or operated by an agency or by another entity on behalf of an agency;

''(2) the terms 'cybersecurity risk' and 'information system' have the meanings given those terms in section 227;

''(3) the term 'information sharing and analysis organization' has the meaning given the term in section 212(5); and

''(4) the term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(b) INTRUSION ASSESSMENT PLAN.—

''(1) REQUIREMENT.—The Secretary, in coordination with the Director of the Office of Management and Budget, shall develop and implement an intrusion assessment plan to identify and remove intruders in agency information systems.

''(2) EXCEPTION.—The intrusion assessment plan required under paragraph (1) shall not apply to the Department of Defense or an element of the intelligence community.'';

(5) in section 228(c), as so redesignated, by striking ''section 226'' and inserting ''section 227''; and

(6) by inserting after section 229, as so redesignated, the following:

''SEC. 230. FEDERAL INTRUSION DETECTION AND PREVENTION SYSTEM.

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 3502 of title 44, United States Code;

''(2) the term 'agency information' means information collected or maintained by or on behalf of an agency;

''(3) the term 'agency information system' has the meaning given the term in section 228; and

''(4) the terms 'cybersecurity risk' and 'information system' have the meanings given those terms in section 227.

''(b) REQUIREMENT.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall deploy, operate, and maintain, to make available for use by any agency, with or without reimbursement—

''(A) a capability to detect cybersecurity risks in network traffic transiting or traveling to or from an agency information system; and

''(B) a capability to prevent network traffic associated with such cybersecurity risks from transiting or traveling to or from an agency information system or modify such network traffic to remove the cybersecurity risk.

''(2) REGULAR IMPROVEMENT.—The Secretary shall regularly deploy new technologies and modify existing technologies to the intrusion detection and prevention capabilities described in paragraph (1) as appropriate to improve the intrusion detection and prevention capabilities.

''(c) ACTIVITIES.—In carrying out subsection (b), the Secretary—

''(1) may access, and the head of an agency may disclose to the Secretary or a private entity providing assistance to the Secretary under paragraph (2), information transiting or traveling to or from an agency information system, regardless of the location from which the Secretary or a private entity providing assistance to the Secretary under paragraph (2) accesses such information, notwithstanding any other provision of law that would otherwise restrict or prevent the head of an agency from disclosing such information to the Secretary or a private entity providing assistance to the Secretary under paragraph (2);

''(2) may enter into contracts or other agreements with, or otherwise request and obtain the assistance of, private entities to deploy and operate technologies in accordance with subsection (b);

''(3) may retain, use, and disclose information obtained through the conduct of activities authorized under this section only to protect information and information systems from cybersecurity risks;

''(4) shall regularly assess through operational test and evaluation in real world or simulated environments available advanced protective technologies to improve detection and prevention capabilities, including commercial and non-commercial technologies and detection technologies beyond signature-based detection, and utilize such technologies when appropriate;

''(5) shall establish a pilot to acquire, test, and deploy, as rapidly as possible, technologies described in paragraph (4);

''(6) shall periodically update the privacy impact assessment required under section 208(b) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

''(7) shall ensure that—

''(A) activities carried out under this section are reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

''(B) information accessed by the Secretary will be retained no longer than reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

''(C) notice has been provided to users of an agency information system concerning access to communications of users of the agency information system for the purpose of protecting agency information and the agency information system; and

''(D) the activities are implemented pursuant to policies and procedures governing the operation of the intrusion detection and prevention capabilities.

''(d) PRIVATE ENTITIES.—

''(1) CONDITIONS.—A private entity described in subsection (c)(2) may not—

''(A) disclose any network traffic transiting or traveling to or from an agency information system to any entity without the consent of the Department or the agency that disclosed the information under subsection (c)(1); or

''(B) use any network traffic transiting or traveling to or from an agency information system to which the private entity gains access in accordance with this section for any purpose other than to protect agency information and agency information systems against cybersecurity risks or to administer a contract or other agreement entered into pursuant to subsection (c)(2) or as part of another contract with the Secretary.

''(2) LIMITATION ON LIABILITY.—No cause of action shall lie in any court against a private entity for assistance provided to the Secretary in accordance with this section and any contract or agreement entered into pursuant to subsection (c)(2).

''(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to authorize an Internet service provider to break a user agreement with a customer without the consent of the customer.

''(e) ATTORNEY GENERAL REVIEW.—Not later than 1 year after the date of enactment of this section, the Attorney General shall review the policies and guidelines for the program carried out under this section to ensure that the policies and guidelines are consistent with applicable law governing the acquisition, interception, retention, use, and disclosure of communications.''.

(b) PRIORITIZING ADVANCED SECURITY TOOLS.—The Director and the Secretary, in consultation with appropriate agencies, shall—

(1) review and update governmentwide policies and programs to ensure appropriate prioritization and use of network security monitoring tools within agency networks; and

(2) brief appropriate congressional committees on such prioritization and use.

(c) AGENCY RESPONSIBILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2)—

(A) not later than 1 year after the date of enactment of this Act or 2 months after the date on which the Secretary makes available the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), whichever is later, the head of each agency shall apply and continue to utilize the capabilities to all information traveling between an agency information system and any information system other than an agency information system; and

(B) not later than 6 months after the date on which the Secretary makes available improvements to the intrusion detection and prevention capabilities pursuant to section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a), the head of each agency shall apply and continue to utilize the improved intrusion detection and prevention capabilities.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to the Department of Defense or an element of the intelligence community.

(d) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to the first section designated as section 226, the second section designated as section 226 (relating to the national cybersecurity and communications integration center), section 227, and section 228 and inserting the following:

''Sec. 226. Cybersecurity recruitment and retention.
''Sec. 227. National cybersecurity and communications integration center.
''Sec. 228. Cybersecurity plans.
''Sec. 229. Clearances.
''Sec. 230. Federal intrusion detection and prevention system.''.

SEC. 204. ADVANCED INTERNAL DEFENSES.

(a) ADVANCED NETWORK SECURITY TOOLS.—

(1) IN GENERAL.—The Secretary shall include in the Continuous Diagnostics and Mitigation Program advanced network security tools to improve visibility of network activity, including through the use of commercial and free or open source tools, to detect and mitigate intrusions and anomalous activity.

(2) DEVELOPMENT OF PLAN.—The Director shall develop and implement a plan to ensure that each agency utilizes advanced network security tools, including those described in paragraph (1), to detect and mitigate intrusions and anomalous activity.

(b) IMPROVED METRICS.—The Secretary, in collaboration with the Director, shall review and update the metrics used to measure security under section 3554 of title 44, United States Code, to include measures of intrusion and incident detection and response times.

(c) TRANSPARENCY AND ACCOUNTABILITY.—The Director, in consultation with the Secretary, shall increase transparency to the public on agency cybersecurity posture, including by increasing the number of metrics available on Federal Government performance websites and, to the greatest extent practicable, displaying metrics for department components, small agencies, and micro agencies.

(d) MAINTENANCE OF TECHNOLOGIES.—Section 3553(b)(6)(B) of title 44, United States Code, is amended by inserting '', operating, and maintaining'' after ''deploying''.

SEC. 205. FEDERAL CYBERSECURITY REQUIREMENTS.

(a) IMPLEMENTATION OF FEDERAL CYBERSECURITY STANDARDS.—Consistent with section 3553 of title 44, United States Code, the Secretary, in consultation with the Director, shall exercise the authority to issue binding operational directives to assist the Director in ensuring timely agency adoption of and compliance with policies and standards promulgated under section 11331 of title 40, United States Code, for securing agency information systems.

(b) CYBERSECURITY REQUIREMENTS AT AGENCIES.—

(1) IN GENERAL.—Consistent with policies, standards, guidelines, and directives on information security under subchapter II of chapter 35 of title 44, United States Code, and the standards and guidelines promulgated under section 11331 of title 40, United States Code, and except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the head of each agency shall—

(A) identify sensitive and mission critical data stored by the agency consistent with the inventory required under the first subsection (c) (relating to the inventory of major information systems) and the second subsection (c) (relating to the inventory of information systems) of section 3505 of title 44, United States Code;

(B) assess access controls to the data described in subparagraph (A), the need for readily accessible storage of the data, and individuals' need to access the data;

(C) encrypt or otherwise render indecipherable to unauthorized users the data described in subparagraph (A) that is stored on or transiting agency information systems;

(D) implement a single sign-on trusted identity platform for individuals accessing each public website of the agency that requires user authentication, as developed by the Administrator of General Services in collaboration with the Secretary; and

(E) implement identity management consistent with section 504 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7464), including multi-factor authentication, for—

(i) remote access to an agency information system; and

(ii) each user account with elevated privileges on an agency information system.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to—

(A) the Department of Defense or an element of the intelligence community; or

(B) an agency information system for which—

(i) the head of the agency has personally certified to the Director with particularity that—

(I) operational requirements articulated in the certification and related to the agency information system would make it excessively burdensome to implement the cybersecurity requirement;

(II) the cybersecurity requirement is not necessary to secure the agency information system or agency information stored on or transiting it; and

(III) the agency has all taken necessary steps to secure the agency information system and agency information stored on or transiting it; and

(ii) the head of the agency or the designee of the head of the agency has submitted the certification described in clause (i) to the appropriate congressional committees and the authorizing committees of the agency.

(3) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

(A) to alter the authority of the Secretary, the Director, or the Director of the National Institute of Standards and Technology in implementing subchapter II of chapter 35 of title 44, United States Code;

(B) to affect the National Institute of Standards and Technology standards process or the requirement under section 3553(a)(4) of title 44, United States Code; or

(C) to discourage continued improvements and advancements in the technology, standards, policies, and guidelines used to promote Federal information security.

SEC. 206. ASSESSMENT; REPORTS.

(a) DEFINITIONS.—In this section—

(1) the term ''intrusion assessments'' means actions taken under the intrusion assessment plan to identify and remove intruders in agency information systems;

(2) the term ''intrusion assessment plan'' means the plan required under section 228(b)(1) of the Homeland Security Act of 2002, as added by section 203(a) of this Act; and

(3) the term ''intrusion detection and prevention capabilities'' means the capabilities required under section 230(b) of the Homeland Security Act of 2002, as added by section 203(a) of this Act.

(b) THIRD PARTY ASSESSMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall conduct a study and publish a report on the effectiveness of the approach and strategy of the Federal Government to securing agency information systems, including the intrusion detection and prevention capabilities and the intrusion assessment plan.

(c) REPORTS TO CONGRESS.—

(1) INTRUSION DETECTION AND PREVENTION CAPABILITIES.—

(A) SECRETARY OF HOMELAND SECURITY REPORT.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the status of implementation of the intrusion detection and prevention capabilities, including—

(i) a description of privacy controls;

(ii) a description of the technologies and capabilities utilized to detect cybersecurity risks in network traffic, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iii) a description of the technologies and capabilities utilized to prevent network traffic associated with cybersecurity risks from transiting or traveling to or from agency information systems, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iv) a list of the types of indicators or other identifiers or techniques used to detect cybersecurity risks in network traffic transiting or traveling to or from agency information systems on each iteration of the intrusion detection and prevention capabilities and the number of each such type of indicator, identifier, and technique;

(v) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from agency information systems and the number of times the intrusion detection and prevention capabilities blocked network traffic associated with cybersecurity risk; and

(vi) a description of the pilot established under section 230(c)(5) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, including the number of new technologies tested and the number of participating agencies.

(B) OMB REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director shall submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code, an analysis of agency application of the intrusion detection and prevention capabilities, including—

(i) a list of each agency and the degree to which each agency has applied the intrusion detection and prevention capabilities to an agency information system; and

(ii) a list by agency of—

(I) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such cybersecurity risks; and

(II) the number of instances in which the intrusion detection and prevention capabilities prevented network traffic associated with a cybersecurity risk from transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such agency information systems.

(2) OMB REPORT ON DEVELOPMENT AND IMPLEMENTATION OF INTRUSION ASSESSMENT PLAN, ADVANCED INTERNAL DEFENSES, AND FEDERAL CYBERSECURITY BEST PRACTICES.—The Director shall—

(A) not later than 6 months after the date of enactment of this Act, and 30 days after any update thereto, submit the intrusion assessment plan to the appropriate congressional committees;

(B) not later than 1 year after the date of enactment of this Act, and annually thereafter, submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code—

(i) a description of the implementation of the intrusion assessment plan;

(ii) the findings of the intrusion assessments conducted pursuant to the intrusion assessment plan;

(iii) advanced network security tools included in the Continuous Diagnostics and Mitigation Program pursuant to section 204(a)(1);

(iv) the results of the assessment of the Secretary of best practices for Federal cybersecurity pursuant to section 205(a); and

(v) a list by agency of compliance with the requirements of section 205(b); and

(C) not later than 1 year after the date of enactment of this Act, submit to the appropriate congressional committees—

(i) a copy of the plan developed pursuant to section 204(a)(2); and

(ii) the improved metrics developed pursuant to section 204(b).

SEC. 207. TERMINATION.

(a) IN GENERAL.—The authority provided under section 230 of the Homeland Security Act of 2002, as added by section 203(a) of this Act, and the reporting requirements under section 206(c) shall terminate on the date that is 7 years after the date of enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to affect the limitation of liability of a private entity for assistance provided to the Secretary under section 230(d)(2) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, if such assistance was rendered before the termination date under subsection (a) or otherwise during a period in which the assistance was authorized.

SEC. 208. IDENTIFICATION OF INFORMATION SYSTEMS RELATING TO NATIONAL SECURITY.

(a) IN GENERAL.—Except as provided in subsection (c), not later than 180 days after the date of enactment of this Act—

(1) the Director of National Intelligence, in coordination with the heads of other agencies, shall—

(A) identify all unclassified information systems that provide access to information that may provide an adversary with the ability to derive information that would otherwise be considered classified;

(B) assess the risks that would result from the breach of each unclassified information system identified in subparagraph (A); and

(C) assess the cost and impact on the mission carried out by each agency that owns an unclassified information system identified in subparagraph (A) if the system were to be subsequently designated as a national security system, as defined in section 11103 of title 40, United States Code; and

(2) the Director of National Intelligence shall submit to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report that includes the findings under paragraph (1).

(b) FORM.—The report submitted under subsection (a)(2) shall be in unclassified form, and shall include a classified annex.

(c) EXCEPTION.—The requirements under subsection (a)(1) shall not apply to the Department of Defense or an element of the intelligence community.

SEC. 209. DIRECTION TO AGENCIES.

(a) IN GENERAL.—Section 3553 of title 44, United States Code, is amended by adding at the end the following:

''(h) DIRECTION TO AGENCIES.—

''(1) AUTHORITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), in response to a known or reasonably suspected information security threat, vulnerability, or incident that represents a substantial threat to the information security of an agency, the Secretary may issue an emergency directive to the head of an agency to take any lawful action with respect to the operation of the information system, including such systems owned or operated by another entity on behalf of an agency, that collects, processes, stores, transmits, disseminates, or otherwise maintains agency information, for the purpose of protecting the information system from, or mitigating, an information security threat.

''(B) EXCEPTION.—The authorities of the Secretary under this subsection shall not apply to a system described in paragraph (2) or (3) of subsection (e).

''(2) PROCEDURES FOR USE OF AUTHORITY.—The Secretary shall—

''(A) in coordination with the Director, establish procedures governing the circumstances under which a directive may be issued under this subsection, which shall include—

''(i) thresholds and other criteria;

''(ii) privacy and civil liberties protections; and

''(iii) providing notice to potentially affected third parties;

''(B) specify the reasons for the required action and the duration of the directive;

''(C) minimize the impact of a directive under this subsection by—

''(i) adopting the least intrusive means possible under the circumstances to secure the agency information systems; and

''(ii) limiting directives to the shortest period practicable;

''(D) notify the Director and the head of any affected agency immediately upon the issuance of a directive under this subsection;

''(E) consult with the Director of the National Institute of Standards and Technology regarding any directive issued under this subsection that implements standards and guidelines developed by the National Institute of Standards and Technology;

''(F) ensure that directives issued under this subsection do not conflict with the standards and guidelines issued under section 11331 of title 40;

''(G) consider any applicable standards or guidelines developed by the National Institute of Standards and issued by the Secretary of Commerce under section 11331 of title 40; and

''(H) not later than February 1 of each year, submit to the appropriate congressional committees a report regarding the specific actions the Secretary has taken pursuant to paragraph (1)(A).

''(3) IMMINENT THREATS.—

''(A) IN GENERAL.—Notwithstanding section 3554, the Secretary may authorize the use of protective capabilities under the control of the Secretary for communications or other system traffic transiting to or from or stored on an agency information system for the purpose of ensuring the security of the information or information system or other agency information systems, if—

''(i) the Secretary determines that there is an imminent threat to agency information systems;

''(ii) the Secretary determines that a directive issued under subsection (b)(2)(C) or paragraph (1)(A) is not reasonably likely to result in a timely response to the threat;

''(iii) the Secretary determines that the risk posed by the imminent threat outweighs any adverse consequences reasonably expected to result from the use of protective capabilities under the control of the Secretary;

''(iv) the Secretary provides prior notice to the Director and the head and chief information officer (or equivalent official) of each agency to which specific actions will be taken pursuant to this subparagraph, and notifies the appropriate congressional committees and authorizing committees of each such agencies within 7 days of taking an action under this subparagraph, of—

''(I) any action taken under this subparagraph; and

''(II) the reasons for and duration and nature of the action;

''(v) the action of the Secretary is consistent with applicable law; and

''(vi) the Secretary authorizes the use of protective capabilities in accordance with the advance procedures established under subparagraph (C).

''(B) LIMITATION ON DELEGATION.—The authority under subparagraph (A) may not be delegated by the Secretary.

''(C) ADVANCE PROCEDURES.—The Secretary shall, in coordination with the Director and in consultation with the heads of agencies, establish procedures governing the circumstances under which the Secretary may authorize the use of protective capabilities under subparagraph (A). The Secretary shall submit the procedures to Congress.

''(4) LIMITATION.—The Secretary may direct or authorize lawful action or protective capability under this subsection only to—

''(A) protect agency information from unauthorized access, use, disclosure, disruption, modification, or destruction; or

''(B) require the remediation of or protect against identified information security risks with respect to—

''(i) information collected or maintained by or on behalf of an agency; or

''(ii) that portion of an information system used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency.

''(i) ANNUAL REPORT TO CONGRESS.—Not later than February 1 of each year, the Director shall submit to the appropriate congressional committees a report regarding the specific actions the Director has taken pursuant to subsection (a)(5), including any actions taken pursuant to section 11303(b)(5) of title 40.

''(j) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

''(2) the Committee on Appropriations, the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Science, Space, and Technology of the House of Representatives.''.

(b) TECHNICAL AMENDMENT.—Section 3554(a)(1)(B) of title 44, United States Code, is amended—

(1) in clause (iii), by striking ''and'' at the end; and

(2) by adding at the end the following: ''(v) emergency directives issued by the Secretary under section 3553(h); and''.

''(v) emergency directives issued by the Secretary under section 3553(h); and''.

SA 2626. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. STOPPING THE SALE OF AMERICANS' FINANCIAL INFORMATION.

Section 1029(h) of title 18, United States Code, is amended by striking ''if—'' and all that follows through ''therefrom.'' and inserting ''if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other Territory of the United States.''.

SEC. ___. SHUTTING DOWN BOTNETS.

(a) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(1) in the heading, by inserting ''**and abuse**'' after ''**fraud**'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''or'' at the end;

(ii) in subparagraph (C), by inserting ''or'' after the semicolon; and

(iii) by inserting after subparagraph (C) the following:

''(D) violating or about to violate paragraph (1), (4), (5), or (7) of section 1030(a) where such conduct would affect 100 or more protected computers (as defined in section 1030) during any 1-year period, including by denying access to or operation of the computers, installing malicious software on the computers, or using the computers without authorization;''; and

(B) in paragraph (2), by inserting '', a violation described in subsection (a)(1)(D),'' before ''or a Federal''; and

(3) by adding at the end the following:

''(c) A restraining order, prohibition, or other action described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

''(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action; and

''(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of section for chapter 63 is amended by striking the item relating to section 1345 and inserting the following:

''1345. Injunctions against fraud and abuse.''.

SEC. ___. AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

"§ 1030A. Aggravated damage to a critical infrastructure computer

''(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a critical infrastructure computer, if such damage results in (or, in the case of an attempted offense, would, if completed have resulted in) the substantial impairment—

''(1) of the operation of the critical infrastructure computer; or

''(2) of the critical infrastructure associated with such computer.

''(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

''(c) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

''(1) a court shall not place any person convicted of a violation of this section on probation;

''(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony violation of section 1030;

''(3) in determining any term of imprisonment to be imposed for the felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such violation to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

''(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, if such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.

''(d) DEFINITIONS.—In this section

''(1) the terms 'computer' and 'damage' have the meanings given the terms in section 1030; and

''(2) the term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e)).''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

''1030A. Aggravated damage to a critical infrastructure computer.''.

SEC. ___. STOPPING TRAFFICKING IN BOTNETS.

(a) IN GENERAL.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) knowing such conduct to be wrongful, intentionally traffics in any password or similar information, or any other means of access, further knowing or having reason to know that a protected computer would be accessed or damaged without authorization in a manner prohibited by this section as the result of such trafficking;'';

(2) in subsection (c)—

(A) in paragraph (2), by striking '', (a)(3), or (a)(6)'' each place it appears and inserting ''or (a)(3)''; and

(B) in paragraph (4)—

(i) in subparagraph (C)(i), by striking ''or an attempt to commit an offense''; and

(ii) in subparagraph (D), by striking clause (ii) and inserting the following:

''(ii) an offense, or an attempt to commit an offense, under subsection (a)(6);''; and

(3) in subsection (g), in the first sentence, by inserting '', except for a violation of subsection (a)(6),'' after ''of this section''.

SA 2627. Mr. CARPER (for himself, Mr. JOHNSON, Ms. AYOTTE, Mrs. MCCASKILL, Ms. COLLINS, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—FEDERAL CYBERSECURITY ENHANCEMENT ACT

SECTION 201. SHORT TITLE.

This title may be cited as the ''Federal Cybersecurity Enhancement Act of 2015''.

SEC. 202. DEFINITIONS.

In this title—

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

(2) the term ''agency information system'' has the meaning given the term in section 228 of the Homeland Security Act of 2002, as added by section 203(a);

(3) the term ''appropriate congressional committees'' means—

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

(B) the Committee on Homeland Security of the House of Representatives;

(4) the terms ''cybersecurity risk'' and ''information system'' have the meanings given those terms in section 227 of the Homeland Security Act of 2002, as so redesignated by section 203(a);

(5) the term ''Director'' means the Director of the Office of Management and Budget;

(6) the term ''intelligence community'' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

(7) the term ''Secretary'' means the Secretary of Homeland Security.

SEC. 203. IMPROVED FEDERAL NETWORK SECURITY.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended—

(1) by redesignating section 228 as section 229;

(2) by redesignating section 227 as subsection (c) of section 228, as added by paragraph (4), and adjusting the margins accordingly;

(3) by redesignating the second section designated as section 226 (relating to the national cybersecurity and communications integration center) as section 227;

(4) by inserting after section 227, as so redesignated, the following:

"SEC. 228. CYBERSECURITY PLANS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency information system' means an information system used or operated by an agency or by another entity on behalf of an agency;

''(2) the terms 'cybersecurity risk' and 'information system' have the meanings given those terms in section 227;

''(3) the term 'information sharing and analysis organization' has the meaning given the term in section 212(5); and

''(4) the term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(b) INTRUSION ASSESSMENT PLAN.—

''(1) REQUIREMENT.—The Secretary, in coordination with the Director of the Office of Management and Budget, shall develop and implement an intrusion assessment plan to identify and remove intruders in agency information systems.

''(2) EXCEPTION.—The intrusion assessment plan required under paragraph (1) shall not apply to the Department of Defense or an element of the intelligence community.'';

(5) in section 228(c), as so redesignated, by striking ''section 226'' and inserting ''section 227''; and

(6) by inserting after section 229, as so redesignated, the following:

"SEC. 230. FEDERAL INTRUSION DETECTION AND PREVENTION SYSTEM.

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 3502 of title 44, United States Code;

''(2) the term 'agency information' means information collected or maintained by or on behalf of an agency;

''(3) the term 'agency information system' has the meaning given the term in section 228; and

''(4) the terms 'cybersecurity risk' and 'information system' have the meanings given those terms in section 227.

''(b) REQUIREMENT.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall deploy, operate, and maintain, to make available for use by any agency, with or without reimbursement—

''(A) a capability to detect cybersecurity risks in network traffic transiting or traveling to or from an agency information system; and

''(B) a capability to prevent network traffic associated with such cybersecurity risks from transiting or traveling to or from an agency information system or modify such network traffic to remove the cybersecurity risk.

''(2) REGULAR IMPROVEMENT.—The Secretary shall regularly deploy new technologies and modify existing technologies to the intrusion detection and prevention capabilities described in paragraph (1) as appropriate to improve the intrusion detection and prevention capabilities.

''(c) ACTIVITIES.—In carrying out subsection (b), the Secretary—

''(1) may access, and the head of an agency may disclose to the Secretary or a private entity providing assistance to the Secretary under paragraph (2), information transiting or traveling to or from an agency information system, regardless of the location from which the Secretary or a private entity providing assistance to the Secretary under paragraph (2) accesses such information, notwithstanding any other provision of law that would otherwise restrict or prevent the head of an agency from disclosing such information to the Secretary or a private entity providing assistance to the Secretary under paragraph (2);

''(2) may enter into contracts or other agreements with, or otherwise request and obtain the assistance of, private entities to deploy and operate technologies in accordance with subsection (b);

''(3) may retain, use, and disclose information obtained through the conduct of activities authorized under this section only to protect information and information systems from cybersecurity risks;

''(4) shall regularly assess through operational test and evaluation in real world or simulated environments available advanced protective technologies to improve detection and prevention capabilities, including commercial and non-commercial technologies and detection technologies beyond signature-based detection, and utilize such technologies when appropriate;

''(5) shall establish a pilot to acquire, test, and deploy, as rapidly as possible, technologies described in paragraph (4);

''(6) shall periodically update the privacy impact assessment required under section 208(b) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

''(7) shall ensure that—

''(A) activities carried out under this section are reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

''(B) information accessed by the Secretary will be retained no longer than reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

''(C) notice has been provided to users of an agency information system concerning access to communications of users of the agency information system for the purpose of protecting agency information and the agency information system; and

''(D) the activities are implemented pursuant to policies and procedures governing the operation of the intrusion detection and prevention capabilities.

''(d) PRIVATE ENTITIES.—

''(1) CONDITIONS.—A private entity described in subsection (c)(2) may not—

''(A) disclose any network traffic transiting or traveling to or from an agency information system to any entity without the consent of the Department or the agency that disclosed the information under subsection (c)(1); or

''(B) use any network traffic transiting or traveling to or from an agency information system to which the private entity gains access in accordance with this section for any purpose other than to protect agency information and agency information systems against cybersecurity risks or to administer a contract or other agreement entered into pursuant to subsection (c)(2) or as part of another contract with the Secretary.

''(2) LIMITATION ON LIABILITY.—No cause of action shall lie in any court against a private entity for assistance provided to the Secretary in accordance with this section and any contract or agreement entered into pursuant to subsection (c)(2).

''(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to authorize an Internet service provider to break a user agreement with a customer without the consent of the customer.

''(e) ATTORNEY GENERAL REVIEW.—Not later than 1 year after the date of enactment of this section, the Attorney General shall review the policies and guidelines for the program carried out under this section to ensure that the policies and guidelines are consistent with applicable law governing the acquisition, interception, retention, use, and disclosure of communications.''.

(b) PRIORITIZING ADVANCED SECURITY TOOLS.—The Director and the Secretary, in consultation with appropriate agencies, shall—

(1) review and update governmentwide policies and programs to ensure appropriate prioritization and use of network security monitoring tools within agency networks; and

(2) brief appropriate congressional committees on such prioritization and use.

(c) AGENCY RESPONSIBILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2)—

(A) not later than 1 year after the date of enactment of this Act or 2 months after the date on which the Secretary makes available the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), whichever is later, the head of each agency shall apply and continue to utilize the capabilities to all information traveling between an agency information system and any information system other than an agency information system; and

(B) not later than 6 months after the date on which the Secretary makes available improvements to the intrusion detection and prevention capabilities pursuant to section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a), the head of each agency shall apply and continue to utilize the improved intrusion detection and prevention capabilities.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to the Department of Defense or an element of the intelligence community.

(d) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to the first section designated as section 226, the second section designated as section 226 (relating to the national cybersecurity and communications integration center), section 227, and section 228 and inserting the following:

''Sec. 226. Cybersecurity recruitment and retention.
''Sec. 227. National cybersecurity and communications integration center.
''Sec. 228. Cybersecurity plans.
''Sec. 229. Clearances.
''Sec. 230. Federal intrusion detection and prevention system.''.

SEC. 204. ADVANCED INTERNAL DEFENSES.

(a) ADVANCED NETWORK SECURITY TOOLS.—

(1) IN GENERAL.—The Secretary shall include in the Continuous Diagnostics and Mitigation Program advanced network security tools to improve visibility of network activity, including through the use of commercial and free or open source tools, to detect and mitigate intrusions and anomalous activity.

(2) DEVELOPMENT OF PLAN.—The Director shall develop and implement a plan to ensure that each agency utilizes advanced network security tools, including those described in paragraph (1), to detect and mitigate intrusions and anomalous activity.

(b) IMPROVED METRICS.—The Secretary, in collaboration with the Director, shall review and update the metrics used to measure security under section 3554 of title 44, United States Code, to include measures of intrusion and incident detection and response times.

(c) TRANSPARENCY AND ACCOUNTABILITY.—The Director, in consultation with the Secretary, shall increase transparency to the public on agency cybersecurity posture, including by increasing the number of metrics available on Federal Government performance websites and, to the greatest extent practicable, displaying metrics for department components, small agencies, and micro agencies.

(d) MAINTENANCE OF TECHNOLOGIES.—Section 3553(b)(6)(B) of title 44, United States Code, is amended by inserting '', operating, and maintaining'' after ''deploying''.

SEC. 205. FEDERAL CYBERSECURITY REQUIREMENTS.

(a) IMPLEMENTATION OF FEDERAL CYBERSECURITY STANDARDS.—Consistent with section 3553 of title 44, United States Code, the Secretary, in consultation with the Director, shall exercise the authority to issue binding operational directives to assist the Director in ensuring timely agency adoption of and compliance with policies and standards promulgated under section 11331 of title 40, United States Code, for securing agency information systems.

(b) CYBERSECURITY REQUIREMENTS AT AGENCIES.—

(1) IN GENERAL.—Consistent with policies, standards, guidelines, and directives on information security under subchapter II of chapter 35 of title 44, United States Code, and the standards and guidelines promulgated under section 11331 of title 40, United States Code, and except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the head of each agency shall—

(A) identify sensitive and mission critical data stored by the agency consistent with the inventory required under the first subsection (c) (relating to the inventory of major information systems) and the second subsection (c) (relating to the inventory of information systems) of section 3505 of title 44, United States Code;

(B) assess access controls to the data described in subparagraph (A), the need for readily accessible storage of the data, and individuals' need to access the data;

(C) encrypt or otherwise render indecipherable to unauthorized users the data described in subparagraph (A) that is stored on or transiting agency information systems;

(D) implement a single sign-on trusted identity platform for individuals accessing each public website of the agency that requires user authentication, as developed by the Administrator of General Services in collaboration with the Secretary; and

(E) implement identity management consistent with section 504 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7464), including multi-factor authentication, for—

(i) remote access to an agency information system; and

(ii) each user account with elevated privileges on an agency information system.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to—

(A) the Department of Defense or an element of the intelligence community; or

(B) an agency information system for which—

(i) the head of the agency has personally certified to the Director with particularity that—

(I) operational requirements articulated in the certification and related to the agency information system would make it excessively burdensome to implement the cybersecurity requirement;

(II) the cybersecurity requirement is not necessary to secure the agency information system or agency information stored on or transiting it; and

(III) the agency has all taken necessary steps to secure the agency information system and agency information stored on or transiting it; and

(ii) the head of the agency or the designee of the head of the agency has submitted the certification described in clause (i) to the appropriate congressional committees and the authorizing committees of the agency.

(3) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

(A) to alter the authority of the Secretary, the Director, or the Director of the National Institute of Standards and Technology in implementing subchapter II of chapter 35 of title 44, United States Code;

(B) to affect the National Institute of Standards and Technology standards process or the requirement under section 3553(a)(4) of title 44, United States Code; or

(C) to discourage continued improvements and advancements in the technology, standards, policies, and guidelines used to promote Federal information security.

SEC. 206. ASSESSMENT; REPORTS.

(a) DEFINITIONS.—In this section—

(1) the term ''intrusion assessments'' means actions taken under the intrusion assessment plan to identify and remove intruders in agency information systems;

(2) the term ''intrusion assessment plan'' means the plan required under section 228(b)(1) of the Homeland Security Act of 2002, as added by section 203(a) of this Act; and

(3) the term ''intrusion detection and prevention capabilities'' means the capabilities required under section 230(b) of the Homeland Security Act of 2002, as added by section 203(a) of this Act.

(b) THIRD PARTY ASSESSMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall conduct a study and publish a report on the effectiveness of the approach and strategy of the Federal Government to securing agency information systems, including the intrusion detection and prevention capabilities and the intrusion assessment plan.

(c) REPORTS TO CONGRESS.—

(1) INTRUSION DETECTION AND PREVENTION CAPABILITIES.—

(A) SECRETARY OF HOMELAND SECURITY REPORT.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the status of implementation of the intrusion detection and prevention capabilities, including—

(i) a description of privacy controls;

(ii) a description of the technologies and capabilities utilized to detect cybersecurity risks in network traffic, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iii) a description of the technologies and capabilities utilized to prevent network traffic associated with cybersecurity risks from transiting or traveling to or from agency information systems, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iv) a list of the types of indicators or other identifiers or techniques used to detect cybersecurity risks in network traffic transiting or traveling to or from agency information systems on each iteration of the intrusion detection and prevention capabilities and the number of each such type of indicator, identifier, and technique;

(v) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from agency information systems and the number of times the intrusion detection and prevention capabilities blocked network traffic associated with cybersecurity risk; and

(vi) a description of the pilot established under section 230(c)(5) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, including the number of new technologies tested and the number of participating agencies.

(B) OMB REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director shall submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code, an analysis of agency application of the intrusion detection and prevention capabilities, including—

(i) a list of each agency and the degree to which each agency has applied the intrusion detection and prevention capabilities to an agency information system; and

(ii) a list by agency of—

(I) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such cybersecurity risks; and

(II) the number of instances in which the intrusion detection and prevention capabilities prevented network traffic associated with a cybersecurity risk from transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such agency information systems.

(2) OMB REPORT ON DEVELOPMENT AND IMPLEMENTATION OF INTRUSION ASSESSMENT PLAN, ADVANCED INTERNAL DEFENSES, AND FEDERAL CYBERSECURITY BEST PRACTICES.—The Director shall—

(A) not later than 6 months after the date of enactment of this Act, and 30 days after any update thereto, submit the intrusion assessment plan to the appropriate congressional committees;

(B) not later than 1 year after the date of enactment of this Act, and annually thereafter, submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code—

(i) a description of the implementation of the intrusion assessment plan;

(ii) the findings of the intrusion assessments conducted pursuant to the intrusion assessment plan;

(iii) advanced network security tools included in the Continuous Diagnostics and Mitigation Program pursuant to section 204(a)(1);

(iv) the results of the assessment of the Secretary of best practices for Federal cybersecurity pursuant to section 205(a); and

(v) a list by agency of compliance with the requirements of section 205(b); and

(C) not later than 1 year after the date of enactment of this Act, submit to the appropriate congressional committees—

(i) a copy of the plan developed pursuant to section 204(a)(2); and

(ii) the improved metrics developed pursuant to section 204(b).

SEC. 207. TERMINATION.

(a) IN GENERAL.—The authority provided under section 230 of the Homeland Security Act of 2002, as added by section 203(a) of this Act, and the reporting requirements under section 206(c) shall terminate on the date that is 7 years after the date of enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to affect the limitation of liability of a private entity for assistance provided to the Secretary under section 230(d)(2) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, if such assistance was rendered before the termination date under subsection (a) or otherwise during a period in which the assistance was authorized.

SEC. 208. IDENTIFICATION OF INFORMATION SYSTEMS RELATING TO NATIONAL SECURITY.

(a) IN GENERAL.—Except as provided in subsection (c), not later than 180 days after the date of enactment of this Act—

(1) the Director of National Intelligence, in coordination with the heads of other agencies, shall—

(A) identify all unclassified information systems that provide access to information that may provide an adversary with the ability to derive information that would otherwise be considered classified;

(B) assess the risks that would result from the breach of each unclassified information system identified in subparagraph (A); and

(C) assess the cost and impact on the mission carried out by each agency that owns an unclassified information system identified in subparagraph (A) if the system were to be subsequently designated as a national security system, as defined in section 11103 of title 40, United States Code; and

(2) the Director of National Intelligence shall submit to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report that includes the findings under paragraph (1).

(b) FORM.—The report submitted under subsection (a)(2) shall be in unclassified form, and shall include a classified annex.

(c) EXCEPTION.—The requirements under subsection (a)(1) shall not apply to the Department of Defense or an element of the intelligence community.

SEC. 209. DIRECTION TO AGENCIES.

(a) IN GENERAL.—Section 3553 of title 44, United States Code, is amended by adding at the end the following:

''(h) DIRECTION TO AGENCIES.—

''(1) AUTHORITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), in response to a known or reasonably suspected information security threat, vulnerability, or incident that represents a substantial threat to the information security of an agency, the Secretary may issue an emergency directive to the head of an agency to take any lawful action with respect to the operation of the information system, including such systems owned or operated by another entity on behalf of an agency, that collects, processes, stores, transmits, disseminates, or otherwise maintains agency information, for the purpose of protecting the information system from, or mitigating, an information security threat.

''(B) EXCEPTION.—The authorities of the Secretary under this subsection shall not apply to a system described in paragraph (2) or (3) of subsection (e).

''(2) PROCEDURES FOR USE OF AUTHORITY.—The Secretary shall—

''(A) in coordination with the Director, establish procedures governing the circumstances under which a directive may be issued under this subsection, which shall include—

''(i) thresholds and other criteria;

''(ii) privacy and civil liberties protections; and

''(iii) providing notice to potentially affected third parties;

''(B) specify the reasons for the required action and the duration of the directive;

''(C) minimize the impact of a directive under this subsection by—

''(i) adopting the least intrusive means possible under the circumstances to secure the agency information systems; and

''(ii) limiting directives to the shortest period practicable;

''(D) notify the Director and the head of any affected agency immediately upon the issuance of a directive under this subsection;

''(E) consult with the Director of the National Institute of Standards and Technology regarding any directive issued under this subsection that implements standards and guidelines developed by the National Institute of Standards and Technology;

''(F) ensure that directives issued under this subsection do not conflict with the standards and guidelines issued under section 11331 of title 40;

''(G) consider any applicable standards or guidelines developed by the National Institute of Standards and issued by the Secretary of Commerce under section 11331 of title 40; and

''(H) not later than February 1 of each year, submit to the appropriate congressional committees a report regarding the specific actions the Secretary has taken pursuant to paragraph (1)(A).

''(3) IMMINENT THREATS.—

''(A) IN GENERAL.—Notwithstanding section 3554, the Secretary may authorize the use of protective capabilities under the control of the Secretary for communications or other

system traffic transiting to or from or stored on an agency information system for the purpose of ensuring the security of the information or information system or other agency information systems, if—

''(i) the Secretary determines that there is an imminent threat to agency information systems;

''(ii) the Secretary determines that a directive issued under subsection (b)(2)(C) or paragraph (1)(A) is not reasonably likely to result in a timely response to the threat;

''(iii) the Secretary determines that the risk posed by the imminent threat outweighs any adverse consequences reasonably expected to result from the use of protective capabilities under the control of the Secretary;

''(iv) the Secretary provides prior notice to the Director and the head and chief information officer (or equivalent official) of each agency to which specific actions will be taken pursuant to this subparagraph, and notifies the appropriate congressional committees and authorizing committees of each such agencies within 7 days of taking an action under this subparagraph, of—

''(I) any action taken under this subparagraph; and

''(II) the reasons for and duration and nature of the action;

''(v) the action of the Secretary is consistent with applicable law; and

''(vi) the Secretary authorizes the use of protective capabilities in accordance with the advance procedures established under subparagraph (C).

''(B) LIMITATION ON DELEGATION.—The authority under subparagraph (A) may not be delegated by the Secretary.

''(C) ADVANCE PROCEDURES.—The Secretary shall, in coordination with the Director and in consultation with the heads of agencies, establish procedures governing the circumstances under which the Secretary may authorize the use of protective capabilities under subparagraph (A). The Secretary shall submit the procedures to Congress.

''(4) LIMITATION.—The Secretary may direct or authorize lawful action or protective capability under this subsection only to—

''(A) protect agency information from unauthorized access, use, disclosure, disruption, modification, or destruction; or

''(B) require the remediation of or protect against identified information security risks with respect to—

''(i) information collected or maintained by or on behalf of an agency; or

''(ii) that portion of an information system used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency.

''(i) ANNUAL REPORT TO CONGRESS.—Not later than February 1 of each year, the Director shall submit to the appropriate congressional committees a report regarding the specific actions the Director has taken pursuant to subsection (a)(5), including any actions taken pursuant to section 11303(b)(5) of title 40.

''(j) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

''(2) the Committee on Appropriations, the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Science, Space, and Technology of the House of Representatives.''.

(b) TECHNICAL AMENDMENT.—Section 3554(a)(1)(B) of title 44, United States Code, is amended—

(1) in clause (iii), by striking ''and'' at the end; and

(2) by adding at the end the following: ''(v) emergency directives issued by the Secretary under section 3553(h); and''.

''(v) emergency directives issued by the Secretary under section 3553(h); and''.

SA 2628. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RECONSIDERATION OF PROPOSED RULE ON IMPLEMENTATION OF WASSENAAR ARRANGEMENT 2013 PLENARY AGREEMENTS RELATING TO INTRUSION AND SURVEILLANCE ITEMS.

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Commerce shall—

(1) review, and consider public comments received with respect to, the proposed rule of the Bureau of Industry and Security, entitled ''Wassenaar Arrangement 2013 Plenary Agreements Implementation: Intrusion and Surveillance Items'' and published on May 20, 2015 (80 Fed. Reg. 28,853); and

(2) revise the proposed rule in accordance with subsection (b).

(b) REQUIREMENTS FOR REVISED RULE.—In revising the proposed rule described in subsection (a)(1), the Secretary shall—

(1) develop the revisions in close consultation with civil society organizations, including privacy advocates, public and private sector technologists, security researchers, and public and private sector software developers;

(2) ensure that the proposed rule is—

(A) limited to the scope of the agreements reached at the plenary meeting of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies in December 2013; and

(B) consistent with the regulation of cybersecurity items by other countries participating in the Wassenaar Arrangement, as appropriate;

(3) exclude cybersecurity items available for mass-market purchase from regulation under the proposed rule; and

(4) ensure that, before issuing a final rule—

(A) the proposed rule is available for public comment for not less than 60 days; and

(B) a public hearing is held on the proposed rule.

(c) REGULATORY IMPACT ANALYSIS.—

(1) IN GENERAL.—Not later than one year after issuing a final rule based on the proposed rule described in subsection (a)(1) and revised in accordance with subsection (b), the Secretary shall conduct a regulatory impact analysis of the effects of the rule on the development and export of cybersecurity items.

(2) PUBLIC AVAILABILITY.—The Secretary shall make the analysis required by paragraph (1) available to the public.

SA 2629. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON ACCOUNTABILITY FOR THE DATA BREACH OF THE OFFICE OF PERSONNEL MANAGEMENT.

(a) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) DATA BREACH.—The term ''data breach'' means the data breach of systems of the Office of Personnel Management that occurred during fiscal year 2015 which resulted in the theft of sensitive information of at least 21,500,000 Federal employees and their families.

(b) REQUIREMENT FOR REPORT.—Not later than 30 days after date of the enactment of this Act, the President shall submit to the appropriate committees of Congress and make available to the public a report that—

(1) identifies the perpetrator, including any state sponsor, of the data breach;

(2) includes a plan to impose penalties on such perpetrator under United States law; and

(3) describes a strategy to initiate diplomatic discussions with any state sponsor of the data breach.

(c) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) Identification of any individual perpetrator of the data breach, by name and nationality.

(2) Identification of any state sponsor of the data breach, including each agency of the government of the state sponsor that was responsible for authorizing, performing, or endorsing the data breach.

(3) A description of the actions proposed to penalize each individual identified under paragraph (1) under United States law.

(4) The strategy required by subsection (a)(3) shall include—

(A) a description of any action the President has undertaken to initiate or carry out diplomatic discussions with any state sponsor identified under paragraph (2); and

(B) a strategy to initiate or carry out diplomatic discussions in high-level forums and interactions during the 180-day period beginning on the date of the enactment of this Act.

SA 2630. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BIENNIAL CYBER REVIEW.

(a) REQUIREMENT FOR REVIEW.—Beginning in 2016 and not less frequently than once every two years thereafter, the President shall complete a review of the cyber posture of the United States, including an unclassified summary of roles, missions, accomplishments, plans, and programs.

(b) PURPOSES.—The purposes of each such review are—

(1) to assess the cyber security of the United States;

(2) to determine and express the cyber strategy of the United States; and

(3) to establish a revised cyber program for the next 2-year period.

(c) CONTENT.—Each review required by subsection (a) shall include—

(1) a comprehensive examination of the cyber strategy, force structure, personnel, modernization plans, infrastructure, and budget plan of the United States;

(2) an assessment of the ability of the United States to recover from a cyber emergency;

(3) an assessment of other elements of the cyber program of the United States;

(4) an assessment of critical national security infrastructure and data that is vulnerable to cyberattacks and cybertheft; and

(5) an assessment of international engagement efforts to establish viable norms of behavior in cyberspace to implement the 2011 International Strategy for Cyberspace.

(d) INVOLVEMENT OF CYBERSECURITY ADVISORY PANEL.—

(1) REQUIREMENT TO INFORM.—The President shall inform the Cybersecurity Advisory Panel established or designated under section _____, on an ongoing basis, of the actions carried out to conduct each review required by subsection (a).

(2) ASSESSMENT PRIOR TO COMPLETION OF REVIEW.—Not later than 1 year prior to the date of completion of each review required by subsection (a), the Chairman of the Cybersecurity Advisory Panel shall submit to the President, the assessment of such Panel of actions carried out to conduct the review as of the date of the submission, including any recommendations of the Panel for improvements to the review or for additional matters to be covered in the review.

(3) ASSESSMENT OF COMPLETED REVIEW.—At the time each review required by subsection (a) is completed and in time to be included in a report required by subsection (d), the Chairman of the Cybersecurity Advisory Panel shall submit to the President, on behalf of the Panel, an assessment of such review.

(e) REPORT.—Not later than September 30, 2016, and not less frequently than once every two years thereafter, the President shall submit to Congress a comprehensive report on each review required by subsection (a). Each report shall include—

(1) the results of the review, including a comprehensive discussion of the cyber strategy of the United States and the collaboration between the public and private sectors best suited to implement that strategy;

(2) a description of the threats examined for purposes of the review and the scenarios developed in the examination of such threats;

(3) the assumptions used in the review, including assumptions relating to the cooperation of other countries and levels of acceptable risk; and

(4) the assessment of the Cybersecurity Advisory Panel submitted under subsection (c)(3).

SEC. _____. CYBERSECURITY ADVISORY PANEL.

(a) IN GENERAL.—The President shall establish or designate a Cybersecurity Advisory Panel.

(b) APPOINTMENT.—The President—

(1) shall appoint as members of the Cybersecurity Advisory Panel representatives of industry, academic, nonprofit organizations, interest groups, and advocacy organizations, and State and local governments who are qualified to provide advice and information on cybersecurity research, development, demonstrations, education, personnel, technology transfer, commercial application, or societal and civil liberty concerns;

(2) shall appoint a Chairman of the Panel from among the members of the Panel; and

(3) may seek and give consideration to recommendations for appointments to the Panel from Congress, industry, the cybersecurity community, the defense community, State and local governments, and other appropriate organizations.

(c) DUTIES.—The Cybersecurity Advisory Panel shall advise the President on matters relating to the national cybersecurity program and strategy and shall assess—

(1) trends and developments in cybersecurity science research and development;

(2) progress made in implementing the strategy;

(3) the need to revise the strategy;

(4) the readiness and capacity of the Federal and national workforces to implement the national cybersecurity program and strategy, and the steps necessary to improve workforce readiness and capacity;

(5) the balance among the components of the national strategy, including funding for program components;

(6) whether the strategy, priorities, and goals are helping to maintain United States leadership and defense in cybersecurity;

(7) the management, coordination, implementation, and activities of the strategy;

(8) whether the concerns of Federal, State, and local law enforcement entities are adequately addressed; and

(9) whether societal and civil liberty concerns are adequately addressed.

(d) REPORTS.—Not less frequently than once every 4 years, the Cybersecurity Advisory Panel shall submit to the President a report on its assessments under subsection (c) and its recommendations for ways to improve the strategy.

(e) TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.—Non-Federal members of the Cybersecurity Advisory Panel, while attending meetings of the Panel or while otherwise serving at the request of the head of the Panel while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Panel who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with law.

(f) EXEMPTION FROM FACA SUNSET.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Cybersecurity Advisory Panel.

SA 2631. Mr. GARDNER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF STATE INTERNATIONAL CYBERSPACE POLICY STRATEGY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall produce a comprehensive strategy relating to United States international policy with regard to cyberspace.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) A review of actions and activities undertaken by the Secretary of State to date to support the goal of the President's International Strategy for Cyberspace, released in May 2011, to ''work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation.''.

(2) A plan of action to guide the diplomacy of the Secretary of State, with regard to foreign countries, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and status review of existing discussions in multilateral fora to obtain agreements on international norms in cyberspace.

(3) A review of the alternative concepts with regard to international norms in cyberspace offered by foreign countries that are prominent actors, including China, Russia, Brazil, and India.

(4) A detailed description of threats to United States national security in cyberspace from foreign countries, state-sponsored actors, and private actors to Federal and private sector infrastructure of the United States, intellectual property in the United States, and the privacy of citizens of the United States.

(5) A review of policy tools available to the President to deter foreign countries, state-sponsored actors, and private actors, including those outlined in Executive Order 13694, released on April 1, 2015.

(6) A review of resources required by the Secretary, including the Office of the Coordinator for Cyber Issues, to conduct activities to build responsible norms of international cyber behavior.

(c) CONSULTATION.—In preparing the strategy required by subsection (a), the Secretary of State shall consult, as appropriate, with other agencies and departments of the United States and the private sector and nongovernmental organizations in the United States with recognized credentials and expertise in foreign policy, national security, and cybersecurity.

(d) FORM OF STRATEGY.—The strategy required by subsection (a) shall be in unclassified form, but may include a classified annex.

(e) AVAILABILITY OF INFORMATION.—The Secretary of State shall—

(1) make the strategy required in subsection (a) available the public; and

(2) brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the strategy, including any material contained in a classified annex.

SA 2632. Mr. TESTER (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, between lines 12 and 13, insert the following:

(i) The number of cyber threat indicators and defensive measures shared under this Act, including a breakdown of—

(I) the total number of cyber threat indicators shared through the capability described in section 5(c);

(II) a good faith estimate of the number of cyber threat indicators shared by entities with civilian Federal entities through capabilities other than those described in section 5(c);

(III) a good faith estimate of the number of cyber threat indicators shared by entities with military Federal entities through capabilities other than those described in section 5(c);

(IV) the number of times personal information or information that identifies a specific

person was removed from a cyber threat indicator shared under section 5(c);

(V) an assessment of the extent to which personal information or information that identifies a specific person was shared under this Act though such information was not necessary to describe or mitigate a cybersecurity threat or security vulnerability;

(VI) a report on any known harms caused by any defensive measure operated or shared under the authority of this Act;

(VII) the total number of times that information shared under this Act was used to prevent, investigate, disrupt, or prosecute any offense under title 18, United States Code, including an offense under section 1028, 1028A, or 1029, or chapter 37or 90 of such title 18; and

(VIII) the total number of times that information shared under this Act was used to prevent, investigate, disrupt, or prosecute a terrorism offense under chapter 113B of title 18, United States Code.

SA 2633. Ms. AYOTTE (for Mr. GRAHAM) submitted an amendment intended to be proposed by Ms. AYOTTE to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 9, add the following:

(f) ASSESSMENT.—The report required under subsection (a) shall include an assessment of the implications of the Memorandum Opinion for the Assistant Attorney General dated September 20, 2011, for cybersecurity, including the potential for thefts of personally identifiable information and for the creation of opportunities for organized crime and terrorist groups to generate revenue and launder money through related online activities; provided that the Department of Justice shall not follow such Opinion with respect to which activities are covered by section 1084 of title 18, United States Code, until 18 months after such report has been received and the President certifies to Congress that the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security are in agreement that the Opinion will not increase the threat of thefts of personally identifiable information or the exploitation of online activities for criminal purposes, and that such agencies have sufficient resources and legal tools to protect consumers from such threat, and deter such criminal activities.

SA 2634. Ms. AYOTTE (for Mr. GRAHAM) submitted an amendment intended to be proposed by Ms. AYOTTE to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RESTORATION OF AMERICA'S WIRE ACT.

(a) SHORT TITLE.—This section may be cited as the ''Restoration of America's Wire Act''.

(b) WIRE ACT CLARIFICATION.—Section 1084 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''bets or wagers or information assisting in the placing of bets or wagers on any sporting event or contest,'' and inserting ''any bet or wager, or information assisting in the placing of any bet or wager,'';

(B) by striking ''result of bets or wagers'' and inserting ''result of any bet or wager''; and

(C) by striking ''or for information assisting in the placing of bets or wagers,''; and

(2) by striking subsection (e) and inserting the following:

''(e) As used in this section—

''(1) the term 'bet or wager' does not include any activities set forth in section 5362(1)(E) of title 31;

''(2) the term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a commonwealth, territory, or possession of the United States;

''(3) the term 'uses a wire communication facility for the transmission in interstate or foreign commerce of any bet or wager' includes any transmission over the Internet carried interstate or in foreign commerce, incidentally or otherwise; and

''(4) the term 'wire communication' has the meaning given the term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).''.

(c) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed—

(1) to preempt any State law prohibiting gambling; or

(2) to alter, limit, or extend—

(A) the relationship between the Interstate Horseracing Act of 1978 (15 U.S.C. 3001 et seq.) and other Federal laws in effect on the date of enactment of this Act;

(B) the ability of a State licensed lottery (including in conjunction with its supplier) or State licensed retailer to make on-premises retail lottery sales, including through a self-service retail lottery terminal, or to transmit information ancillary to such sales (including information relating to subscriptions or fulfillment of game play), in accordance with applicable Federal and State laws;

(C) the ability of a State licensed gaming establishment or a tribal gaming establishment to transmit information assisting in the placing of a bet or wager on the physical premises of the establishment, in accordance with applicable Federal and State laws; or

(D) the relationship between Federal laws and State charitable gaming laws.

SA 2635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 15 and 16, insert the following:

(g) FINANCIAL SERVICES INFORMATION SHARING AND ANALYSIS CENTER.—As the sector-specific agency for the financial sector under Presidential Policy Directive–21, issued February 12, 2013, the Department of the Treasury shall collaborate with the private sector to—

(1) facilitate membership of depository institutions (as defined in section 19(b)(1) of the Federal Reserve Act (12 U.S.C. 461(b)(1))) that have not more than $10,000,000,000 in total consolidated assets (in this subsection referred to as ''small depository institutions'') in the Financial Services Information Sharing and Analysis Center at no cost to the small depository institutions; and

(2) ensure that the Financial Services Information Sharing and Analysis Center provides to its members that are small depository institutions information that is comprehensible to and useable by small depository institutions.

SA 2636. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, between lines 3 and 4, add the following:

(n) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit or modify the authority of the appropriate Federal financial institutions regulatory agency (as defined in section 8(e)(7)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(D))) to interpret, or take enforcement action under, any other provision of Federal law for the purposes of—

(1) safety and soundness; or

(2) consumer protection.

SA 2637. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, after line 23, add the following:

(d) COLLABORATION BETWEEN INFORMATION SHARING AND ANALYSIS CENTERS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''critical infrastructure sector'' means any sector identified as a critical infrastructure sector in Presidential Policy Directive–21, issued February 12, 2013 (or any successor thereto); and

(B) the term ''Sector-Specific Agency'' has the meaning given the term in Presidential Policy Directive–21, issued dated February 12, 2013 (or any successor thereto).

(2) COLLABORATION.—The Sector-Specific Agencies associated with critical infrastructure sectors shall facilitate collaboration between the sector-specific information sharing and analysis centers to share cyber threat information across sectors.

(3) FINANCIAL SERVICES INFORMATION SHARING AND ANALYSIS CENTER.—As the head of the Sector-Specific Agency for the financial sector under Presidential Policy Directive–21, issued February 12, 2013, the Secretary of the Treasury shall collaborate with the private sector to ensure that risks that may impact the financial sector are shared appropriately with entities in the financial sector, which shall include facilitating information sharing between the Financial Services Information Sharing and Analysis Center and—

(A) other information sharing and analysis centers; and

(B) other information sharing and analysis organizations.

SA 2638. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IMPROVED REGULATION AND EXAMINATION OF SERVICE PROVIDERS.

(a) BANK SERVICE COMPANY ACT.—Section 7 of the Bank Service Company Act (12 U.S.C. 1867) is amended by adding at the end the following:

''(e) REQUIRED EXAMINATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the appropriate Federal banking agency shall, not less than once during each 12-month period, conduct a full-scope, on-site examination of each bank service company.

''(2) STATE EXAMINATIONS ACCEPTABLE.—Except as provided in paragraph (3), the examinations required by paragraph (1) may be conducted in alternate 12-month periods, as appropriate, if the appropriate Federal banking agency determines that an examination of the bank service company conducted by the State during the intervening 12-month period carries out the purpose of this subsection.

''(3) 18-MONTH RULE FOR CERTAIN BANK SERVICE COMPANIES.—The examinations conducted under paragraphs (1) and (2) shall be conducted during an 18-month period, tailored as needed to align with a lengthened examination cycle of a bank service company, if the appropriate Federal banking agency determines that a bank service company—

''(A) was well managed at the most recent examination of the bank service company;

''(B) is not subject to a formal enforcement proceeding or order by the appropriate Federal banking agency (as of the date on which the determination is made); and

''(C) satisfies any other requirement that the appropriate Federal banking agency determines is appropriate.

''(4) AUTHORITY TO CONDUCT MORE FREQUENT EXAMINATIONS.—Each appropriate Federal banking agency may examine any bank service company as frequently as the appropriate Federal banking agency determines is necessary.''.

(b) HOME OWNERS' LOAN ACT.—Section 5(d)(7) of the Home Owners' Loan Act (12 U.S.C. 1464(d)(7)) is amended by adding at the end the following:

''(F) REQUIRED EXAMINATIONS.—

''(i) IN GENERAL.—Except as provided in clause (iii), the appropriate Federal banking agency shall, not less than once during each 12-month period, conduct a full-scope, on-site examination of each service company.

''(ii) STATE EXAMINATIONS ACCEPTABLE.—Except as provided in clause (iii), the examinations required by clause (i) may be conducted in alternate 12-month periods, as appropriate, if the appropriate Federal banking agency determines that an examination of the service company conducted by the State during the intervening 12-month period carries out the purpose of this subparagraph.

''(iii) 18-MONTH RULE FOR CERTAIN SERVICE COMPANIES.—The examinations conducted under clauses (i) and (ii) shall be conducted during an 18-month period, tailored as needed to align with a lengthened examination cycle of a service company, if the appropriate Federal banking agency determines that a service company—

''(I) was well managed at the most recent examination of the service company;

''(II) is not subject to a formal enforcement proceeding or order by the appropriate Federal banking agency (as of the date on which the determination is made); and

''(III) satisfies any other requirement that the appropriate Federal banking agency determines is necessary.

''(iv) AUTHORITY TO CONDUCT MORE FREQUENT EXAMINATIONS.—Each appropriate Federal banking agency may examine any service company as frequently as the appropriate Federal banking agency determines is necessary.''.

SA 2639. Mr. WHITEHOUSE proposed an amendment to the bill S. 1523, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; as follows:

On page 3, line 17, strike ''$27,000,000'' and insert ''$26,000,000''.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the appointments of Bradley Duane Arsenault, Bret Thomas Campbell, Karen Stone Exel, Gloria Jean Garland, Michael H. Hryshchyshyn, Jr., Ying X. Hsu, Stephen S. Kelley, Mary Catherine Leherr, Denise G. Manning, Paul Karlis Markovs, Scott Currie McNiven, Hanh Ngoc Nguyen, Denise Frances O'Toole, Marisol E. Perez, Ronald F. Savage, Adam P. Schmidt, Anna Toness, Michael J. Torreano, Nicholas John Vivio, and Jamshed Zuberi to be Foreign Service Officers of Class Two, dated August 5, 2015.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on August 5, 2015, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on August 5, 2015, at 10 a.m., to conduct a hearing entitled ''The Implications of Sanctions Relief Under The Iran Agreement.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on August 5, 2015, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on August 5, 2015.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on August 5, 2015, at 2 p.m., to conduct a hearing entitled ''Implications of the JCPOA for U.S. Policy in the Middle East.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on August 5, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Opportunities to Improve Student Success.''

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

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on August 5, 2015, at 10 a.m., in room SD–106 of the Dirksen Senate Office Building to conduct a hearing entitled '' 'All' Means 'All': the Justice Department's Failure to Comply With Its Legal Obligation to Ensure Inspector General Access to All Records Needed for Independent Oversight.''

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

PRIVILEGES OF THE FLOOR

Mr. MURPHY. Mr. President, I ask unanimous consent for my State Department fellow, Tovan McDaniel, to be granted floor privileges for the remainder of this work period.

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

GERARDO HERNANDEZ AIRPORT SECURITY ACT OF 2015

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 163, H.R. 720.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 720) to improve intergovernmental planning for and communication during security incidents at domestic airports, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gerardo Hernandez Airport Security Act of 2015''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Homeland Security (Transportation Security) of the Department of Homeland Security.

(2) ADMINISTRATION.—The term ''Administration'' means the Transportation Security Administration.

SEC. 3. SECURITY INCIDENT RESPONSE AT AIRPORTS.

(a) IN GENERAL.—The Assistant Secretary shall, in consultation with other Federal agencies as appropriate, conduct outreach to all airports in the United States at which the Administration performs, or oversees the implementation and performance of, security measures, and provide technical assistance as necessary, to verify such airports have in place individualized working plans for responding to security incidents inside the perimeter of the airport, including active shooters, acts of terrorism, and incidents that target passenger-screening checkpoints.

(b) TYPES OF PLANS.—Such plans may include, but may not be limited to, the following:

(1) A strategy for evacuating and providing care to persons inside the perimeter of the airport, with consideration given to the needs of persons with disabilities.

(2) A plan for establishing a unified command, including identification of staging areas for non-airport-specific law enforcement and fire response.

(3) A schedule for regular testing of communications equipment used to receive emergency calls.

(4) An evaluation of how emergency calls placed by persons inside the perimeter of the airport will reach airport police in an expeditious manner.

(5) A practiced method and plan to communicate with travelers and all other persons inside the perimeter of the airport.

(6) To the extent practicable, a projected maximum timeframe for law enforcement response to active shooters, acts of terrorism, and incidents that target passenger security-screening checkpoints.

(7) A schedule of joint exercises and training to be conducted by the airport, the Administration, other stakeholders such as airport and airline tenants, and any relevant law enforcement, airport police, fire, and medical personnel.

(8) A schedule for producing after-action joint exercise reports to identify and determine how to improve security incident response capabilities.

(9) A strategy, where feasible, for providing airport law enforcement with access to airport security video surveillance systems at category X airports where those systems were purchased and installed using Administration funds.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings from its outreach to airports under subsection (a), including an analysis of the level of preparedness such airports have to respond to security incidents, including active shooters, acts of terrorism, and incidents that target passenger-screening checkpoints.

SEC. 4. DISSEMINATING INFORMATION ON BEST PRACTICES.

The Assistant Secretary shall—

(1) identify best practices that exist across airports for security incident planning, management, and training; and

(2) establish a mechanism through which to share such best practices with other airport operators nationwide.

SEC. 5. CERTIFICATION.

Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Assistant Secretary shall certify in writing to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that all screening personnel have participated in practical training exercises for active shooter scenarios.

SEC. 6. REIMBURSABLE AGREEMENTS.

Not later than 90 days after the enactment of this Act, the Assistant Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an analysis of how the Administration can use cost savings achieved through efficiencies to increase over the next 5 fiscal years the funding available for checkpoint screening law enforcement support reimbursable agreements.

SEC. 7. SECURITY INCIDENT RESPONSE FOR SURFACE TRANSPORTATION SYSTEMS.

(a) IN GENERAL.—The Assistant Secretary shall, in consultation with the Secretary of Transportation, and other relevant agencies, conduct outreach to all passenger transportation agencies and providers with high-risk facilities, as identified by the Assistant Secretary, to verify such agencies and providers have in place plans to respond to active shooters, acts of terrorism, or other security-related incidents that target passengers.

(b) TYPES OF PLANS.—As applicable, such plans may include, but may not be limited to, the following:

(1) A strategy for evacuating and providing care to individuals, with consideration given to the needs of persons with disabilities.

(2) A plan for establishing a unified command.

(3) A plan for frontline employees to receive active shooter training.

(4) A schedule for regular testing of communications equipment used to receive emergency calls.

(5) An evaluation of how emergency calls placed by individuals using the transportation system will reach police in an expeditious manner.

(6) A practiced method and plan to communicate with individuals using the transportation system.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings from its outreach to the agencies and providers under subsection (a), including an analysis of the level of preparedness such transportation systems have to respond to security incidents.

(d) DISSEMINATION OF BEST PRACTICES.—The Assistant Secretary shall identify best practices for security incident planning, management, and training and establish a mechanism through which to share such practices with passenger transportation agencies nationwide.

SEC. 8. NO ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act, and this Act shall be carried out using amounts otherwise available for such purpose.

SEC. 9. INTEROPERABILITY REVIEW.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Assistant Secretary shall, in consultation with the Assistant Secretary of the Office of Cybersecurity and Communications, conduct a review of the interoperable communications capabilities of the law enforcement, fire, and medical personnel responsible for responding to a security incident, including active shooter events, acts of terrorism, and incidents that target passenger-screening checkpoints, at all airports in the United States at which the Administration performs, or oversees the implementation and performance of, security measures.

(b) REPORT.—Not later than 30 days after the completion of the review, the Assistant Secretary shall report the findings of the review to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

Mr. GARDNER. I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 720), as amended, was passed.

REPRESENTATIVE PAYEE FRAUD PREVENTION ACT OF 2015

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 167, S. 1576.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1576) to amend title 5, United States Code, to prevent fraud by representative payees.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts intended to be inserted in the bill are shown in italic.)

S. 1576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Representative Payee Fraud Prevention Act of 2015''.

SEC. 2. REPRESENTATIVE PAYEE FRAUD.

(a) IN GENERAL.—

(1) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8345 the following:

''§ 8345a. Embezzlement or conversion of payments

''(a) IN GENERAL.—It shall be unlawful for any person that is authorized by the Office under section 8345(e) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability to embezzle or in any manner convert all or any part of the amounts received from such payments to a use other than for the use and benefit of such minor or individual.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, imprisoned for not more than 5 years, or both.

''(c) PRIMA FACIE EVIDENCE.—Any willful neglect or refusal to make and file proper accountings or reports concerning the amounts received from payments authorized under section 8345(e) as required by law shall be taken to be sufficient evidence prima facie of the embezzlement or conversion of such amounts.''.

(2) FERS.—Subchapter VI of chapter 84 of title 5, United States Code, is amended by inserting after section 8466 the following:

''§ 8466a. Embezzlement or conversion of payments

''(a) IN GENERAL.—It shall be unlawful for any person that is authorized by the Office

under section 8466(c) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability to embezzle or in any manner convert all or any part of the amounts received from such payments to a use other than for the use and benefit of such minor or individual.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, imprisoned for not more than 5 years, or both.

''(c) PRIMA FACIE EVIDENCE.—Any willful neglect or refusal to make and file proper accountings or reports concerning the amounts received from payments authorized under section 8466(c) as required by law shall be taken to be sufficient evidence prima facie of the embezzlement or conversion of such amounts.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8345 the following:

''8345a. Embezzlement or conversion of payments.''.

(B) The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8466 the following:

''8466a. Embezzlement or conversion of payments.''.

(b) LIMITATIONS ON APPOINTMENTS OF REPRESENTATIVE PAYEES.—

(1) CSRS.—Section 8345 of title 5, United States Code, is amended by inserting after subsection (e) the following:

''(f) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (e) if that person has been convicted of a violation of—

''(1) section 8345a or 8466a;

''(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408 and [1632] *1383a*); or

''(3) section 6101 of title 38, United States Code.''.

(2) FERS.—Section 8466 of title 5, United States Code, is amended by adding at the end the following:

''(d) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (c) if that person has been convicted of a violation of—

''(1) section 8345a or 8466a;

''(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408 and [1632] *1383a*); or

''(3) section 6101 of title 38, United States Code.''.

Mr. GARDNER. I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were agreed to.

The bill (S. 1576), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Representative Payee Fraud Prevention Act of 2015''.

SEC. 2. REPRESENTATIVE PAYEE FRAUD.

(a) IN GENERAL.—

(1) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8345 the following:

''§ 8345a. Embezzlement or conversion of payments

''(a) IN GENERAL.—It shall be unlawful for any person that is authorized by the Office under section 8345(e) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability to embezzle or in any manner convert all or any part of the amounts received from such payments to a use other than for the use and benefit of such minor or individual.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, imprisoned for not more than 5 years, or both.

''(c) PRIMA FACIE EVIDENCE.—Any willful neglect or refusal to make and file proper accountings or reports concerning the amounts received from payments authorized under section 8345(e) as required by law shall be taken to be sufficient evidence prima facie of the embezzlement or conversion of such amounts.''.

(2) FERS.—Subchapter VI of chapter 84 of title 5, United States Code, is amended by inserting after section 8466 the following:

''§ 8466a. Embezzlement or conversion of payments

''(a) IN GENERAL.—It shall be unlawful for any person that is authorized by the Office under section 8466(c) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability to embezzle or in any manner convert all or any part of the amounts received from such payments to a use other than for the use and benefit of such minor or individual.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, imprisoned for not more than 5 years, or both.

''(c) PRIMA FACIE EVIDENCE.—Any willful neglect or refusal to make and file proper accountings or reports concerning the amounts received from payments authorized under section 8466(c) as required by law shall be taken to be sufficient evidence prima facie of the embezzlement or conversion of such amounts.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8345 the following:

''8345a. Embezzlement or conversion of payments.''.

(B) The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8466 the following:

''8466a. Embezzlement or conversion of payments.''.

(b) LIMITATIONS ON APPOINTMENTS OF REPRESENTATIVE PAYEES.—

(1) CSRS.—Section 8345 of title 5, United States Code, is amended by inserting after subsection (e) the following:

''(f) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (e) if that person has been convicted of a violation of—

''(1) section 8345a or 8466a;

''(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408 and 1383a); or

''(3) section 6101 of title 38, United States Code.''.

(2) FERS.—Section 8466 of title 5, United States Code, is amended by adding at the end the following:

''(d) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (c) if that person has been convicted of a violation of—

''(1) section 8345a or 8466a;

''(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408 and 1383a); or

''(3) section 6101 of title 38, United States Code.''.

THE CALENDAR

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 172 and 173, en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. GARDNER. Mr. President, I ask unanimous consent that the bills be read a third time and passed, the motions to reconsider be considered made and laid upon the table, and that any statements relating to the bills be printed in the RECORD, all en bloc.

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

SPECIALIST JOSEPH W. RILEY POST OFFICE BUILDING

The bill (S. 1596) to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the ''Specialist Joseph W. Riley Post Office Building,'' was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1596

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIALIST JOSEPH W. RILEY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, shall be known and designated as the ''Specialist Joseph W. Riley Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Specialist Joseph W. Riley Post Office Building''.

LIEUTENANT COLONEL JAMES ''MAGGIE'' MEGELLAS POST OFFICE

The bill (S. 1826) to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the Lieutenant Colonel James ''Maggie'' Megellas Post Office, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIEUTENANT COLONEL JAMES ''MAGGIE'' MEGELLAS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, shall be known and designated as the ''Lieutenant Colonel James 'Maggie' Megellas Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Lieutenant Colonel James 'Maggie' Megellas Post Office''.

ELECTRONIC HEALTH FAIRNESS ACT OF 2015

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 185, S. 1347.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1347) to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Electronic Health Fairness Act of 2015''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Ambulatory surgery centers were not covered under the provisions of the HITECH Act of 2009, which created certification standards and incentives for adopting electronic health record (EHR) technology in the physician office and hospital settings.

(2) The Centers for Medicare & Medicaid Services (CMS) defines a meaningful EHR user as an eligible professional having 50 percent or more of the professional's outpatient encounters at practices or locations equipped with certified EHR technology.

(3) Physicians with patient encounters in an ambulatory surgical center are at a disadvantage when attempting to meet meaningful use requirements because there currently is not certified EHR technology for such centers.

(4) Until such time as EHR technology is certified specifically for use in the ambulatory surgical centers, patient encounters that occur in such a center should not be used when calculating whether an eligible professional meets meaningful use requirements, unless an eligible professional elects to include those encounters.

SEC. 3. TREATMENT OF PATIENT ENCOUNTERS IN AMBULATORY SURGICAL CENTERS IN DETERMINING MEANINGFUL EHR USE.

Section 1848(o)(2) of the Social Security Act (42 U.S.C. 1395w–4(o)(2)) is amended by adding at the end of the following new subparagraph:

''(E) TREATMENT OF PATIENT ENCOUNTERS AT AMBULATORY SURGICAL CENTERS.—

''(i) IN GENERAL.—Subject to clause (ii), any patient encounter of an eligible professional occurring at an ambulatory surgical center (described in section 1832(i)(1)(A)) shall not be treated as a patient encounter in determining whether an eligible professional qualifies as a meaningful EHR user.

''(ii) SUNSET.—Clause (i) shall no longer apply as of the first year that begins more than 3 years after the date the Secretary certifies EHR technology for the ambulatory surgical center setting.''.

Mr. GARDNER. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to; the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1347), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDING TITLE XI OF THE SOCIAL SECURITY ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 187, S. 1362.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1362) to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. CLARIFICATION OF WAIVER AUTHORITY REGARDING PACE PROGRAMS.

Subsection (d)(1) of section 1115A of the Social Security Act (42 U.S.C. 1315a) is amended by striking ''and 1903(m)(2)(A)(iii)'' and inserting ''1903(m)(2)(A)(iii), and 1934 (other than subsections (b)(1)(A) and (c)(5) of such section)''.

Mr. GARDNER. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1362), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

LAND MANAGEMENT WORKFORCE FLEXIBILITY ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 192, H.R. 1531.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1531) to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1531) was ordered to a third reading, was read the third time, and passed.

J. WATIES WARING JUDICIAL CENTER

Mr. GARDNER. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 2131 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

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

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 2131) was ordered to a third reading, was read the third time, and passed.

PFC MILTON A. LEE MEDAL OF HONOR MEMORIAL HIGHWAY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 2559 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

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

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 2559) was ordered to a third reading, was read the third time, and passed.

NATIONAL OVARIAN CANCER AWARENESS MONTH

Mr. GARDNER. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further

consideration of and the Senate proceed to the consideration of S. Res. 228.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 228) designating September 2015 as ''National Ovarian Cancer Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 228) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 23, 2015, under ''Submitted Resolutions.'')

NATIONAL LOBSTER DAY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 230 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 230) designating September 25, 2015, as ''National Lobster Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 230) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 27, 2015, under ''Submitted Resolutions.'')

NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 248, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 248) designating September 2015 as ''National Prostate Cancer Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 248) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

EXECUTIVE SESSION

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of all nominations on the Secretary's desk in the Foreign Service except for the list which is at the desk; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN573—3 Foreign Service nominations (161) beginning Maura Barry Boyle, and ending Anthony Wolak, which nominations were received by the Senate and appeared in the Congressional Record of June 10, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORITY FOR COMMITTEES TO FILE BILLS AND REPORTS

Mr. GARDNER. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, committees be allowed to file bills and reports on August 6, from 11:30 a.m. until 1:30 p.m., and August 28, from 12 noon until 2 p.m.

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

ORDER FOR RECORD TO REMAIN OPEN

Mr. GARDNER. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, that the RECORD be kept open on August 6, from 11:30 a.m. until 1:30 p.m. for the introduction of bills and resolutions, statements, and cosponsor requests.

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

ORDERS FOR THURSDAY, AUGUST 6, 2015, AND TUESDAY, SEPTEMBER 8, 2015

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11:30 a.m., Thursday, August 6, for a pro forma session with the only business conducted being that under the previous orders; further, that when the Senate adjourns on August 6, 2015, it next convene on Tuesday, September 8, at 2 p.m., pursuant to the provisions of H. Con. Res. 72; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following leader remarks, the Senate begin consideration of H.J. Res. 61, as under the previous order.

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

ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:19 p.m., adjourned until Thursday, August 6, 2015, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

MARCEL JOHN LETTRE, II, OF MARYLAND, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE, VICE MICHAEL VICKERS, RESIGNED.

PATRICK JOSEPH MURPHY, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF THE ARMY, VICE BRAD R. CARSON.

DEPARTMENT OF TRANSPORTATION

THOMAS F. SCOTT DARLING, III, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION, VICE ANNE S. FERRO, RESIGNED.

DEPARTMENT OF ENERGY

CHERRY ANN MURRAY, OF KANSAS, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY, VICE WILLIAM F. BRINKMAN.

FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

CHARLES P. BLAHOUS, III, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

CHARLES P. BLAHOUS, III, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

FEDERAL HOSPITAL INSURANCE TRUST FUND

CHARLES P. BLAHOUS, III, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

ROBERT D. REISCHAUER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

ROBERT D. REISCHAUER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-

AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

FEDERAL HOSPITAL INSURANCE TRUST FUND

ROBERT D. REISCHAUER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

LINDA I. ETIM, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE EARL W. GAST, RESIGNED.

UNITED NATIONS

LAURA S. H. HOLGATE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE VIENNA OFFICE OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

INTERNATIONAL ATOMIC ENERGY AGENCY

LAURA S. H. HOLGATE, OF VIRGINIA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE INTERNATIONAL ATOMIC ENERGY AGENCY, WITH THE RANK OF AMBASSADOR.

NATIONAL SCIENCE FOUNDATION

RICHARD OTTO BUCKIUS, OF CALIFORNIA, TO BE DEPUTY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION, VICE CORA B. MARRETT, RESIGNED.

DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations unanimous consent and the nominations were confirmed:

MARIE THERESE DOMINGUEZ, OF VIRGINIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION.

COAST GUARD NOMINATION OF VICE ADM. CHARLES D. MICHEL, TO BE VICE ADMIRAL.

COAST GUARD NOMINATION OF STEPHEN R. BIRD, TO BE LIEUTENANT COMMANDER.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 5, 2015:

DEPARTMENT OF STATE

DAVID HALE, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF PAKISTAN.

ATUL KESHAP, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

ALAINA B. TEPLITZ, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL.

WILLIAM A. HEIDT, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF CAMBODIA.

GLYN TOWNSEND DAVIES, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THAILAND.

JENNIFER ZIMDAHL GALT, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONGOLIA.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

RAFAEL J. LOPEZ, OF CALIFORNIA, TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF ENERGY

MONICA C. REGALBUTO, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT).

JONATHAN ELKIND, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS).

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

KRISTEN MARIE KULINOWSKI, OF NEW YORK, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS .

TENNESSEE VALLEY AUTHORITY

ERIC MARTIN SATZ, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2018.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

VANESSA LORRAINE ALLEN SUTHERLAND, OF VIRGINIA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

VANESSA LORRAINE ALLEN SUTHERLAND, OF VIRGINIA, TO BE CHAIRPERSON OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

DEPARTMENT OF TRANSPORTATION

GREGORY GUY NADEAU, OF MAINE, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION.

GENERAL SERVICES ADMINISTRATION

DENISE TURNER ROTH, OF NORTH CAROLINA, TO BE ADMINISTRATOR OF GENERAL SERVICES.

DEPARTMENT OF STATE

SHEILA GWALTNEY, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

PERRY L. HOLLOWAY, OF SOUTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO–OPERATIVE REPUBLIC OF GUYANA.

KATHLEEN ANN DOHERTY, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CYPRUS.

HANS G. KLEMM, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA.

JAMES DESMOND MELVILLE, JR., OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ESTONIA.

PETER F. MULREAN, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI.

LAURA FARNSWORTH DOGU, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NICARAGUA.

PAUL WAYNE JONES, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

MICHELE THOREN BOND, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (CONSULAR AFFAIRS).

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JOYCE LOUISE CONNERY, OF MASSACHUSETTS, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2019.

JOSEPH BRUCE HAMILTON, OF TEXAS, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 18, 2016.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. DAVID S. BALDWIN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. AARON M. PRUPAS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3033:

To be general

GEN. MARK A. MILLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5033:

To be admiral

ADM. JOHN M. RICHARDSON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CHRISTOPHER P. AZZANO

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE MARINE CORPS AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5043:

To be general

LT. GEN. ROBERT B. NELLER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. THERON G. DAVIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN M. MURRAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ANTHONY R. IERARDI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. GARRETT S. YEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PATRICK J. REINERT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL IN THE UNITED STATES NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601, AND TITLE 50, U.S.C., SECTION 2511:

To be admiral

VICE ADM. JAMES F. CALDWELL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOSEPH P. AUCOIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CEDRIC E. PRINGLE

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL BRETT W. ANDERSEN
COLONEL WALLACE S. BONDS
COLONEL JOHN C. BOYD
COLONEL DAVID L. BOYLE
COLONEL MARK N. BROWN
COLONEL ROBERT D. BURKE
COLONEL THOMAS M. CARDEN, JR.
COLONEL PATRICK J. CENTER
COLONEL LAURA L. CLELLAN

COLONEL JOHANNA P. CLYBORNE
COLONEL ALAN C. CRANFORD
COLONEL ANITA K.W. CURINGTON
COLONEL DARRELL D. DARNBUSH
COLONEL AARON R. DEAN II
COLONEL DAMIAN T. DONAHOE
COLONEL JOHN H. EDWARDS, JR.
COLONEL LEE M. ELLIS
COLONEL PABLO ESTRADA, JR.
COLONEL JAMES R. FINLEY
COLONEL THOMAS C. FISHER
COLONEL LAPTHE C. FLORA
COLONEL MICHAEL S. FUNK
COLONEL MICHAEL J. GARSHAK
COLONEL HARRISON B. GILLIAM
COLONEL MICHAEL J. GLISSON
COLONEL WALLACE A. HALL, JR.
COLONEL KENNETH S. HARA
COLONEL MARCUS R. HATLEY
COLONEL GREGORY J. HIRSCH
COLONEL JOHN E. HOEFERT
COLONEL LEE W. HOPKINS
COLONEL LYNDON C. JOHNSON
COLONEL RUSSELL D. JOHNSON
COLONEL PETER S. KAYE
COLONEL JESSE J. KIRCHMEIER
COLONEL RICHARD C. KNOWLTON
COLONEL MARTIN A. LAFFERTY
COLONEL EDWIN W. LARKIN
COLONEL BRUCE C. LINTON
COLONEL KEVIN D. LYONS
COLONEL ROBERT B. MCCASTLAIN
COLONEL MARK D. MCCORMACK
COLONEL MARSHALL T. MICHELS
COLONEL MICHAEL A. MITCHELL
COLONEL SHAWN M. O'BRIEN
COLONEL DAVID F. O'DONAHUE
COLONEL JOHN O. PAYNE
COLONEL TROY R. PHILLIPS
COLONEL RAFAEL A. RIBAS
COLONEL EDWARD D. RICHARDS
COLONEL HAMILTON D. RICHARDS
COLONEL JOHN W. SCHROEDER
COLONEL SCOTT C. SHARP
COLONEL CARY A. SHILLCUTT
COLONEL BENNETT E. SINGER
COLONEL RAYMOND G. STRAWBRIDGE
COLONEL TRACEY J. TRAUTMAN
COLONEL SUZANNE P. VARES–LUM
COLONEL DAVID N. VESPER
COLONEL CLINT E. WALKER
COLONEL JAMES B. WASKOM
COLONEL MICHAEL J. WILLIS
COLONEL KURTIS J. WINSTEAD
COLONEL DAVID E. WOOD

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. LAURA L. YEAGER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. WILLIAM J. EDWARDS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ROBERT W. ENZENAUER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL RANDY A. ALEWEL
BRIGADIER GENERAL CRAIG E. BENNETT
BRIGADIER GENERAL ALLEN E. BREWER
BRIGADIER GENERAL BRIAN R. COPES
BRIGADIER GENERAL BENJAMIN J. CORELL
BRIGADIER GENERAL PETER L. COREY
BRIGADIER GENERAL STEVEN FERRARI
BRIGADIER GENERAL RALPH H. GROOVER III
BRIGADIER GENERAL WILLIAM A. HALL
BRIGADIER GENERAL BRIAN C. HARRIS
BRIGADIER GENERAL RICHARD J. HAYES, JR.
BRIGADIER GENERAL SAMUEL L. HENRY
BRIGADIER GENERAL BARRY D. KEELING
BRIGADIER GENERAL KEITH A. KLEMMER
BRIGADIER GENERAL WILLIAM J. LIEDER
BRIGADIER GENERAL DANA L. MCDANIEL
BRIGADIER GENERAL RAFAEL O'FERRALL
BRIGADIER GENERAL JOANNE F. SHERIDAN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5144:

To be lieutenant general

MAJ. GEN. REX C. MCMILLIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT R. RUARK

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SAMUEL D. COX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GINA M. GROSSO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. PAUL A. GROSKLAGS

IN THE AIR FORCE

AIR FORCE NOMINATION OF JESSE L. JOHNSON, TO BE MAJOR.

AIR FORCE NOMINATION OF JOSE M. GOYOS, TO BE MAJOR.

AIR FORCE NOMINATION OF JOHN C. BOSTON, TO BE COLONEL.

AIR FORCE NOMINATION OF JOHN A. CHRIST, TO BE COLONEL.

AIR FORCE NOMINATION OF RICHARD H. FILLMAN, JR., TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF THOMAS M. CHEREPKO, TO BE MAJOR.

ARMY NOMINATION OF ERIC R. DAVIS, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF STEPHEN T. WOLPERT, TO BE COLONEL.

ARMY NOMINATION OF JENIFER E. HEY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MICHAEL R. STARKEY, TO BE MAJOR.

ARMY NOMINATION OF DEEPA HARIPRASAD, TO BE MAJOR.

ARMY NOMINATION OF DALE T. WALTMAN, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH VINCENT E. BUGGS AND ENDING WITH JAMES M. ZEPP III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

ARMY NOMINATIONS BEGINNING WITH SHONTELLE C. ADAMS AND ENDING WITH JOSEPH S. ZUFFANTI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

ARMY NOMINATIONS BEGINNING WITH ANDREA C. ALICEA AND ENDING WITH GIOVANNY F. ZALAMAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

ARMY NOMINATIONS BEGINNING WITH ERIC B. ABDUL AND ENDING WITH SARA I. ZOESCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

ARMY NOMINATIONS BEGINNING WITH GARY S. ANSELMO AND ENDING WITH JOHN G. ZIERDT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

ARMY NOMINATIONS BEGINNING WITH DEAN R. KLENZ AND ENDING WITH JAMES J. RICHE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH RICHARD L. BAILEY AND ENDING WITH KENNETH S. SHEDAROWICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH WILLIAM ANDINO AND ENDING WITH CHRISTOPHER P. WILLARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH DAVID B. ANDERSON AND ENDING WITH CARL W. THURMOND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH JERRY G. BAUMGARTNER AND ENDING WITH MAURI M. THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH ELIZABETH A. ANDERSON AND ENDING WITH MARGARET L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH TONIA M. CROWLEY AND ENDING WITH CHERYL M. K. ZEISE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH JENNIFER M. AHRENS AND ENDING WITH TODD W. TRAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH RAMIE K. BARFUSS AND ENDING WITH DENTONIO WORRELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH DAVID J. ADAM AND ENDING WITH VICTOR Y. YU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH APRIL CRITELLI AND ENDING WITH GREGG A. VIGEANT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH THOMAS F. CALDWELL AND ENDING WITH BRONSON B. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH CAROL L. COPPOCK AND ENDING WITH MARIE N. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH NORMAN S. CHUN AND ENDING WITH HARRY W. HATCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

ARMY NOMINATIONS BEGINNING WITH LAVETTA L. BENNETT AND ENDING WITH CRAIG W. STRONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2015.

IN THE NAVY

NAVY NOMINATION OF AUDRY T. OXLEY, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MARK B. LYLES, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH RUSSELL P. BATES AND ENDING WITH HORACIO G. TAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH SYLVESTER C. ADAMAH AND ENDING WITH CHADWICK D. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH RUBEN A. ALCOCER AND ENDING WITH MELISSIA A. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH ACCURSIA A. BALDASSANO AND ENDING WITH JACQUELINE R. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH JASON S. AYEROFF AND ENDING WITH BRENT E. TROYAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH JERRY J. BAILEY AND ENDING WITH ERIN R. WILFONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH WILLIAM M. ANDERSON AND ENDING WITH JEFFREY R. WESSEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

NAVY NOMINATIONS BEGINNING WITH MARIA A. ALAVANJA AND ENDING WITH VINCENT A. I. ZIZAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2015.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MAURA BARRY BOYLE AND ENDING WITH ANTHONY WOLAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 10, 2015.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT, UNITED STATES COAST GUARD, AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

VICE ADM. CHARLES D. MICHEL

COAST GUARD NOMINATION OF STEPHEN R. BIRD, TO BE LIEUTENANT COMMANDER.

DEPARTMENT OF TRANSPORTATION

MARIE THERESE DOMINGUEZ, OF VIRGINIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, August 6, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 10

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of Adam J. Szubin, of the District of Columbia, to be Under Secretary for Terrorism and Financial Crimes, Department of the Treasury.

SD–538

Daily Digest

HIGHLIGHTS

Senate agreed to H. Con. Res. 72, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S6327–S6428

Measures Introduced: Sixty-five bills and seven resolutions were introduced, as follows: S. 1938–2002, and S. Res. 242–248. **Pages S6379–81**

Measures Reported:

Special Report entitled "The Internal Revenue Service's Processing of 501(c)(3) and 501(c)(4) Applications for Tax-Exempt Status Submitted by "Political Advocacy" Organizations from 2010–2013". (S. Rept. No. 114–119)

S. 1603, to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers, with an amendment in the nature of a substitute. (S. Rept. No. 114–116)

Report to accompany S. 710, to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996. (S. Rept. No. 114–117)

S. 1946, to amend the Internal Revenue Code of 1986 to extend expiring provisions. (S. Rept. No. 114–118) **Page S6379**

Measures Passed:

Drinking Water Protection Act: Senate passed H.R. 212, to amend the Safe Drinking Water Act to provide for the assessment and management of the risk of algal toxins in drinking water. **Page S6349**

Federal Water Pollution Control Act National Estuary Program: Committee on Environment and Public Works was discharged from further consideration of S. 1523, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S6349–50**

Whitehouse Amendment No. 2639, to modify the authorization of appropriations. **Pages S6349–50**

Adjournment Resolution: Senate agreed to H. Con. Res. 72, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S6356**

Jacob Trieber Federal Building, United States Post Office, and United States Court House: Committee on Environment and Public Works was discharged from further consideration of S. 1707, to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House", and the bill was then passed. **Page S6363**

Gerardo Hernandez Airport Security Act: Senate passed H.R. 720, to improve intergovernmental planning for and communication during security incidents at domestic airports, after agreeing to the committee amendment in the nature of a substitute. **Pages S6422–23**

Representative Payee Fraud Prevention Act: Senate passed S. 1576, to amend title 5, United States Code, to prevent fraud by representative payees, after agreeing to the committee amendments. **Pages S6423–24**

Specialist Joseph W. Riley Post Office Building: Senate passed S. 1596, to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the "Specialist Joseph W. Riley Post Office Building". **Page S6424**

Lieutenant Colonel James "Maggie" Megellas Post Office: Senate passed S. 1826, to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the Lieutenant Colonel James "Maggie" Megellas Post Office. **Pages S6424–25**

Electronic Health Fairness Act: Senate passed S. 1347, to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining

meaningful EHR use, after agreeing to the committee amendment in the nature of a substitute. **Page S6425**

PACE programs: Senate passed S. 1362, to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs), after agreeing to the committee amendment in the nature of a substitute. **Page S6425**

Land Management Workforce Flexibility Act: Senate passed H.R. 1531, to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures. **Page S6425**

J. Waties Waring Judicial Center: Committee on Environment and Public Works was discharged from further consideration of H.R. 2131, to designate the Federal building and United States courthouse located at 83 Meeting Street in Charleston, South Carolina, as the ''J. Waties Waring Judicial Center'', and the bill was then passed. **Page S6425**

PFC Milton A. Lee Medal of Honor Memorial Highway: Committee on Environment and Public Works was discharged from further consideration of H.R. 2559, to designate the ''PFC Milton A. Lee Medal of Honor Memorial Highway'' in the State of Texas, and the bill was then passed. **Page S6425**

National Ovarian Cancer Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 228, designating September 2015 as ''National Ovarian Cancer Awareness Month'', and the resolution was then agreed to. **Pages S6425–26**

National Lobster Day: Committee on the Judiciary was discharged from further consideration of S. Res. 230, designating September 25, 2015, as ''National Lobster Day'', and the resolution was then agreed to. **Page S6426**

National Prostate Cancer Awareness Month: Senate agreed to S. Res. 248, designating September 2015 as ''National Prostate Cancer Awareness Month''. **Page S6426**

Measures Considered:

Cybersecurity Information Sharing Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats. **Pages S6329–48, S6350–51**

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of the bill, be withdrawn. **Page S6342**

A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the bill; and that Senator Burr then be recognized to offer the Burr/Feinstein substitute amendment, and that it be in order for the bill managers, or their designees, to offer up to 11 first-degree amendments relevant to the subject matter per side. **Page S6342**

Iran Resolution of Disapproval—Agreement: A unanimous-consent agreement was reached providing that following Leader remarks on Tuesday, September 8, 2015, Senate begin consideration of H.J. Res. 61, amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, and that the Majority Leader, or his designee, be recognized to offer a substitute amendment related to Congressional disapproval of the proposed Iran nuclear agreement. **Page S6342**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the junior Senator from West Virginia, the junior Senator from Arkansas, and the junior Senator from Missouri, be authorized to sign duly enrolled bills or joint resolutions from Wednesday, August 5, 2015, through September 8, 2015. **Page S6356**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S6356**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, Committees be allowed to file bills and reports on Thursday, August 6, 2015, from 11:30 a.m. until 1:30 p.m., and on Friday, August 28, 2015, from 12 noon, until 2 p.m. **Page S6426**

Record—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate that the Record be kept open on Thursday, August 6, 2015, from 11:30

a.m., to 1:30 p.m., for the introduction of bills and resolutions, statements, and cosponsor requests.

Page S6426

Pro Forma Session—Agreement: A unanimous-consent agreement was reached providing that Senate adjourn until 11:30 a.m., on Thursday, August 6, 2015, for a pro forma session, with the only business conducted being that under the orders of Wednesday, August 5, 2015; and that when Senate adjourns on Thursday, August 6, 2015, it next convene at 2:00 p.m., on Tuesday, September 8, 2015, pursuant to the provisions of H. Con. Res. 72, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. Page S6426

Ketchmark Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Tuesday, September 8, 2015, Senate begin consideration of the nomination of Roseann A. Ketchmark, of Missouri, to be United States District Judge for the Western District of Missouri; that there be 30 minutes for debate on the nomination, equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order to the nomination. Page S6356

Nominations—Agreement: A unanimous-consent agreement was reached providing that all the nominations received by the Senate during the 114th Congress, first session, remain in status quo, notwithstanding the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

Page S6356

Michaud Nomination Referral—Agreement: A unanimous-consent agreement was reached providing that the nomination of Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training, be referred jointly to the committee on Health, Education, Labor, and Pensions, and the Committee on Veterans' Affairs.

Page S6356

Nominations Confirmed: Senate confirmed the following nominations:

Kristen Marie Kulinowski, of New York, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Rafael J. Lopez, of California, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

Michele Thoren Bond, of the District of Columbia, to be an Assistant Secretary of State (Consular Affairs).

Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management).

Sheila Gwaltney, of California, to be Ambassador to the Kyrgyz Republic.

Perry L. Holloway, of South Carolina, to be Ambassador to the Co-operative Republic of Guyana.

Eric Martin Satz, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2018.

Vanessa Lorraine Allen Sutherland, of Virginia, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Vanessa Lorraine Allen Sutherland, of Virginia, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years.

David Hale, of New Jersey, to be Ambassador to the Islamic Republic of Pakistan.

Kathleen Ann Doherty, of New York, to be Ambassador to the Republic of Cyprus.

Hans G. Klemm, of Michigan, to be Ambassador to Romania.

Atul Keshap, of Virginia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

Alaina B. Teplitz, of Illinois, to be Ambassador to the Federal Democratic Republic of Nepal.

Joyce Louise Connery, of Massachusetts, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2019.

Joseph Bruce Hamilton, of Texas, to be a Member of the Defense Nuclear Facilities Safety Board for the remainder of the term expiring October 18, 2016.

Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs).

William A. Heidt, of Pennsylvania, to be Ambassador to the Kingdom of Cambodia.

Glyn Townsend Davies, of the District of Columbia, to be Ambassador to the Kingdom of Thailand.

Jennifer Zimdahl Galt, of Colorado, to be Ambassador to Mongolia.

James Desmond Melville, Jr., of New Jersey, to be Ambassador to the Republic of Estonia.

Peter F. Mulrean, of Massachusetts, to be Ambassador to the Republic of Haiti.

Gregory Guy Nadeau, of Maine, to be Administrator of the Federal Highway Administration.

Laura Farnsworth Dogu, of Texas, to be Ambassador to the Republic of Nicaragua.

Denise Turner Roth, of North Carolina, to be Administrator of General Services.

Paul Wayne Jones, of Maryland, to be Ambassador to the Republic of Poland.

5 Air Force nominations in the rank of general.

91 Army nominations in the rank of general.

3 Marine Corps nominations in the rank of general.

5 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, and Navy. **Pages S6352–56, S6427–28**

Marie Therese Dominguez, of Virginia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Page S6427**

1 Coast Guard nomination in the rank of admiral. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Page S6427**

Routine list in the Coast Guard. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Page S6427**

Nominations Received: Senate received the following nominations:

Marcel John Lettre, II, of Maryland, to be Under Secretary of Defense for Intelligence.

Patrick Joseph Murphy, of Pennsylvania, to be Under Secretary of the Army.

Thomas F. Scott Darling, III, of Massachusetts, to be Administrator of the Federal Motor Carrier Safety Administration.

Cherry Ann Murray, of Kansas, to be Director of the Office of Science, Department of Energy.

Charles P. Blahous, III, of Maryland, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

Charles P. Blahous, III, of Maryland, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Charles P. Blahous, III, of Maryland, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Robert D. Reischauer, of Maryland, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

Robert D. Reischauer, of Maryland, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Robert D. Reischauer, of Maryland, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Linda I. Etim, of Wisconsin, to be an Assistant Administrator of the United States Agency for International Development.

Laura S. H. Holgate, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Laura S. H. Holgate, of Virginia, to be the Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Richard Otto Buckius, of California, to be Deputy Director of the National Science Foundation. **Pages S6426–27**

Executive Reports of Committees: **Page S6379**

Additional Cosponsors: **Pages S6381–84**

Statements on Introduced Bills/Resolutions: **Pages S6384–S6405**

Additional Statements: **Pages S6373–79**

Amendments Submitted: **Pages S6405–22**

Notices of Intent: **Page S6422**

Authorities for Committees to Meet: **Page S6422**

Privileges of the Floor: **Page S6422**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:19 p.m., until 11:30 a.m. on Thursday, August 6, 2015. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6426.)

Committee Meetings

(Committees not listed did not meet)

JOINT COMPREHENSIVE PLAN OF ACTION

Committee on Armed Services: Committee concluded a hearing to examine the Joint Comprehensive Plan of Action and the military balance in the Middle East, after receiving testimony from Walter Russell Mead, The Hudson Institute, and Richard Nephew, Columbia University Center on Global Energy Policy, both of New York, New York; and Michael Singh, The Washington Institute for Near East Policy, and Ray Takeyh, and Philip Gordon, both of the Council on Foreign Relations, all of Washington, D.C.

IRAN NUCLEAR AGREEMENT SANCTIONS RELIEF

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the implications of sanctions relief under the Iran agreement, after receiving testimony from Wendy Sherman, Under Secretary of State; Adam J. Szubin, Acting Under Secretary of Treasury for Terrorism and

Financial Intelligence; Nicholas Burns, Harvard Kennedy School, Cambridge, Massachusetts; and Juan C. Zarate, and Mark Dubowitz, both of the Foundation for Defense of Democracies Center on Sanctions and Illicit Finance, and Matthew Levitt, The Washington Institute for Near East Policy, all of Washington, D.C.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 1324, to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units;

S. 1523, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program;

S. 1500, to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters;

S. 1707, to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House'';

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

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

General Services Administration resolutions.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

The committee's report on the IRS handling of tax exempt status under Internal Revenue Code 501 (c)(4); and

The nominations of Marisa Lago, of New York, to be a Deputy United States Trade Representative, with the rank of Ambassador, and W. Thomas Reeder, Jr., of Virginia, to be Director of the Pension Benefit Guaranty Corporation.

JOINT COMPREHENSIVE PLAN OF ACTION

Committee on Foreign Relations: Committee concluded a hearing to examine the implications of the Joint Comprehensive Plan of Action for United States policy in the Middle East, after receiving testimony from Michael Singh, The Washington Institute for Near East Policy, and Kenneth M. Pollack, The Brookings Institution, both of Washington, D.C.

REAUTHORIZING THE HIGHER EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine reauthorizing the Higher Education Act, focusing on opportunities to improve student success, after receiving testimony from Stan Jones, Complete College America, Indianapolis, Indiana; Scott Ralls, North Carolina Community College System, Raleigh; Timothy Renick, Georgia State University, Atlanta; Lashawn Richburg-Hayes, MDRC, New York, New York.

INSPECTOR GENERAL AND INDEPENDENT OVERSIGHT

Committee on the Judiciary: Committee concluded a hearing to examine the Department of Justice's legal obligation to ensure Inspector General access to all records needed for independent oversight, after receiving testimony from Michael E. Horowitz, Inspector General, Kevin L. Perkins, Associate Deputy Director, Federal Bureau of Investigation, and Carlos Uriarte, Associate Deputy Attorney General, all of the Department of Justice; David Smith, Acting Inspector General, Office of Inspector General, Department of Commerce; Danielle Brian, Project on Government Oversight, and Brian D. Miller, former Inspector General, General Services Administration, Navigant Consulting, both of Washington, D.C.; and Paul C. Light, New York University Robert F. Wagner School of Public Service, New York, New York.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Tuesday, September 8, 2015 pursuant to the provisions of H. Con. Res. 72.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, AUGUST 6, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine the 2015 Trafficking in Persons Report, 10 a.m., SD–419.

House

No hearings are scheduled.

Next Meeting of the SENATE

11:30 a.m., Thursday, August 6

Senate Chamber

Program for Thursday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, September 8

House Chamber

Program for Tuesday: The House is scheduled to meet at 2 p.m. on Tuesday, September 8, 2015 pursuant to the provisions of H. Con. Res. 72.

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